

Application Number:	P/FUL/2025/07525
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Holmbush Car Park Pound Street Lyme Regis DT7 3HX
Proposal:	Erect temporary site compound within Holmbush Car Park to contain the following: a mobile welfare unit; area for storage and plant; parking area; a heras fence boundary around the perimeter of the compound
Applicant name:	Mr Nigel Pidgeon
Case Officer:	Rob Piggot
Ward Member(s):	Cllr Bawden

- Reason application is going to committee:** The application site is within Dorset Council owned land.
- Summary of recommendation:**
Grant, subject to the conditions set out at section 16.
- Key planning issues**

Issue	Conclusion
Principle of development	The development would be within the town centre of Lyme Regis, with the proposed temporary compound providing efficiencies for infrastructure work, and traffic minimisation.
Scale, design, impact on character and appearance	The scale of the compound would be modest, set within an urbanised area of Lyme Regis, being temporary in nature and thus not detrimental to the wider public realm, street scene and rural (National Landscape) setting to the east and north of the site.
Impact on the living conditions of the occupants and neighbouring properties	The scheme is sufficiently distanced from neighbouring properties, with operational hours restricted.
Flood risk and drainage	The scheme is no worse than existing hard surface area, being a temporary compound, not changing to a more vulnerable use.
Highway impacts, safety, access and parking	The compound will utilise an existing entry/exit point to the carpark, with the impact on parking provision not considered severely detrimental limited given the temporary nature of the compound and availability of alternative parking in Lyme Regis.

Issue	Conclusion
Impact on trees	No development would involve excavation works, with fencing separating it from trees on the south east boundary of the compound.
Biodiversity	The site affected is not priority habitat, currently being hardstanding, and thus would have limited value as biodiversity habitat, being exempt from Biodiversity Net Gain.

4. Description of site

- 4.1 Holmbush Carpark is a large, hard surfaced carpark, located on the western side of Lyme Regis, on the southern side of Pound Street, above Cobb Road. The southern area of the carpark is well screened to the south, east and west by mature trees. The main access road through the carpark runs on a north to south axis, becoming a private access road at the southern end, known as Pine Walk.

5. Description of development

- 5.1 This application is for the establishment of a temporary site compound within Holmbush Car Park. The proposed development would be located in a triangular area – approximately 45.5m x 62m x 81m, in the southern section of the carpark, accessed from the main entrance to the carpark. The number of carparking spaces which the compound would temporarily displace would be approximately 96, out of a total of 393 (~24%). The compound will contain the following:
- a mobile welfare unit - approximately 8m L x 3m W x 2.5m H;
 - area for storage and plant;
 - parking bays;
 - a Heras fence boundary (approximately 2m H) around the perimeter of the compound;
 - site entrance/exit gates.
- 5.2 The site compound is intended to support the works being undertaken by South West Water Ltd to separate surface water from foul water networks in Lyme Regis, over an area of 4ha. The temporary compound would minimise disruption caused by traffic congestion which may be associated with the works.

6. Background and relevant planning history

1/W/90/000377 - Decision: WIT - Decision Date: 05/04/1991

Circular 18/84 Procedure - Erect power driven air attack siren

1/W/03/001783 - Decision: GRA - Decision Date: 02/06/2004

Demolish various structures to allow construction of coast protection works

7. List of constraints

SUS 2; Land Outside DDBs;

ENV 1; Area of Outstanding Natural Beauty; Dorset

ENV 7; Lyme Regis and Charmouth Slope Instability Zones; Zone 3

ENV 4; Conservation Area; Lyme Regis Conservation Area

PROW - Right of Way: Footpath W2/13

South West Water Foul Sewage - catchment: UPLYME STW

Dorset Council Land Freehold: Holmbush Car Park including cafe and public conveniences,
Pound Street, Lyme Regis - Reference FH004054

Higher Potential ecological network

Special Area of Conservation (SAC) (5km buffer): Sidmouth to West Bay (UK0019864); -
Distance: 137.95

Special Area of Conservation (SAC) (5km buffer): Lyme Bay and Torbay (UK0030372); - Distance:
291.68

NCERM Ground Instability Zone

8. Consultations

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

Consultees

1. Dorset Council - Rights of Way Officer:

I have no objection to the proposed development, as shown in the plans accompanying the application. However, throughout the duration of the development the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route

2. Dorset Council – Highways:

Initial Response (14/1/26): An assessment of the development proposal was made. I consider Section 1 of the Environmental Supporting Statement to be in effect, The Construction Method Statement. Along with the submitted drawings it includes the expected working hours, site and compound drawings including vehicle parking area, storage, plant and welfare unit as well as details of traffic routes to and from site. No unacceptable impact on highway safety was identified. Hence, the Highway Authority has NO OBJECTION to the proposal, subject to a Construction Method Statement condition.

Further Response (20/2/26): With regards to the access and continued use of the car parking area during the temporary use phase, we would recommend that the applicant consult with Dorset Council Parking Services team so that the public parking demand can be managed adequately especially during peak periods. The Local Planning Authority may require this to be conditioned.

3. Dorset Council - Coastal risk management:

No objection from the Coastal Risk Team.

4. Dorset Council - Asset & Property

No comments received.

5. Dorset Council - Env. Services – Protection

No adverse comment given proposed operating times.

6. Dorset AONB Team:

Considering the temporary nature of this proposal and the use of an existing car park, we have no overriding objection in relation to impacts on natural beauty. However, we recommend that the duration be clarified and that a lighting condition be applied.

7. Lyme and Charmouth Ward Member:

No comments received.

8. Lyme Regis Town Council:

The town council recommends approval of the application because the use is only temporary, there is no long-term harm arising from the planned development and it assists in the delivery of important town-wide improvements to the foul and surface water drainage infrastructure.

Representations received - None

9. Duties

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

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.

Section 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) when making any decision which affects such land.

10. Relevant policies

Development plan

In this case the development plan comprises:

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

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

- INT1: Presumption in favour of sustainable development
- ENV1: Landscape, seascape & sites of other geological interest
- ENV2: Wildlife and habitats
- ENV4: Heritage assets
- ENV5: Flood risk
- ENV7: Coastal erosion & land instability
- ENV10: The landscape and townscape setting
- ENV12: The design and positioning of buildings
- ENV13: Achieving high levels of environmental performance
- ENV15: Efficient and appropriate use of land
- ENV16: Amenity
- SUS2: Distribution of development
- COM7: Creating a safe & efficient transport network
- COM9: Parking provision

Material considerations

Emerging local plans:

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

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

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Local Nature Recovery Strategy – n/a as site is currently hardstanding and would remain as such.

National Planning Policy Framework 2024 (as amended 2025)

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. 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. Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 191). 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).

National Planning Practice Guidance

All of Dorset:

Dorset AONB Landscape Character Assessment

The Dorset National Landscape Management Plan 2026-31

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

Supplementary Planning Documents/Guidance For West Dorset area:

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

Conservation Area Appraisals:

Lyme Regis adopted October 2010

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

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

12. Public Sector Equalities Duty

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

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

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

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

This proposal is not considered to impact upon persons with protected characteristics.

13. Public Benefits

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

What	Amount / value
Material considerations	
Improved water quality within Lyme Regis Beach and wider Bay.	
Increase capacity for possible future growth.	
Reduced traffic movements in Lyme Regis during works.	
Potential for local spend by construction workers	
Non material considerations	
None.	

14. Planning Assessment

Principle of development

14.1 The development would be within the town centre of Lyme Regis, with the proposed temporary compound providing efficiencies for infrastructure work, and traffic minimisation.

Scale, design, impact on character and appearance, landscape

14.2 The scale of the compound would be modest, set within an urbanised area of Lyme Regis, being temporary in nature and thus not detrimental to the wider public realm and street scene.

14.3 The Dorset National Landscape (AONB) Team have raised no objections with the scheme; however, they have recommended that the duration of the scheme be clarified and a lighting condition be applied. In this regard the use of the compound is stated to run for a period of 12 months from March 2026 to March 2027. In terms of lighting, it should be noted that the Planning Statement does state within the Environmental Appraisal section, under point XII, that additional lighting is not proposed, this notwithstanding a lighting condition will be applied, should that requirement change. A condition will also be applied limiting the duration of the use of the site, its clearance and restoration to its former condition at the end of the temporary period.

14.4 Having regard to all of the above the development is considered to have an acceptable impact on visual amenity and would have no adverse effect on the landscape character of the National Landscape given the site's location in the urban area of Lyme Regis on an existing car park. As such the development accords with Policy ENV1 of the adopted local plan and the duty in respect of the CROW Act.

Residential Amenity

14.5 The proposed compound would principally be used for storage and as welfare facilities, operating between 07:30 – 17:30 Monday to Friday, and occasionally on Saturday between 07:30 – 16:30. It is stated that the compound would not be used as overnight accommodation and that it would have no further purpose once works have been completed.

14.6 The Environmental Protection Team at the Council have reviewed the application and have no objections, sighting the acceptable working hours which have been provided.

14.7 Given that the site would operate during defined work hours it is not considered to be harmful to the amenity of neighbouring properties. It is considered that noise and activity on the site would be further limited by distance separation, as the compound is approximately 30-40m to the nearest houses to the east and south, and approximately 50m to the nearest houses to the west. Furthermore, the compound would be sited within an existing car park where there will already be vehicle movements coming and going from the site 7 days a week and potentially late into the night and early in the morning. Lastly, the compound would be temporarily sited, being for a period of 12 months.

14.8 The proposed development is considered to accord with Policy ENV16 of the adopted local plan.

Flood risk and drainage

14.9 There are no surface water or flooding designations covering the area of the proposed development. The development is considered to accord with Policy ENV5 of the adopted local plan.

Highway impacts, safety, access and parking

14.10 The development would be located within a large carpark and accessed via an existing access to the carpark. The proposed compound would be temporary, i.e. 12 months, and is not considered to have a severe detrimental effect on road safety and parking provision within Lyme Regis. It should be noted that Charmouth Road Carpark and the Lyme Regis Park and Ride, along with other smaller car parks and on street parking in and around Lyme Regis, could be used as alternative parking.

14.11 The Highways Authority (HA) have raised no objection to the scheme, subject to a condition stating that access and traffic movements shall be in accordance with the details which have been submitted in the Environmental Supporting Statement and Site Traffic Route plan being implemented and adhered to in full. It is not considered necessary to condition compliance with the statement referred to as the temporary nature of the proposal, along with hours of operation will be conditioned anyway.

14.12 The Parking Services Team at the Council have confirmed that parking demand in Lyme Regis fluctuates, with more demand during summer and the shoulder seasons, and as such a further review of the scheme was undertaken by the HA. The HA maintain that they would have no objection, noting that the works are of a temporary nature, and that any parking demand matters would need to be managed directly between the applicant and the Parking Services Team at the Council. Related to this, clarification was provided by the agent for this application that two other compound sites were going through the planning process, one at Middle Hill Farm in Lyme Regis and one at Shire Lane, in Uplyme, within the East Devon Planning Authority area. The agent has stated that if these are granted permission then this would reduce the area required for the compound at Holmbush carpark. Notwithstanding this it is considered that the proposed compound would be acceptable anyway.

14.13 Having regard to the above it is considered that the development would not have an adverse impact on highway safety and accords with Policy COM7 of the adopted local plan.

Trees

14.14 The site is bounded to the southeast by trees, however, it is not considered that the development would affect these trees, given that it would not involve any excavation or laying of foundations, with temporary Heras fencing being erected on the southeast boundary of the proposed compound. The provision of the fencing in order to protect the trees would be conditioned.

Biodiversity and environmental implications

14.15 A Preliminary Ecological Appraisal has been carried out at the site by Orbis Ecology Ltd, and it is noted that the site does not hold any value for biodiversity, and would not be classified as priority habitat, currently being hardstanding. Further, any emissions from the compound are considered to be no worse than those emitted from the use of the site as a carpark. Thus, the site would not fall within the Council's Biodiversity Protocol and would be exempt from Biodiversity Net Gain.

15. Summary of issues and the planning balance

15.1 The scheme is considered to be acceptable in terms of visual impact, siting and wider landscape setting, being small scale and a temporary siting. The establishment of a compound is also considered acceptable in terms of wider environmental and residential amenity impact, given the working hours would be restricted and being sufficiently distant from any neighbouring residential properties. The proposal would have negligible impact on surface water flooding, given it would be no worse than the existing hard surface area of the carpark, and would be acceptable in terms of highway safety impacts, given the site is served by an existing carpark entrance, impacting parking provision temporarily, with the compound operating for a period of 12 months. Hence the proposed development is considered to accord with the relevant policies of the development plan and the NPPF.

16. Recommendation

16.1 Grant subject to the following conditions:

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

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

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

Location Plan NPEN-SWW-CMPND-HLMBSH-003

Site Plan NPEN-SWW-CMPND-HLMBSH-004

Compound Plan NPEN-SWW-CMPND-HLMBSH-001

Elevation Plan NPEN-SWW-CMPND-HLMBSH-002

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

3. Prior to the commencement of the use of the land as a compound the Heras fencing on the south east boundary of the site should be installed in accordance with the approved plans and shall be retained for the lifetime of the development as set out in condition 5.

Reason: To protect adjacent trees.

4. No lighting shall be installed at the site unless and until details of a lighting scheme have first been submitted to and approved in writing by the Local Planning Authority. Thereafter the lighting scheme shall be installed, operated and maintained in accordance with the agreed details.

Reason: To protect visual amenities and avoid nuisance to adjoining properties.

5. Once the development has commenced, the use of the land hereby permitted shall cease after a period of 12 months and the site shall be restored to its former condition.

Reason: To protect the character and amenity of the area.

6. No machinery shall be operated at the site, no activity carried out at the site and no deliveries received at or despatched from the site outside the hours of 07:30 to 17:30 Monday to Friday, and 07:30 to 16:30 on Saturdays, and at no time on Sundays or Bank Holidays.

Reason: To safeguard the character and amenity of the area and living conditions of nearby residential properties.

Informatives:

1. Informative: National Planning Policy Framework Statement

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

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

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

In this case:

The application was acceptable as submitted and no further assistance was required.

2. 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 in full in a subsequent informative below.

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

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

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

1. The application for planning permission was made before 12 February 2024.
2. The planning permission relates to development to which section 73A of the Town and Country Planning Act 1990 (planning permission for development already carried out) applies.
3. The planning permission was granted on an application made under section 73 of the Town and Country Planning Act 1990 and
 - (i) the original planning permission to which the section 73 planning permission relates* was granted before 12 February 2024; or
 - (ii) the application for the original planning permission* to which the section 73 planning permission relates was made before 12 February 2024.
4. The permission which has been granted is for development which is exempt being:
 - 4.1 Development which is not 'major development' (within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015) where:
 - i) the application for planning permission was made before 2 April 2024;
 - ii) planning permission is granted which has effect before 2 April 2024; or
 - iii) planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 where the original permission to which the section 73 permission relates* was exempt by virtue of (i) or (ii).
 - 4.2 Development below the de minimis threshold, meaning development which:
 - i) does not impact an onsite priority habitat (a habitat specified in a list published under section 41 of the Natural Environment and Rural Communities Act 2006); and
 - ii) impacts less than 25 square metres of onsite habitat that has biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat (as defined in the statutory metric).
 - 4.3 Development which is subject of a householder application within the meaning of article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015. A "householder application" means an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse which is not an application for change of use or an application to change the number of dwellings in a building.
 - 4.4 Development of a biodiversity gain site, meaning development which is undertaken solely or mainly for the purpose of fulfilling, in whole or in part, the Biodiversity Gain Planning condition which applies in relation to another development, (no account is to be taken of any facility for the public to access or to use the site for educational or recreational purposes, if that access or use is permitted without the payment of a fee).
 - 4.5 Self and Custom Build Development, meaning development which:
 - i) consists of no more than 9 dwellings;
 - ii) is carried out on a site which has an area no larger than 0.5 hectares; and
 - iii) consists exclusively of dwellings which are self-build or custom housebuilding (as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015).

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

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

4. Any works would need to be authorised by the owner/operator of the land which is under development and as such the applicant is advised to contact Dorset Council Parking Services.