

Application Number:	P/ADV/2022/05965
Webpage:	Planning application: P/ADV/2022/05965 - dorsetforyou.com (dorsetcouncil.gov.uk)
Site address:	Chesil Beach Visitor Centre, Portland Beach Road, Portland, DT4 9XE
Proposal:	Display of 1no. sign board
Applicant name:	Dorset Wildlife Trust
Case Officer:	Charlotte Loveridge
Ward Member(s):	Cllr Cocking, Cllr Hughes, Cllr Kimber

1.0 The application relates to land that is in Dorset Council ownership and the application is therefore being reported to Committee in accordance with Dorset Council's Constitution.

2.0 Summary of recommendation:

Grant subject to conditions.

3.0 Reason for the recommendation: as set out in paras 15.1 -15.4 at end

- The proposal is acceptable in its design and general visual impact in respect of public amenity.
- The proposal is acceptable in respect of highway safety considerations.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle support for the siting of the sign board is gained from policy ENV14.
Scale, design, impact on character and appearance	The scale, design and impact on the character and appearance of the area is minimal and appropriate to the location.
Impact on residential amenity	No closely related neighbouring properties affected by the scheme.
Impact on landscape or heritage assets	No harm is created to the setting of the West Dorset Heritage Coast or the Portland Harbour Shore or Chesil & The Fleet SSSIs/SACs/SPAs due to the siting and materials used.
Access and Parking	No impact or change to the existing provisions and will aid visitor navigation.

Other matters	Located within Flood Zone 3 and area at low risk of surface water flooding and medium risk of ground water flooding. It also lies within the Chesil & The Fleet nutrient catchment area.
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5.0 Description of Site

- Access/egress for the Chesil Beach Visitor Centre, Taste Café and Chesil Beach Car Park (616 spaces) off the south eastern side of the A354 Portland Beach Road.
- The wide access splay is bordered by grass verges and is crossed by a pedestrian/cycle path that runs parallel to the A354, with a grassed bank buffer area between the pedestrian/cycle path (Portland Coast Path) and the Chesil Beach Visitor Centre and car park.
- There is a culvert on the southern grassed bank, with street lighting poles on either side of the access.
- The only building on the site is the Chesil Beach Visitor Centre which includes the Taste Café.
- The site is largely level, although the land level does drop down slightly from the road level on the southern grassed area.
- Large Portland stone boulders are placed at intervals along the side of the access into the parking area in order to discourage parking/stopping on the verges.
- There is an existing Chesil Beach Visitor Centre sign on the northern side of the access splay. This sign will be to match it on the opposite side.
- The surrounding area is bordered by the roadside South West Coast Path and shoreline of Portland Harbour to the east of Portland Beach Road, and the southernmost end of the Fleet Lagoon and Chesil Bank RAMSAR areas to the western side.
- The Chesil Beach Visitor Centre is the only development on the western side of the Portland Beach Road in this area until you reach Chiswell.
- Development on the eastern side of Portland Beach Road comprises the boat yard including Weymouth Watersports and Billy Winters café just slightly further north at Ferrybridge, with no other development until the Lidl store and the National Sailing Academy off the Hamm Roundabout as you enter Portland.
- The site lies within the Chesil Bank, The Fleet & The Causeway landscape character area and is characterised by being a fairly level coastal, marine harbour area with shingle beaches with far-reaching open views up the Fleet Lagoon, across Weymouth Bay and the coastline towards Osmington and towards Chesil Bank and Portland.

6.0 Description of Development

Display of 1no. sign board.

7.0 Relevant Planning History

07/00821/FUL3 - Decision: GRANT - Decision Date: 06/02/2008
Extensions and alterations to existing centre

10/00580/NONM - Decision: GRANT - Decision Date: 22/09/2010
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)

11/00094/CMPC - Decision: RES - Decision Date: 10/03/2011
Request for confirmation of compliance with planning conditions 1,3,5,6,7,8,9,10,12,13,14 and 15 of planning approval reference 07/00821/FUL3ES

12/00520/CMPC - Decision: RES - Decision Date: 28/09/2012
Request for confirmation of compliance with planning conditions 2 to 16 of planning approval reference 07/00821/FUL3ES

12/00514/NONM - Decision: GRANT - Decision Date: 29/08/2012
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.

14/00788/FUL - Decision: GRA - Decision Date: 10/12/2015
Attach decking and a bird hide to the West side of the Chesil Beach Centre

P/PDE/2022/00405 - Decision: PDR - Decision Date: 21/09/2022
Installation of an additional sign at the entrance to the site – *the response advised that the proposed sign would require permission as it is too large to fall within the permitted development limits.*

8.0 List of Constraints

Outside of defined development boundary

Heritage Coast

Landscape Character area Chesil Bank and the Fleet

Neighbourhood Plan - Made; Name: Portland NP; Status 'Made' 22/06/2021

Nutrient Catchment Areas - (*Chesil & The Fleet catchment*)

Areas Susceptible to Groundwater Flooding; 0.5m – 5m below ground surface – medium risk

Flood Zone 3

Flood Zone 2

Dorset Council Land

RAMSAR: Chesil Beach & the Fleet (UK11012); - Distance: 47.13

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 16.92

Site of Special Scientific Interest (SSSI) (400m buffer): Portland Harbour Shore; -
Distance: 16.92

Site of Special Scientific Interest (SSSI) (400m buffer): Chesil & The Fleet; -
Distance: 36.08

9.0 Consultations

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

Consultees

1. Highways

No objection

- Should be positioned a suitable distance from the adjacent public highway so as not to restrict visibility for pedestrians, cyclists and drivers.
- It should not restrict access required to the street lighting column.
- It must be constructed so not to cause inconvenience or actual injury to a third party.
- Condition and informative are recommended.

2. Portland Town Council

- Concurs with Weymouth Civic Society concerns regarding the siting of the board and highway safety for cyclists using the cycle path.

Representations received

1. Weymouth Civic Society

- Concerns about the location of the sign board where visibility for vehicles exiting the car park could be hindered.
- A position slightly further back from the road would be preferable.

Total - Objections	Total - No Objections	Total - Comments
0	0	1

Petitions Objecting	Petitions Supporting
0	0

10.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan:

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

- ENV 14 - Shop Fronts and Advertisements
- ENV 16 - Amenity
- COM7 - Creating a safe & efficient transport network
- ENV1 - Landscape, Seascape and Sites of Geological Interest
- ENV2 - Wildlife and Habitats
- ENV4 - Heritage assets

Neighbourhood Plans

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

Policy No. Port/EN9 Public Realm Improvements:

- *“Proposals to improve the public realm through the introduction of high quality pavements, signage.....will be supported.”*

Other material considerations

National Planning Policy Framework:

- Section 2. Achieving sustainable development: Para 11 sets out the presumption in favour of sustainable development. Development plan 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 any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted
- Section 4. Decision taking: Para 38 - 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 12 ‘Achieving well designed places 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 126 – 136 advise that:

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

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

The quality and character of places can suffer when advertisements are poorly sited and designed. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

- Section 15 'Conserving and Enhancing the Natural Environment'- In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 173). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.

Weymouth & Portland Urban Design (2002)

Landscape Character Assessment (Weymouth & Portland)

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 Public Sector Equalities Duty.

Access: the scheme has been designed to ensure people with disabilities or mobility impairments or pushing buggies have been accommodated, by moving the sign further back from the crossing thereby increasing visibility.

13.0 Financial benefits

To help promote and boost recreation and tourism for the area.

14.0 Environmental Implications

Given the modest extent of the proposals it will not result in any environmental implications. Whilst it does lie within an area at a high risk of flooding and a medium risk of groundwater flooding, the sign will not impact on this risk or increase the risk of flooding elsewhere. It will also not impact on the Chesil & The Fleet nutrient catchment area of the protected habitats.

15.0 Planning Assessment

15.1 Principle of development

Policy ENV14 of the West Dorset, Weymouth & Portland Local Plan (2015) states:

ii) Decisions controlling advertisements will be made with regard to amenity (including its impact on the local landscape, wildlife and historic character) and public safety (including its impact on road safety).

As such, in principle support for the siting of the advertisement sign is gained from Policy ENV14. The sign will be near the access with the A354 Portland Beach Road and will help to promote the nature conservation interests of the area and help visitors navigating the area.

15.2 Scale, design, impact on character and appearance

The proposed non-illuminated sign will be 1.2metres wide and 1.65 metres high. Oak posts will provide the support on either side, with three powder coated aluminium signage sections.

The main top section will be showing “Wild Chesil Centre” with “The Fine Foundation” and “Dorset Wildlife Trust” (and DWT badger logo). The middle section will show “Chesil and Fleet Nature Reserve” (and logo) and the bottom section will be “Taste Café”.

The design and colours of the sign are considered to be appropriate to the location and the surroundings and will have no adverse impacts on the character and visual amenity of the area.

15.3 Impact on amenity

Concerns were raised regarding the initial siting of the sign and that it could create a highway safety issue for cyclists using the cycle path that crosses the access.

The consultation response from Highways included the paragraph “*The advertisement board should be positioned a suitable distance away from the adjacent public highway so as not to restrict visibility for both pedestrian, cyclists and drivers who need to see each other at the crossing point of the car park entrance with Portland Beach Road.*” However, they raised “no objection” to the proposal so cannot have considered the siting to have created a hazard.

Having visited the site there is a wide visibility splay and with good visibility in both directions when approaching the junction with care and due consideration. The Official Highway Code (2022) states under the Hierarchy of road users at Rule H3 for drivers and motorcyclists that: “*You should not cut across cyclists, horse riders or*

horse drawn vehicles going ahead when you are turning into or out of a junction....this applies whether they are use a cycle lane, a cycle track, or riding ahead on the road and you should give way to them.” Rule H1 also states that “None of this detracts from the responsibility of all road users, including pedestrians, cyclists and horse riders, to have regard for their own and other users’ safety.”

Following the concerns raised, an amended plan was submitted which moves the sign slightly further into the site, which also clears the access required for the street lighting column which is close to the sign. It is considered that this addresses the concerns raised.

15.3 Impact on landscape & habitats

Given the modest extent of the proposals, it will not create any harm to the setting of the West Dorset Heritage Coast or the Portland Harbour Shore or Chesil & The Fleet SSSIs/SACs/SPAs due to the siting and materials used.

15.4 Other matters

The site is located within Flood Zone 3 and an area at low risk of surface water flooding and medium risk of ground water flooding. However, given the nature of the proposal it is not considered that the scheme would have any impact on flood risk in the area.

16.0 Conclusion

It is considered having regard to the scale and design of the proposed sign board that the development is acceptable in amenity and public safety terms in accordance with policies ENV1, ENV14 and COM7 of the West Dorset, Weymouth & Portland Local Plan (2015) and Policy No. Port/EN9 of the Portland Neighbourhood Plan (2021).

17.0 Recommendation

Grant subject to the following conditions:

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

Location Plan (received 18/01/2023)

Sign Details (received 18/01/2023)

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

2. The permitted advertisements must be static, have no moving parts, no illumination, no flashing lights, no animation, no reflective material and no images that could lead it to be confused with a formal road signs.

Reason: To prevent possible distraction and confusion to drivers.

3. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

6. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

Reason: As is required by Regulation 14 and Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

Informatives:

National Planning Policy Framework Statement

In accordance with paragraph 38 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 applications/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.

INFORMATIVE NOTE: Contact Dorset Highways The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.