

26th February 2025

Application Number:	P/FUL/2024/07033		
Webpage:	Planning application: P/FUL/2024/07033 - dorsetforyou.com		
Site address:	Focus Centre, 107 High Street, Swanage, BH19 2NB		
Proposal:	Erect new store extension, canopy, porch, bin store, new ramp and associated landscaping.		
Applicant name:	Swanage & Purbeck Development Trust		
Case Officer:	Cari Wooldridge		
Ward Member(s):	Cllr Suttle and Cllr Tritte		
Publicity expiry date:	30 January 2025	Officer site visit date:	17/12/24
Decision due date:	3 February 2025	Ext(s) of time:	28/02/25
No of Site Notices:	1 – Junction of Chapel Lane with High Street – displayed 20 th December 2024 2 – Chapel Lane near cottages – displayed 20 th December 2024 3 – Queens Mead to south of site – displayed 30 th December 2024		
SN displayed reasoning:	The site notices have been displayed in prominent positions in the interest of maximising awareness of the application.		

1.0 The application site is land owned by Dorset Council.

2.0 Summary of recommendation:

GRANT subject to conditions.

3.0 Reason for the recommendation: as set out in paragraph 18 at the end of the report

- The location is considered to be sustainable, and the proposal is acceptable in principle, its design, and general visual impact.
- There is considered to be no harm to nearby heritage assets or Swanage Conservation Area.
- There is not considered to be any significant harm to neighbouring residential amenity.
- The proposal is acceptable in respect of flood risk, highway safety, trees, and biodiversity.

- The proposal will deliver community benefits by way of visual enhancement and improved accessibility.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Acceptable - within the settlement boundary.
Scale, design, impact on character and appearance of the area and Dorset National Landscape	Acceptable within immediate context.
Impact on heritage assets	Acceptable impact on setting of heritage assets and Swanage Conservation Area.
Impact on neighbouring amenity	Acceptable – No demonstrable harm to neighbouring amenity.
Flood risk and drainage	Acceptable.
Highway impacts, safety, access and parking	Acceptable - subject to condition.
Impact on trees	Acceptable - subject to condition.
Biodiversity	Acceptable - subject to condition.
Community benefits	Acceptable.

5.0 Description of Site

- 5.1 The application site forms part of the Swanage ‘Focus Centre’ which is operated and delivered by the Swanage and Purbeck Development Trust. Located to the south of Swanage High Street, the wider site includes a Day Centre, a Children’s Centre and a further building known as ‘The Centre’. The group of buildings and land surrounding them will provide an inter-generational health and wellbeing complex for the local community including the delivery of children’s and adults’ services and wider usage of the Chapel Lane site for the community benefit by a range of organisations.
- 5.2 The application site includes the Children’s Centre and land immediately surrounding the building including parking and vehicular access to the front; land to the east of the Day Centre; and an area of steps to the north of the Day Centre which provides access between parking and the building.
- 5.3 There are a number of trees within the wider area of land forming part of the Focus Centre (within the blue line) and also areas of landscaping and open space. To the east is Chapel Lane, Swanage Methodist Church and Hall (Grade II Listed), and several cottages accessed via the land. To the south, the land rises steeply, and the southern site boundary adjoins gardens serving bungalows on Queens Mead. To the north and west are residential properties on Queens Road and High Street. The

entire site is located within Swanage Conservation Area and the Dorset National Landscape.

6.0 Description of Development

6.1 The proposal is for minor extensions and alterations with associated landscaping around the Focus Centre (Swanage Day Centre & Children's Centre) in Swanage. The proposals include:

- A single storey store extension of approx. 24 sqm off the south elevation of the Children's Centre to be clad in timber to match existing.
- A bin store off the east elevation of the Centre building.
- A glazed canopy above pedestrian walkways between the Children's Centre, the Centre building, and the new store.
- A new ramp providing accessible access between the Day Centre and parking area at a higher level to the west.
- New window to serve meeting space on western elevation of Children's Centre.
- Air source heat pump on flat roof of Children's Centre
- New hard and soft landscaping including improved parking layout and new surfacing.
- Introduction of accessible paths and surfacing around the buildings and landscaping to improve connections.
- Provision of new bicycle stands to the east of the Day Centre.
- New retaining walls proposed to the north-west of the Children's Centre.

7.0 Relevant Planning History

6/1976/0634 - Decision: GRA - Decision Date: 30/11/1976
Erect a wooden hut for use as storage shed.

6/1981/0963 - Decision: GRA - Decision Date: 08/02/1982
Erect wooden hut for use as storage shed (renewal).

6/1996/0537 - Decision: GRA - Decision Date: 25/10/1996
Erect extensions to improve existing Day Centre facilities and covered set down area

6/2005/0902 - Decision: GRA - Decision Date: 21/11/2005
To extend existing road access and create a new entrance to the centre to facilitate a one way traffic system through the site.

6/2005/0902_1 - Decision: GRA - Decision Date: 21/11/2005
To extend the existing road access and create a new entrance to the centre to facilitate a one way traffic system through the site.
File now held in DHC

6/2008/0768 - Decision: NOB - Decision Date: 12/01/2009

The erection of a small timber framed building with some works to the landscape immediately adjacent to provide a Sure Start Centre.

6/2008/0768_1 - Decision: GRA - Decision Date: 04/02/2009

The erection of a small timber framed building with some works to the landscape immediately adjacent to provide a Sure Start Centre

8.0 List of Constraints

LB - CLARENCE COTTAGE AND EAST BOUNDARY WALLS TO GARDEN listed building grade G2. HE Reference: 1152179 (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

LB - Grade: II Listed Building: THE METHODIST CHURCH AND HALL IMMEDIATELY EAST AND BOUNDARY WALLS TO WEST AND NORTH List Entry: 1152670.0; - Distance: 11.79 (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Application is within Swanage Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Application is within Swanage Statutory Settlement Boundary

Wessex Water Treatment Works Catchment

Dorset Council Land Freehold : Swanage Connect, High Street, Swanage - Reference FH002250 and Swanage Childrens Centre, High Street, Swanage (05829 05830 05831 05832 05833 05834) - Reference FH003408

Dorset National Landscape (formerly known as Area of Outstanding Natural Beauty (AONB)) (statutory protection Local Planning Authorities to seek further the purposes of conserving and enhancing the natural beauty of the area of outstanding natural beauty- National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

Site of Special Scientific Interest (SSSI) impact risk zone

Risk of Surface Water Flooding Extent 1 in 100 plus 20%/40% allowance

Risk of Surface Water Flooding Extent 1 in 1000

Radon: Class: Class 1: Less than 1% - Distance: 0

Scheduled Monument: The old prison and pump (List Entry: 1002727.0) - Distance: 146.05

9.0 Consultations

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

Consultees

1. Natural England

No comments received.

2. Dorset Council - Highways

Proposal served by existing access off High Street.

Amended drawing submitted for turning and parking area within the site curtilage.

Cycle store facility provided to encourage active travel and location lends to sustainable transport links.

Given existing trip credits Highway Authority has no objection.

Conditions recommended. (Conditions 7 &8)

3. Dorset Council - Dorset Waste Team

No comments

4. Dorset Council - Conservation Officer

No objection.

Given the position of the proposed works within the site the proposals would have no harmful impacts on the character or appearance of the Swanage Conservation Area, or the significance of the adjacent Grade II listed Methodist Church and its setting.

4. Dorset Council – Trees

Proposed works are relatively minor and located away from any significant trees with the exception of the extension to footpath.

The submitted Treecall Report broadly suggests sufficient protection for the retained trees.

Condition recommended. (Condition 2)

5. Swanage Town Council

Support. No objection to proposals.

7. Swanage Ward 1 – Cllr Suttle

No comments received.

8. Swanage Ward 2 – Cllr Tritte

No comments received.

Representations received

Two site notices were displayed by the applicant on 20/12/24. A further two notices were displayed by the case officer on 30/12/24.

On 30/12/24 an email was received from a neighbour to the application site advising that the application address was incorrect. Following confirmation of the correct address from the planning agent on 13/01/25, the application address was amended to Focus Centre, 107 High Street, Swanage, BH19 2NB.

1 letter of comment was received on 21/01/25 from the same neighbour which noted no objection to the proposal but again requesting that the application address be amended

It was not considered necessary to re-advertise the proposal with the correct address as the nature of the proposed development and siting of the Focus Centre within an otherwise residential area of Swanage was considered sufficient to avoid any confusion over the site location.

10.0 Duties

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

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is 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.

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.

Clause 85 of the Countryside and Rights of Way Act (2000) requires Local Planning Authorities to seek to further the purposes of conserving and enhancing the natural beauty of National Landscape (formerly known as Areas of Outstanding Natural Beauty)

11.0 Relevant Policies

Development Plan

Adopted Purbeck Local Plan:

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

Policy V1: Spatial strategy for sustainable communities

Policy E1: Landscape

Policy E2: Historic environment

Policy E4: Assessing flood risk

Policy E5: Sustainable drainage systems (SuDs)

Policy E10: Biodiversity and geodiversity

Policy E12: Design

Policy I2: Improving accessibility and transport

Policy I3: Green infrastructure, trees, and hedgerows

Adopted Swanage Local Plan:

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

Policy STCD: Swanage Townscape Character and Development – Area of High Townscape Value

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 draft Dorset Council Local Plan

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

Emerging Neighbourhood Plans

Swanage Neighbourhood Plan- In preparation – limited weight applied to decision making

National Planning Policy Framework

Paragraph 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.

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 11 'Making effective use of land'

Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

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

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

Section 14 'Meeting the challenges of climate change, flooding and coastal change'

Section 15 'Conserving and Enhancing the Natural Environment' - In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

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

Other material considerations

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.

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024 (extended to end of 2025 with the agreement of Dorset Council Cabinet 17/12/2024)

District Design Guide SPD

Swanage Conservation Area Appraisal

12.0 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.

13.0 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.

The proposed extensions, alterations and landscaping will improve the accessibility of the buildings through the introduction of new pathways, a glazed walkway canopy, and a new ramp to replace existing steps between the site and the car park. The proposals will remove existing disadvantage and will support the provision of the inter-generational health and wellbeing complex for the local community.

14.0 Financial benefits

None relevant.

15.0 Environmental Implications

The proposal will provide modest environmental benefits in the form of improved hard and soft landscaping and the provision of cycle stand facilities.

16.0 Planning Assessment

16.1 The main planning considerations for this application are:

- Principle of development

- Scale, design and impact on the character and appearance of the area and the Dorset National Landscape
- Impact on heritage assets
- Impact on neighbouring amenity
- Flood risk and drainage
- Highway impacts, safety, access and parking
- Impact on trees
- Biodiversity
- Community benefits

Principle of development

16.2 The Focus Centre is located within Swanage settlement boundary and the principle of the development is acceptable in accordance with Policy V1: Spatial strategy for sustainable communities and the settlement hierarchy of the Purbeck Local Plan 2024.

Scale, design and impact on the character and appearance of the area and the Dorset National Landscape

16.3 Although surrounded by houses and the adjacent Grade II Listed Chapel and Hall, the character of the Focus Centre site is that of an established community centre consisting of low-level buildings within areas of landscaping and open space. The buildings are set back from High Street and Chapel Lane with open areas of hard standing and car parking separated from enclosed areas to the rear by a mixture of boundary fencing and Purbeck Stone walling. The proposed extension, walkway canopy, minor alterations to elevations, air source heat pump, and alterations to the hard and soft landscaping areas would be well contained within the grounds of the centre and would not appear out of character within the setting.

16.4 The proposed store extension off the south elevation of the children's centre building will be single storey in height with a flat roof and timber cladding to match existing. The extension would be viewed against the existing building, would not be visible within the street scene and is considered to be of an acceptable scale, design and appearance. A new glazed canopy is proposed to provide a covered walkway between the store extension, the Children's centre and the Centre building. This is also low level in height and will provide an improved and accessible link which will be largely screened by the two buildings. An air source heat pump would be installed on the flat roof serving the north side of the Children's Centre building and would be well screened by the existing buildings. The timber screened bin store and improved areas of hard and soft landscaping, including new walling and retaining walls, will enhance the setting of the site and that of the adjacent listed buildings whilst improving accessibility for all users of the community facility. Details of the canopy support structure including colour finish are not provided with the application. It is considered that this, together with details of the 1.2 m high wall between the Day Centre and Children's Centre can be secured by condition.

16.5 Given the siting of the proposals within the settlement boundary and the established community centre site, it is considered that the proposal will not result in harm to the visual landscape character of the Dorset National Landscape.

16.6 The proposal is considered to comply with Policy E1: Landscape and E12: Design of the Purbeck Local Plan 2024.

Impact on heritage assets

16.7 The site is located within Swanage Conservation Area and lies adjacent to the Grade II Listed Swanage Methodist Chapel and Hall to the east. The Council's Conservation Officer has raised no objection to the proposal noting in their response that the position of the proposed works within the site would have no harmful impacts on the character or appearance of the Conservation Area or the significance of the Grade II listed Methodist Church and its setting. The proposal is judged to comply with Policy E2: Historic environment of the Purbeck Local Plan 2024.

Impact on neighbouring amenity

16.8 The site forms an established community use within a town location. Although residential properties surround the community centre, the proposed alterations and extensions are well related to the existing buildings and would not result in an intensification of the existing use. The proposed air source heat pump would be centrally located within the site with any noise mitigated by the existing buildings, the distance to neighbouring residential properties, and background noise within the immediate area. As such, no additional harm to neighbouring amenity has been identified. The proposal is judged to comply with Policy E12: Design of the Purbeck Local Plan 2024.

Flood risk and drainage

16.9 The Council's Level 1 Strategic Flood Risk Assessment identifies that the site lies within Flood Zone 1 and is not susceptible to groundwater flooding. However, sections of the access and parking to the east of the buildings and adjacent to Chapel Lane are subject of surface water flood risk at the 1 in 30 and 1 in 100-year extents including 20% and 40% climate change allowances. There is no change in the use of the site or increased vulnerability to flood risk.

16.10 The proposed store extension and walkway canopy result in small additional surface areas and the submitted plans and application form advise that the additional surface water will be disposed of to the main surface water sewer passing through the site. Alterations to hard landscaping consist of the replacement of existing hard surfacing and tarmac and will not result in a worsening of surface water. The proposal is not considered to increase flood risk to the site or surrounding area and as such complies with Policy E4: Assessing flood risk and E5: Sustainable drainage systems of the Purbeck Local Plan 2024.

Highway impacts, safety, access and parking

16.11 The centre is served by an existing vehicular access off High Street and Chapel Lane. No alterations to the access are proposed. However, it is proposed to re-surface parking areas and provide cycle stands. In response to comments received from the Council's Highway Engineer, the plans were amended to accommodate required parking space length and width together with sufficient space between the cycle stands. The Engineer has been reconsulted on the amended plans and notes that the proposal will be served by the existing access of High Street and that amended drawings are acceptable. The proposal includes cycle store facilities which will encourage active travel, and the location lends to sustainable transport links. As the site has existing trip credits, no objections are raised. However, the Highway Authority recommends conditions in respect of the turning / manoeuvring and parking construction and cycle parking. The proposal is judged to comply with Policy I2: Improving accessibility and transport of the Purbeck Local Plan 2024.

Impact on trees

16.12 The red line of the application site is tightly drawn around the proposed development and a single tree is proposed for removal to allow for the store extension. A number of trees are also present within the wider site (blue line). The application is supported by an Arboricultural Impact Assessment and Method Statement and a Tree Protection Plan. This has been subject of consultation with the Tree Officer who had confirmed that the proposed works are located away from any significant trees and the submitted tree details include sufficient protection for trees to be retained. The Tree Officer has recommended a pre-commencement meeting condition on the decision and for the development to be undertaken in accordance with the submitted details.

Ecology

16.13 A negative bat check certificate has been submitted with the application concluding that bats and their roosts will not be impacted by the proposed single storey store extension or the walkway canopy. The survey recommends that in order to comply with the NPPF in respect of biodiversity gain, either one bird box or one bat box should be installed on the external walls of the property. This can be secured by way of condition ensuring that the proposal also complies with Policy E10: Biodiversity and geodiversity of the Purbeck Local Plan 2024.

16.14 The proposal is not subject of Biodiversity Net Gain as the development is below the de minimis threshold impacting on less than 25 square metres of onsite habitat that has biodiversity value.

Community benefits

16.15 The proposals will provide a needed store, a covered walkway, and improved hard surfacing and landscaping to improve links between the buildings at the centre and ensure accessibility to all in the local community who will use the inter-generational

wellbeing and health complex. This accords with paragraph 128 of the NPPF which advises that local planning authorities should support proposals that make more effective use of sites that provide community services. It also aligns with the objectives of Policy I7: Community facilities and services of the Purbeck Local Plan 2024 which seeks to support the growth of and retain community infrastructure.

17.0 Conclusion

For the above reasons the proposal accords with the Purbeck Local Plan 2024 as a whole and is recommended for approval subject to conditions.

18.0 Recommendation: Grant subject to 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:
22125.08 B Site Location and Block Plan
22125.16 B Proposed Site Plan
22125.17 A The Children's Centre - Proposed Floor Plan
22125.18 A The Children's Centre – Proposed Elevations Sheet 1 of 2
22125.19 A The Children's Centre – Proposed Elevations Sheet 2 of 2
22125.20 A The Centre - Proposed Floor Plan
22125.21 A The Centre - Proposed Elevations Sheet 1 of 2
22125.22 A The Centre - Proposed Elevations Sheet 2 of 2

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

3. The development hereby permitted shall be undertaken in accordance with the Arboricultural Impact Appraisal and Method Statement prepared by Treecall Consulting Ltd ref: DS/24524/AC dated 13.11.2024. This condition shall not be discharged until an Arboricultural supervision and monitoring statement, the contents of which are to be confirmed at a PRE-COMMENCEMENT meeting between the Tree Officer, Arboricultural Consultant and Site Manager, is submitted to and approved in writing by the Local Planning Authority on completion of development.

To safeguard trees which are important to the visual amenities of the area.

4. Prior to installation, details (including colour photographs) of the walkway canopy structure including material, external finish, and colour shall have been submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall proceed in accordance with such details as have been agreed.

Reason: To ensure a satisfactory visual appearance of the development within Swanage Conservation Area.

5. Prior to construction, details of the 1.2 m high boundary wall between the Day Centre and Children's Centre as detailed on the Proposed Site Plan 22125.16 B shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the walling shall be erected in accordance with the agreed details.

Reason: In the interest of visual amenity within Swanage Conservation Area.

6. Prior to first use of the development hereby approved, a bat or bird box shall be installed on the external walls of the property as detailed in Phase 1 bat survey by LC Ecological Services dated 14th November 2024.

Reason: To enhance biodiversity.

7. Before the development hereby approved is occupied or utilised the turning/manoeuvring and parking shown on Drawing Number 22125.16 B must have been constructed. Thereafter, these areas, must be permanently maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site and to ensure that highway safety is not adversely impacted upon.

8. Before the development is occupied or utilised the cycle parking facilities shown on Drawing Number 22125.16 B must have been constructed. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

Informative Notes:

1. Biodiversity Net Gain

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 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 in the list below is/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>

2. 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.

3. The applicant is advised that prior to the development being brought into use, it must comply with the requirements of Building Regulations Approved Document S: Infrastructure for the charging of electric vehicles.

4. The applicant is advised that bats are protected in the UK by Schedule 5 of the Wildlife and Countryside Act 1981 and Part 3 of Conservation of Habitats and Species Regulations 2017 (as amended). Work should proceed with caution and if any bats are found, all work should cease, the area in which the bats have been found should be made secure and advice sought from Natural England (tel: 0300 060 3900), website www.naturalengland.org.uk before proceeding.

Further information about the law and bats may be found on the following website <https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

5. The applicant is advised that Wessex Water have published guidance notes about their surface water policy for minor development. The policy encourages developers to consider the most effective methods of directing surface water back to the environment in accordance with the Sustainable Drainage Systems hierarchy. Where necessary, applications to Wessex Water for a surface water connection can be made online.

<https://www.wessexwater.co.uk/services/building-and-developing/building-a-new-house-or-extension>

6. 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/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.