

<b>Application Number:</b>	WP/20/00467/OUT
<b>Proposal:</b>	Erection of building for servicing and maintenance of helicopters and additional facilities incidental to heliport use (Outline-Access, Appearance, Layout and Scale)
<b>Location:</b>	THE HELIPORT, COODE WAY, PORTLAND, DT5 1BL
<b>Case Officer:</b>	Emma Telford
<b>Ward Member(s):</b>	Cllr R Hughes, Cllr P Kimber & Cllr S Cocking

The Service Manager has referred this application to planning committee due to the high level of public interest.

## **1.0 Summary of Recommendation:**

**1.1 Recommendation A:** That the committee be minded to delegate to the Head of Planning to grant, subject to the completion of a legal agreement under Section 106 of the Town and County Planning Act 1990 (as amended) to secure a financial contribution for mitigation to the recreational impact to the Chesil and the Fleet European site and subject to planning conditions and that the Head of Planning determine the application accordingly.

**1.2 Recommendation B:** That the committee be minded to delegate authority to the Head of Planning to refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

1. In the absence of a satisfactory completed Section 106 agreement the scheme fails to secure mitigation necessary to avoid unacceptable impacts through recreational pressures upon the Chesil and Fleet European Site contrary to policy ENV 2 of the West Dorset, Weymouth & Portland Local Plan (2015) and Section 15 of the National Planning Policy Framework (2021).

## **2.0 Reason for the recommendation:**

- The proposed development is within the Defined Development Boundary (DDB) for Portland in both the Local Plan and the Portland Neighbourhood Plan.
- The proposed development is not considered to result in any significant harm to neighbouring residential amenity.
- The proposed development is considered acceptable in its design and general visual impact.
- There are no material considerations which would warrant refusal of this application.

## **3.0 Key Planning Issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of Development	The application site is located within the DDB for Portland. The proposed development is considered to comply with local plan policy PORT 1 and policy Port/EN6 of the Portland Neighbourhood Plan.
Residential Amenity	It would not have a significant adverse impact on the living conditions of occupiers of residential properties.
Visual Amenity and the setting of Heritage Assets	It would not have an adverse impact on the visual amenities of the site, nor would it result in any additional harm to the significance of the heritage assets.
Highway Safety	Highways raised no objections.
Flooding & Drainage	Environment Agency and Flood Risk Management Team raised no objection subject to conditions.
Biodiversity	The impacts are considered acceptable subject to a financial contribution for mitigation and a condition to secure native planting suitable to the area.

#### **4.0 Description of Site**

4.1 The application site is located within Osprey Quay. Within the site there is an existing hangar building and further ancillary structures. The majority of the site comprises tarmacked area for use as a helipad and runway for take-off and landing and associated activities. To the north of the site is Portland Harbour, with a pedestrian esplanade along the site boundary. Along the eastern boundary there is a large area of open space and the site is bounded to the west and south by commercial units of Osprey Quay. The application site is located within the setting of the scheduled monument Portland Castle.

4.2 The application site is located within the defined development boundary for Portland and is within the local plan allocation PORT 1.

#### **5.0 Description of Proposal**

5.1 This application seeks outline planning permission (although the only reserved matter is landscaping) for the erection of a building for servicing and maintenance of helicopters and additional facilities incidental to heliport use. The hangar would be located along the north-west boundary and due to the nature of the use the access to the hangar would require wide span openings with a depth to fully accommodate the helicopter and adequate space around and above for maintenance access. The proposed building would also provide an indoor area to provide simulated training, some overnight accommodation for student pilots and crew to support the current training activity undertaken at the site, plant areas and ancillary support areas for example offices, staff welfare facilities, stores and lecture rooms.

5.2 The proposed building would comprise of three core elements, the main hangar, accommodation and simulator. The main hangar area is to be centrally located in order to have direct access to the landing/take off areas. The accommodation element is located to the north of the site. The proposed roof design of the building is a curved roof design sweeping downwards at the boundary in order to achieve the required height whilst minimising the eaves height adjacent to the western boundary.

5.3 Access to the site would be via the existing gated entrance onto the site at Coode Way.

## **6.0 Relevant Planning History**

03/00341/GOV – Construct a new search and rescue facility including helicopter hangar and realignment of the existing runway – Approved – 05/12/2003

WP/17/00741/CLP – The use of the land as a helicopter facility including hangar, runway for take off and landing and associated activities – Approved – 12/01/2018

## **7.0 Relevant Constraints**

Within defined development boundary  
Local plan allocation PORT 1, Osprey Quay  
Setting of the Conservation Area  
Setting of the Scheduled Monument  
Flood Zone 3  
Setting of the World Heritage Site

## **8.0 Consultations**

8.1 Natural England – *As submitted, the application could have potential significant effects on Portland Harbour Shore SSSI, Chesil & The Fleet SSSI, Chesil & The Fleet SAC, Chesil Beach & the Fleet Ramsar site and Chesil Beach & the Fleet SPA. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:*

- *Additional information to allow the competent Authority to complete a Habitats Regulations Assessment/Appropriate Assessment in relation to a) the proposed student accommodation and b) the disturbance impacts from flights – see below for more detail.*
- *A drainage strategy for the site to ensure protection of the water quality in Portland Harbour and the surrounding areas' designated sites*

*We recommend you obtain the following information to help undertake the Habitats Regulations Assessment/Appropriate Assessment:*

*In respect of the proposed student accommodation:*

- *The likely increase of visitors to the international sites resulting from the development alone and in combination with planned development within the locality.*
- *The effectiveness of ongoing recreational management efforts and whether additional measures may be required.*
- *Any measures that may be required to ensure the recreational mitigation measures in place have sufficient resources to ensure they can be relied on for perpetuity.*
- *Ultimately, whether the development is willing to comply with the Interim Strategy for mitigating recreational impacts on the Chesil & the Fleet suite of designated sites.*

*In respect of the disturbance impacts from flights:*

- *Consideration of disturbance impacts from flight movements and noise disturbance and any requirement for restriction of flight paths and heights to ensure no disturbance to birds at the designated sites.*

#### *Biodiversity Plan Required*

*The application falls within the scope of the Dorset Biodiversity Protocol, recommended by your authority, which requires the submission of a Biodiversity Plan (BP) for all developments of this nature. Natural England therefore recommends that permission is not granted until a BP has been produced and approved by the Dorset Council's Natural Environment Team (NET). Provided the BP has been approved by the DC NET and its implementation in full is made a condition of any permission, then no further consultation with Natural England is required*

*8.2 Historic England – Historic England has concerns regarding the application on heritage grounds. Our concerns relate to the incremental encroachment on the openness of the surroundings of this nationally important heritage asset and the potential increase in noise, dust and vibration which we consider has potential to be detrimental. We are also concerned that the potential for additional vibration to impact on the historic fabric of the castle has not been adequately assessed. In our opinion the proposed development would have a harmful impact on the significance of Portland Castle as a result of this proposed development within its setting.*

*We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 190, 192, 194 and 200 of the NPPF.*

*In determining this application in due course you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or*

*any features of special architectural or historic interest which they possess. You should also bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring special attention to be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.*

8.3 Crime Prevention Team – *No objections to this application.*

8.4 Highways – *The Highway Authority considers that the proposals do not present a material harm to the transport network or to highway safety and consequently has no objection.*

8.5 Wessex Water – *No objections to this application.*

8.6 Flood Risk Management Team – *We request that a precautionary approach be adopted and recommend that a holding objection be applied until a substantiated conceptual drainage strategy has been submitted and approved.*

8.7 Weymouth Town Council – *No objections.*

8.8 Portland Town Council – *Portland Town Council has concerns about the environmental impact of noise and fume emissions. It notes concerns raised by other consultees. Portland Town Council therefore strongly requests that this application is not determined by a planning officer but instead is heard by planning committee to enable full and frank debate.*

8.9 Conservation Officer – *Whereas the proposal seeks to expand the employment opportunities within an area of industrial/commercial activity, the scale of the proposal is a significant change to the overall area. In particular heritage concern rests with the (visual) impact on the Portland castle site, less so on the Conservation Area - though this is not taking into account associated environmental impacts such as noise etc.*

*It is noted that the proposed unit is set back as far as possible away from the castle however the facing elevation will be a large monolithic mass. Impact can be imagined easily looking at photo 4 of the heritage statement which shows the view from the castle slipway. The height is about the same as the existing hangar and when viewed from the castle site this 4 storey building will dominate this view obscuring the units behind and reducing the sense of open context historically associated with the castle.*

*There is also concern about the impact of the existing use of the heliport so this proposed expansion will further add to this traffic. The extra noise, dust and vibration to be caused by an increase in traffic has not been properly identified/demonstrated. Current usage can be described as high so the likelihood is that an increase is only going to make this worse and raise public dissatisfaction. In this sense the impact on the conservation area will be harmful.*

*There is of course the planning balance to be struck.....and whereas the site is in an obvious location the proximity of the scheduled monument and conservation area make the scale of the proposal inappropriate and should be scaled down.*

*It is noted that historic England have raised a number of concerns and these will need to be resolved before we can support the proposal fully.*

*8.10 Senior Archaeologist – I saw no reason to comment on archaeology. Historic England points out that the Cotswold Archaeology archaeological assessment highlights potential for palaeoenvironmental archaeology (i.e. deposits containing information relating to past landscapes and land use). However, my understanding from previous archaeological studies in this area is that there are deep deposits of modern reclamation material that infilled what was formerly a body of water called The Mere. Under such circumstances I think it unlikely that the proposed development would have a significant archaeological impact, and do not advise of a need for archaeological evaluation or an archaeological condition.*

*8.11 Technical Services – Due to the size of the proposed development, the DC FRM team have provided comments regards the management of surface water given their role as LLFA. I suggest you refer to these and also consult with the EA as the entire site falls within EA flood zones 2&3.*

*8.12 Environmental Health – I have no comments regarding noise for this application.*

*8.13 Environment Agency – We have no objection in principle to the proposed development, but currently object to the proposed development on flood risk grounds. This objection is discussed below.*

*This development appears to be a 'Less Vulnerable' development for helicopter maintenance, however there are 12 sleeping accommodation rooms included within the proposal. We note that this sleeping accommodation is on the first, second and third floors but it is this element that raises our concern, and therefore we discuss this in our response below and will require your Authority to advise us on this.*

*The supporting Flood Risk Assessment (FRA), prepared by STM Environmental v. 1.0 dated 07/07/20, refers to the proposed bedrooms as 'essential ancillary sleeping accommodation' and implies that this is a 'Water Compatible' development type. We query with your Authority regarding the vulnerability classification of the development and believe that the inclusion of sleeping accommodation could align the proposal with a higher flood risk vulnerability classification. We therefore would however welcome further advice from the Local Planning Authority with regards the vulnerability classification 'category' of this development and would be pleased to comment further.*

*Whilst we appreciate the applicants request for onsite accommodation, it is the incorporation of the sleeping accommodation, even at higher floor level, at this location which we have concerns due to the significant flood risk in this area. There is site specific complexity of flooding, flood alleviation, evacuation, public safety, etc. for development in this location. Therefore, we note that the FRA does not appear to have considered flood risk from the southern side of the site, from overtopping of Chesil Beach under severe storm conditions. Coupled with this, the FRA does not show any understanding of the Flood Alleviation provisions or operation in this area, including the privately owned site specific assets that were put in place to reduce flood risk for the area and site.*

*Therefore, our initial advice would be that the proposal should be revised to remove the sleeping accommodation. Even if this is achieved, we would advise that a far more comprehensive FRA must be submitted which includes a complete understanding of all sources of flood risk and a full account of all flood alleviation provisions, operation protocols etc. and Osprey Quay bespoke 'site specific' flood evacuation procedures and mitigation measures.*

**8.14 Dorset & Wiltshire Fire and Rescue Service** – *In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements.*

**8.15** *In response to the comments received, further information and an Environmental Statement was submitted this meant that the application was re-consulted on and the following further comments were made.*

**8.16 Environment Agency** – *Further review and commentary has clarified that the proposed hangar is an extension to an existing helicopter maintenance and training business which occupies this site.*

*We also note that there is existing 'crew' sleeping accommodation at this site (number of rooms and location unconfirmed) and we understand that as a result of this proposal all sleeping accommodation would be moved to the new building and set at first floor or above.*

*Subject to the above and strictly on the basis that the propose sleeping accommodation can be aligned with the approved use of the site to the satisfaction of your Authority, we would have no further objection to the proposal.*

**8.17 Flood Risk Management Team** - *We withdraw our previous recommendation of a holding objection and confirm that we have No In-Principle Objection to the proposed development subject to attachment of the following conditions to any planning approval granted. Although the site is close to tidal waters and is understood to be served by existing surface water sewers, a detailed drainage strategy will need to be submitted at*

*the DoC stage for approval. Therefore we recommend that the following conditions be applied to any decision notice:*

*No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.*

*REASON: To prevent increased risk of flooding and to improve and protect water quality.*

*No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.*

*REASON: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.*

*8.18 Conservation Officer - There are no buildings on the application site and the site is not within a Conservation Area. However, development on the site has the potential to affect the setting of a number of designated heritage assets. The main issues to consider therefore include the following:*

*1. the impact of the proposed development on the significance of the following designated heritage assets, including any contribution made by their setting:*

- Portland Castle (Scheduled Monument, 1015326), which includes:*
  - Portland Castle (Grade I, 1205262);*
  - Captain's House (Grade II\*, 1280817);*
  - Gateway and Curtain Wall to SE of Captain's House (Grade II\*, 1205280);*
- Boundary Stone c. 23 m S of Entrance to Captain's House (Grade II, 1281849);*
- Underhill Conservation Area; and*

*2. if harm is identified to designated heritage assets, any public benefits of the scheme could be sufficiently substantial to outweigh any harm caused, along with any other*



*relevant tests in national or local policy.*

*These comments supersede those by another Conservation Officer in August 2020 and take into account a letter from Messrs Ken Parke Planning Consultants (dated 6 October 2020), which responds to concerns raised by various consultees. In preparing these comments, we have taken the opportunity of reviewing all the application documentation and, as the matters raised are quite complex, have taken a detailed approach in order to sharpen the conclusions reached.*

#### *Impacts on Listed Buildings*

*In terms of heritage impacts, two particular areas of concern have been raised in responses to date by the Conservation Officer, Historic England and English Heritage. These both relate to effects on the Scheduled Monument and listed buildings at Portland Castle and comprise:*

- 1. the visual impact of the proposals on the setting of the Castle; and*
- 2. impacts on the setting of the Castle arising from noise, and potential damage to fabric caused by helicopters taking off and landing on the existing runway, which is in close proximity to the Castle.*

*For ease, these points are best addressed in turn.*

*1. The previous Conservation Officer noted that the proposed building ‘will dominate this view [i.e. from within the Castle, see Heritage Statement [‘HS’], photo 4, p. 30] obscuring the units behind and reducing the sense of open context historically associated with the Castle’. As the scale of the building was a ‘significant change to the overall area’, his recommendation was that the proposed building be ‘scaled down’. Similar concerns have been raised by Historic England, who noted the harm arising from ‘incremental encroachment of a large industrial development’ and impacts on the ‘intervisibility’ with Sandsfoot Castle and the ‘openness of the site’.*

*There is no doubt that these elements contribute to the significance of the Castle: the ‘topographical siting of the monument’ and the ‘strong spatial and associative relationship’ with Sandsfoot castle, with which it was ‘intentionally intervisible’ are noted in the HS (5.17- 5.19, pp. 28-29). However, the HS concludes that ‘the proposed development would not alter the key aspects of the Castle’s setting...and would not impede the understanding of its functional history and relationships’ (5.27, p. 33).*

*There is also no doubt that the setting of the Castle has changed irrevocably during the 20<sup>th</sup> century and continues in the 21<sup>st</sup> century. These changes have manifested in several ways:*

- The land to the E and SE of the Castle is now dominated by considerably larger buildings, which not only distract from the building, but dominate and blur its backdrop*

*when viewed from the water and from longer views from the land to N and NW (e.g. from Sandsfoot Castle).*

- *During the 20th century, the Mere has been progressively reclaimed, meaning that the formerly isolated, promontory position of the Castle in the coastal landscape has been much diminished.*
- *Related to the above, the gradual development of Osprey Quay, a process which truly began with the establishment of the RNAS on the site, has changed the context of the Castle both in terms of surrounding land usage, but also in building styles and uses, which lean now towards a modern, light industrial context.*
- *The sizeable runway and adjoining land adjacent to the Castle preserves at least some of the open aspect towards the latter from Portland Beach Road, but there is recent development appearing on this land immediate E of the runway (i.e. SSW of the Castle). This is bringing this modern, light industrial appearance and use ever closer within the Castle's surroundings and affecting views from Portland beach Road.*

*However, there are aspects of the Castle's setting which have remained unchanged despite this modernisation:*

- *The intervisibility between the Castle and Sandsfoot Castle remains intact: the two buildings have a direct line-of-sight across the harbour in a NNW direction, though the perceptibility of both have been changed by alterations to their surroundings and, in the case of Sandsfoot, by coastal erosion hastening its gradual collapse. This direction of this view is such that it bypasses the Osprey Quay development, though for obvious reasons this features in the penumbra of that view. This is illustrated in Photo 3 in the HS (p. 30).*
- *A good deal of open space remains around the Castle to the S and SSW, much of which is given over to the runway, which itself has limited visual impact other than its perimeter fence. As identified under 'Significance' above, this aspect of the Castle's setting contributes much to its significance as it permits views from Portland Beach Road, the current and historical link between the island and the mainland.*
- *Notwithstanding the potential effects on the fabric of the building through naval and later coastguard helicopters (a matter discussed further below), the foundation and operation of the RNAS and the subsequent continuation of coastguard activity are not entirely incongruous with the Castle's military purpose and context.*

*Taking the above into account, if the current proposals change or exacerbate aspects of these detrimental changes to a perceptible degree, it follows that the proposals would result in harm to the significance of the Castle in terms of visual impacts or contextual changes to setting.*

*The proposed hangar sits within a site which is already developed for aviation usage, and legibly so. The proposal does not represent the development of a virgin site, unlike, for example, the aforementioned development occurring to the S and SSW of the Castle. Though the distances are not great, the open space between the proposed site and the Castle is experienced in the surroundings as being quite extensive, emphasised by the extensive taxi space, runway and car park that separate the two, as well as the open harbour backdrop. The most prominent visible elements in the current melange are the existing hangar, the 5-storey marina drystack building and the curved roof profiles of the buildings at units 22-26 Osprey Quay (McManus Design, drawing no. PL-05). All three of these buildings are in the view W from the Castle grounds (HS, Photo 4, p. 30). In the latter view, the proposed building would effectively sit in front of the buildings at 22-26 Osprey Quay and would therefore increase the visual prominence of the modern built form. However, as the context visuals make clear (D&A Statement, pp. 17-18), this would not be out-of-character for the site nor, in our view, would the new building result in domination of the significant viewpoints to and from the Castle.*

*On the above assessment, it is not considered that the visual impact of the proposed building on the significance of the Castle will be sufficient as to qualify as harm. In terms of specific elements of the latter's setting, it is considered that:*

- it will not block the most significant views from the Castle, i.e. to/from Sandsfoot Castle and out across the harbour it was intended to face and protect;*
- it will not block or alter the remaining view across open space towards the Castle from Portland Beach Road;*
- it will not materially alter the existing character of the modern, light industrial context of the Castle represented by the Osprey Quay development; and*
- it represents development within an existing aviation site and not on an undeveloped site. In experiential terms, it is not thought that it will significantly alter the perceived space between the Castle and the site.*

*2. Concerns were raised by the previous Conservation Officer about the 'impact of the existing use of the heliport' and its potential expansion giving rise to additional 'noise, dust and vibration'. Again, similar concerns were raised by both Historic England and English Heritage: the former note how the impact of noise etc. appears not to have been considered, whilst the latter have noted potential ongoing effects on the fabric of the Castle arising from vibrations caused by helicopter activity, a situation which they are monitoring.*

*The impact of noise/vibration on both setting and fabric of heritage assets is certainly a valid consideration, but in this case is particularly valid if new sources of noise/activity will be introduced through new uses and/or if current noise- or vibration-producing*

*activities will be intensified as a result of the proposals. Regarding the former, our understanding is that the proposals will supplement current activities on the site, namely the stationing and servicing of helicopters and the training of pilots. In this sense, we are satisfied that the proposals will not introduce new sources of noise/activity. In terms of intensification, our understanding is that the proposals do not suggest an increase in the number of flights to and from the facility as a result of the new building. The Planning Statement [‘PS’] refers to this issue and states that the ‘deep servicing’ and parts harvesting are undertaken in the hangar and will therefore result in minimal externally audible noise and that the machines ‘will be brought to the site mostly by lorry’ (3.4-3.5, p. 6). In their letter of 6 October 2020, Messrs Ken Parke also confirm that no intensification of flights is proposed as a result of the scheme and also that the current flight numbers are unrestricted (p. 1). Taking this into account, we are satisfied that the proposals will not result in an appreciable intensification of impacts from noise/vibration than is currently emitted from the site under its normal, lawful working conditions.*

*Though we note with concern English Heritage’s comments regarding potential cracking to the Captain’s House caused by the existing use of the site, as well as issues with volume, these seem to relate to the current use of the site and should therefore be addressed directly with HeliOperations. If the level of intensification of noise/activity that will result from the new hangar proposal is negligible, then it is not clear how the proposal would result in additional harm in this respect. Obviously, in the event that the opposite were the case, then the matter would likely be considered differently.*

#### *Impacts on Underhill Conservation Area*

*Issues relating to the impacts on the Conservation Area are less in evidence in previous consultee responses. The conclusion of the HS was that i) ‘the Site is not considered to represent an aspect that defines the special character or appearance of the Conservation Area’ (5.42, p. 36); and that ii) the ‘degree of change arising from the proposed development would be minimal and would not affect the overall appreciation of the special character, and hence significance, of the Conservation Area (5.43, p. 37). Based on our own assessment above, we see no reason to disagree with these conclusions.*

#### *Conclusions*

*Based on the above, we do not consider that the proposals will result in additional harm to the significance of either the Portland castle Scheduled Monument (including the composite listed buildings), nor to the Conservation Area. The design is considered to be acceptable; sufficiently varied so as not to represent a ‘monolithic mass’; and congruent in appearance and scale with the prevailing Osprey Quay context. However, owing to the sensitivity of the setting and in order to ensure that specified materials and colours are appropriate, details of these should be submitted and approved as a condition.*

8.19 Historic England – *We consider that amendments are required to the design of the proposed accommodation building to ensure that important open views of the castle would not be diminished by this building. We consider that those amendments should seek to ensure that the building is designed to appear subservient to the castle in views from the land.*

*Historic England has concerns regarding the application on heritage grounds. Our concerns relate to the incremental encroachment on the openness of the surroundings of this nationally important heritage asset and the potential increase in noise, dust and vibration which we consider has potential to be detrimental. We are also concerned that the potential for additional vibration to impact on the historic fabric of the castle has not been adequately assessed. In our opinion the proposed development would have a harmful impact on the significance of Portland Castle as a result of this proposed development within its setting.*

## **9.0 Representations**

9.1 Thirty responses were received objecting to the proposed development, the reasons for which are summarised below:

Neighbouring Amenity:

- Unsuitable location close to a residential area
- Noise levels are already intolerable
- Increased noise levels
- Increased noise level at anti-social times
- Noise from repetitive training
- Noise is the second largest environmental cause of health problems, just after the impact of air quality
- Hovering of helicopters for long periods of time
- No restrictions on flight times and the noise evaluation implies there will be no additional noise
- Increased flight activity over the houses on the island since this organisation took over the base – Navy helicopters were always flown straight out to sea and around the island
- Clear documentation is required of what time flights can take place in the evening and night
- New housing is very close to the helicopter pad and is on-going
- Noise just over Portland but also the adjacent Rodwell and Wyke Ward
- Increased air pollution
- Increased vibrations causing rattling windows, drowns out TV and audio equipment, phone conversations etc
- Impinging on work productivity of local businesses and local residents working from home

- No timetable for the helicopters movements also impacts negatively on the mental health of neighbouring residents
- More incoming and departing helicopters and with servicing and works, more frequent test flights or operations will also be needed
- No commitment to avoid increasing aircraft operation activity levels
- The landing spot in the compound will be moved close to the edge of the compound
- Safety of manoeuvres being practiced in close proximity to spectators and housing
- Level of noise is incompatible with quiet enjoyment of residential properties
- Makes the community unsafe by having untrained and unqualified pilots flying helicopters over residential and business communities
- There are soot deposits, smell and fuel droplets
- Loss of privacy with flights level with bedroom windows
- Operating plan which minimises the noise nuisance to the local community needs to be agreed
- Incompatible with the public right of way
- Would dwarf Portland Castle

#### Visual Amenity:

- The proposed four storey building would be out of keeping with the surrounding two storey development
- The orientation of the building would be out of keeping with the surrounding buildings
- The proposal does not preserve or enhance the character and appearance of the conservation area or the scheduled monument
- Views of nature/coastline will become eroded
- Development will further industrialise the coastline
- Nuisance activity in this beautiful and tranquil area of Portland Harbour and beyond
- Portland Castle is already subjected to very high levels of noise and fumes
- Size and location of the proposed building is out of keeping with the open feel of the waterfront and surrounding vistas
- Size of the building will dominate the water's edge
- New precedent for other developments
- Size of structure would redefine and dominate the waterfront and impact views across the Portland Peninsular
- Cracks have started to appear in Captain's House

#### Other Matters:

- Increased noise will adversely affect the local tourist industry which is so important for the local area and its economy
- Council have failed in their duty to carry out an environmental impact survey
- 12 en-suite bedrooms are proposed would be better for the Portland economy if they arranged for them to stay in Portland's hotels and B&B's
- Need to tackle climate change and reduce harmful emissions such as helicopter emissions
- Degrades the economics, the social and the environmental wellbeing of the area

- Purpose of the hangar is to increase their ability to service, repair and test more helicopters how will this not increase the amount, frequency and duration of flying time
- Increased traffic

9.2 A hundred and four responses were received in support of the application for the reasons summarised below:

- Helicopters are part of Portland's past and future
- Portland's history for decades has an airfield of some description long before houses were built nearby
- Helicopters operating from this site for decades
- Create more jobs and revenue to the area
- Jobs also created through local contractors
- An expansion of this type of business will create genuine well paid apprenticeships
- If you buy property next to a helicopter base you must expect noise
- Facility has boosted tourism with people coming to watch and then using other facilities/services
- Investment in the local area
- Enjoyment of watching the helicopters coming in and out
- Numbers minimal now compared to when the navy was here
- Area is an industrial zone and has large buildings all around
- Encourage more interaction with other air support companies
- Building will be used for servicing purposes and will not contribute to extra flights
- Majority of night flights are Search and Rescue, Police and armed forces which Helioperations have no control over but do provide a vital service to these agencies
- Noise is not extensive or obtrusive
- Contribute to the wider community
- Vital to train people who could end up saving someone's lives
- Need to support a quality non tourism related business
- No similar businesses around
- Offers a refuelling centre for helicopters so a on going search and rescue can refuel and continue their operation
- Asset to Portland
- Building would shield a lot of noise
- Portland Port and the associated land is a working area
- Erection of this building can only enhance the heliport
- Company is willing to expand and inject much needed cash into the community
- Minor inconvenience from flying operation is outweighed by the benefits
- Helping to rejuvenate the area
- Expanded facilities will provide a customer base for nearby shops and services
- Utilise the historic use of the site
- Business is involved in local community they give tours to local groups of school children and the local scouts
- Upgraded maintenance facilities will not result in an increase in night flying
- Plan will assist in securing the future of this business

- Helicopters is an integral part of the area commercial and visitor income
- Heliport is a national and international facility that should be encouraged
- We cannot rely on tourism to provide jobs prospects for our younger population

9.3 Comments were also made regarding the proposal impacting on neighbouring resident's views however this is not a material planning consideration and will not be considered as part of this application.

## **10.0 Relevant Policies**

### West Dorset, Weymouth and Portland Local Plan

INT 1 – Presumption in Favour of Sustainable Development  
 ENV 1 – Landscape, Seascape and Sites of Geological Interest  
 ENV 2 – Wildlife and Habitats  
 ENV 4 – Heritage Assets  
 ENV 5 – Flood Risk  
 ENV 10 – The Landscape and Townscape Setting  
 ENV 11 – The Pattern of Streets and Spaces  
 ENV 13 – Achieving High Levels of Environmental Performance  
 ENV 16 – Amenity  
 SUS 1 – The Level of Economic and Housing Growth  
 SUS 2 – Distribution of Development  
 ECON 1 – Provision of Employment  
 COM 7 – Creating a Safe and Efficient Transport Network  
 COM 9 – Parking Standards in New Development  
 COM 10 – The Provision of Utilities Service Infrastructure  
 PORT 1 – Osprey Quay

### Portland Neighbourhood Plan 2017-2031

Port/EN0 Protection of European Sites  
 Port/EN4 Local Heritage Assets  
 Port/EN6 Defined Development Boundaries  
 Port/EN7 Design and Character  
 Port/TR3 Reducing Parking Problems

### Other material considerations

### National Planning Policy Framework

2. Achieving sustainable development
4. Decision-making



6. Building a strong, competitive economy
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Urban Design (SPG3)

Weymouth and Portland Landscape Character Assessment 2013

## **11.0 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.

## **12.0 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 PSED.

## **13.0 Financial Benefits**

- Construction jobs created
- Overnight accommodation encouraging spending in the local area

## **14.0 Climate Implications**

14.1 The Design and Access Statement details that the building will be constructed to achieve a BREEAM (Building Research Establishment Assessment Method)

assessment of 'very good' and exceed compliance with 2013 Building Regulations Part L.

14.2 The application site is located within the defined development boundary and would be an extension of the existing use.

## **15.0 Planning Assessment**

### **Principle of Development**

15.1 The application site is located within the Defined Development Boundary (DDB) for Portland, where residential, employment and other development to meet the needs of the local area will normally be permitted. The application site is also located within the local plan allocation PORT 1, Osprey Quay. The policy reads as follows:

*i) Land at Osprey Quay as shown on the policies map is allocated for primarily employment, leisure and ancillary retail uses and residential as part of a mixed-use scheme. Any development should be in accordance with the most recent Osprey Quay masterplan agreed by Weymouth & Portland Borough Council.*

15.2 The proposal is for the erection of a hangar building within the existing heliport compound extending the existing use of the site and is considered to fall under the definition of employment and therefore is considered to accord with local plan policy PORT 1. The proposal does include some overnight accommodation however these would be ancillary to the business unit and could not be used as self-contained dwellings. The principle of the development is therefore considered acceptable

### **Residential Amenity**

15.3 The proposal is for the erection of a building for servicing and maintenance of helicopters and additional facilities is incidental to heliport use. The proposed building would be located within the existing heliport compound and would be located adjacent to the north-west boundary. The proposed building would be in close proximity to the neighbouring commercial properties, the building is removed from any residential property and therefore would have no adverse impact in terms of loss of privacy, loss of light or outlook. Concerns have been raised by third parties regarding both the current noise level from the site but also increased disturbance from noise if this application is granted. A Certificate of Lawfulness issued in January 2018, which confirmed as lawful the use of the land as a helicopter facility including hangar, runway for take-off and landing and associated activities. The supporting evidence for the application sets out that the proposal would not be introducing a new source of noise to the site. A Noise Report was submitted as part of the application and concludes that there will be no additional noise associated with the activities. Environmental Health were also consulted on the proposal and raised no comments in relation to noise. The concerns

raised regarding noise were mainly in response to the flying of helicopters rather than the noise from maintenance carried out at the site. The Certificate of Lawfulness did not restrict the amount of take offs/landing nor did it restrict the hours when these activities could take place and therefore the site currently operates on an unrestricted basis and can lawfully do so. The proposal is for an engineering facility for the repair and maintenance of helicopters with the provision of ancillary training facilities for the existing training operations and does not involve an intensification of flights and as there is no current limit on the number of flights. As such it is not considered that a condition could now be imposed to restrict the number of flights on the basis of this current application. The proposed development is therefore not considered to result in a significant adverse impact on the amenity of residential occupiers.

### **Visual Amenity and the setting of Heritage Assets**

15.4 The proposal is for the erection of a building for servicing and maintenance of helicopters and additional facilities incidental to heliport use. The application site has the potential to affect the setting of a number of designated heritage assets. These include the scheduled monument, Portland Castle, Captain's House, Gateway and Curtain Wall to SE of Captain's House, boundary stone and Underhill Conservation Area. Concerns have been raised by both third parties and Historic England in relation to the visual impact of the proposal on the setting of the Castle and impacts on the setting of the Castle arising from noise and potential damage to fabric caused by helicopters taking off and landing. The proposed hangar site is within a site which is already developed for aviation usage, and legibly so. The open space between the proposed site and the Castle is experienced in the surroundings as being quite extensive, emphasised by the extensive taxi space, runway and car park that separate the two, as well as the open harbour backdrop. The most prominent visible elements from the Castle are currently the existing hangar, the five storey marina drystack building and the curved roof profiled of the buildings at units 22-26 Osprey Quay. The proposed building would effectively sit in front of the buildings at 22-26 Osprey Quay and would therefore increase the visual prominence of the modern built form. This would not be out-of-character for the site nor, would the new building result in domination of the significant viewpoints to and from the Castle. The Senior Conservation Officer considered that the visual impact of the proposed building on the significance of the Castle will be sufficient as to qualify as harm. Historic England advised that the glazed accommodation section should be removed or relocated at the southern end so that it's not a prominent feature and would minimise the visual impact when approaching the castle. This was not considered necessary but confirmation was sought as to whether the hangar could be stepped back from the coast any further, however due to the size requirements of the building this was not achievable within the parameters of the site. The proposed glazed accommodation is considered to create a feature and provide interest in the building

when viewed from the sea and therefore it was not considered sufficient enough to warrant refusal of the scheme.

15.5 Concerns were also raised regarding the impact of noise and vibration on both the setting and fabric of heritage assets. The Senior Conservation Officer considered that the proposals will supplement current activities on the site and was satisfied that the proposals will not increase the intensification of impacts from noise/vibration than is currently emitted from the site under its normal, lawful working conditions. The Senior Conservation Officer concluded that the proposals will not result in additional harm to the significance of either the scheduled monument Portland Castle nor to the Conservation Area. The design is considered to be acceptable, it is sufficiently varied so as not to result in one large mass and reflects the scale and appearance of the surrounding development of Osprey Quay. A condition would be placed on any approval granted for samples and details for the proposed materials for walling and roofing to be agreed. Given all of the above the proposal is considered to result in less than substantial harm to the significance of the designated heritage assets as set out in NPPF paragraph 202 and this harm should be weighed against the public benefits of the proposal. The scheme will provide economic benefits through the construction of the proposed building and the growing of the existing use within the existing parameters of the heliport site. The proposed development also looks to secure the use of the heliport which forms a key part of the history of Portland. The public benefits therefore are considered to outweigh the less than substantial harm to the significance of the heritage assets as detailed above.

### **Highway Safety**

15.6 The proposed development is for the erection of a hangar building with additional facilities. The access to the site would be via the existing gated entrance onto the site at Coode Way with parking for visitors and staff within the existing parking areas within the site which currently provides a total of 70 car parking spaces. Access beyond the car park to the building would be restricted by security gates with a limited amount of parking provided to the South of the new building for delivery vehicles and other authorised vehicles would be able to access the front of the building. Highways were consulted on the proposal and considered that the proposals do not present a material harm to the transport network or to highway safety and consequently has no objection.

### **Flooding & Drainage**

15.7 The application site is located within flood zone 3, a Flood Risk Assessment (FRA) was submitted as part of the application. The FRA details that there are site specific flood defences which were installed by MCA to ensure that the site could remain operational in terms of adverse conditions which is the times when the site is most likely to be active responding to emergencies. The EA were consulted on the application and

raised no objection in principle to less vulnerable development for helicopter maintenance but were concerned regarding the proposed 12 sleeping accommodation rooms included in the proposal. In response to these comments further information was supplied and the EA re-consulted. The EA raised no further objection providing there is existing crew sleeping accommodation at the site and as a result of the proposal all sleeping accommodation would be moved to the new building and set at first floor level or above and a condition would be placed on any approval granted to ensure this.

15.8 The Flood Risk Management Team were consulted on the application and requested the submission of a substantiated conceptual drainage strategy. In response to the comments further information was submitted and the Flood Risk Management Team withdrew their holding objection and confirmed that they do not have an in principle objection to the proposed development subject to conditions for a detailed surface water management scheme and details of maintenance and management which would be placed on any approval granted.

### **Biodiversity**

15.9 Natural England were consulted on the application and considered that the application could have potential significant effects on Portland Harbour Shore SSSI, Chesil & The Fleet SSSI, Chesil & The Fleet SAC, Chesil Beach & the Fleet Ramsar site and Chesil Beach & the Fleet SPA. Natural England considered that further information in order to determine the significance of these impacts and the scope for mitigation including information regarding the recreational impact from the student accommodation and in respect of the disturbance impacts from flights. Natural England also considered that a Biodiversity Plan (BP) should be submitted.

15.10 In response to the comments further information was provided. They detailed that there was no increase in the number of students attending the site as the operation currently offers training to students and pilots who stay within the local area in short term accommodation. The proposed development would enable the students to stay on the site rather than find other accommodation. It was considered that there was no guarantee that students wouldn't use Chesil Beach for recreation, especially given the proximity of the site to the beach therefore significant effects cannot be ruled out, particularly when applying the precautionary principle of HRA. The appropriate assessment (AA) undertaken and agreed by Natural England sets out that a financial contribution would be required of £4,088.76 plus an administration fee for mitigation which would be secured through a Section 106 agreement. It is considered that with mitigation secured, adverse effects on the integrity of the Chesil and the Fleet European sites, resulting from increased recreation are avoided.

15.11 In response to the comments regarding disturbance from flights the operators also detailed that any designated and wildlife protected areas have mandatory

avoidance areas around them to ensure that all flight operators avoid them, designated sites are already protected by other legislation and regulations. Natural England confirmed that the proposed development is unlikely to result in helicopters flying at sufficiently low altitudes over the SPA to significantly disturb birds which was also set out and agreed by Natural England in the AA.

15.12 In response to the requirement for a BP, the applicant set out that the site is not a suitable habitat for most wildlife species and the site is already mostly hard landscaped. This was discussed with the Natural Environment Team who considered that there doesn't appear to be any ecological features within the site so no mitigation is required, a BP could be undertaken to secure the net gain measures but this could also be done by condition. NET advised in this case a condition securing native planting suitable to the area would be considered suitable, such a condition would be placed on any approval granted.

## **16.0 Conclusion**

16.1 The proposal is for the erection of a building for servicing and maintenance of helicopters and additional facilities incidental to heliport use. The application site is located within the defined development boundary and is considered to comply with local plan policies SUS 2 and PORT 1.

16.2 The proposed development is also considered acceptable subject to conditions in relation to residential amenity, visual amenity and the setting of heritage assets, highway safety, flooding and drainage and biodiversity.

## **17.0 Recommendation**

- A) That the committee be minded to delegate to the Head of Planning to grant, subject to the completion of a legal agreement under Section 106 of the Town and County Planning Act 1990 (as amended) to secure a financial contribution for mitigation to the recreational impact to the Chesil and the Fleet European site and subject to planning conditions and that the Head of Planning determine the application accordingly.

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 – drawing number PL-01

Proposed Site Plan – drawing number PL-03

Proposed Elevations – drawing number PL-04  
Proposed Ground Floor Plan – drawing number PL-06  
Proposed First and Second Floor Plan – drawing number PL-07  
Proposed Third Floor and Roof Plan – drawing number PL-08  
Proposed Sections A-A & B-B – drawing number PL-09  
Proposed Sections C-C, D-D, E-E – drawing number PL-10

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

3. No development above Damp Proof Course (DPC) level shall be commenced until details (including colour photographs) of all external facing materials for the walls and roofs shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in strict accordance with the agreed details.

REASON: To ensure a satisfactory visual appearance of the development.

4. No development shall take place until a detailed and finalised surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including a timetable for implementation, has been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with agree scheme and timetable for implementation.

REASON: To prevent increased flooding and to improve protected water quality.

5. No development shall take place until details of maintenance & management of both the surface water sustainable drainage scheme and any receiving system have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

6. The 12 student accommodation rooms hereby approved shall only be located on the first, second or third floor of the building hereby approved, with no overnight accommodation being located on the ground floor of the building hereby approved or the ground floor of any other building within the red and blue lines of the application site as shown on the Location Plan, drawing number PL-01.

REASON: In order to safeguard the accommodation from unnecessary flood risk.

7. No development above Damp Proof Course (DPC) level shall be commenced until a landscaping scheme shall have been submitted to, and approved in writing, by the Local

Planning Authority. The approved scheme shall include native planting suitable to the area and be implemented during the first planting season November – March inclusive, immediately following commencement of the development. The scheme shall include provision for the maintenance and replacement as necessary of the shrubs and planting for a period of not less than 5 years.

REASON: In the interests of visual amenity

Informatives:

1. NPPF
2. S106

B) That the committee would be minded to delegate authority to the Head of Planning to refuse permission for the reasons set out below if the legal agreement is not completed within 6 months of the date of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

1. In the absence of a satisfactory completed Section 106 agreement the scheme fails to secure mitigation necessary to avoid unacceptable impacts through recreational pressures upon the Chesil and Fleet European Site contrary to policy ENV 2 of the West Dorset, Weymouth & Portland Local Plan (2015) and Section 15 of the National Planning Policy Framework (2021).