

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

1. Reason application is going to committee:

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

2. Summary of recommendation:

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

3. Key planning issues

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

4. Description of site

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

5. Description of development

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

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

6. Background and relevant planning history

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

7. List of constraints

Land Outside Defined Development Boundaries

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

World Heritage Site Core Area, Dorset and East Devon Coast

West Dorset Heritage Coast

Nature Areas of National Importance

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

Chesil & The Fleet Special Areas of Conservation

Chesil Beach Portland Areas of Local Landscape Importance

Natural England Designation - Nutrient Neutrality Catchments

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

Natural England - RAMSAR - Distance: 14m

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

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

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

Portland Area of Archaeological Potential

Flood Zone 3 and 3a

Wessex Water Treatment Works Catchment Other WRC catchments

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

Portland Prison

Radon: Class: 1.0

Office of Nuclear Regulation Portland - 12km zone

Office of Nuclear Regulation Portland - outer consultation zone

8. Consultations

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

Natural England (NE)

No objection subject to securing mitigation

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

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

Environment Agency (EA)

No objection but EA provide the following comment/advice:

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

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

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

Recommend that consideration is given to the issues below:

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

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

Wessex Water

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

Dorset Council Highway Authority

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

Dorset Council asset & property

No response received.

Dorset Council Waste Team

No response received.

Dorset Council Natural Environment Team (NET)

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

Dorset AONB Team

No response received.

Ward Member(s)

No responses received.

Portland Town Council

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

Representations received

No representations received.

9. Duties

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

10. Relevant policies

Development plan

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

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

INT1: Presumption in favour of sustainable development

ENV1: Landscape, seascape & sites of other geological interest

ENV2: Wildlife and habitats

ENV4: Heritage assets

ENV5: Flood risk

ENV10: The landscape and townscape setting

ENV12: The design and positioning of buildings

ENV16: Amenity

SUS2: Distribution of development

ECON5: Tourism attractions and facilities

COM7: Creating a safe & efficient transport network

Made Neighbourhood Plans

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

Port/EN1 Prevent flooding and erosion

Port/EN7 Design & character

Port/ST1 Sustainable Tourism Development

Material considerations

Emerging local plans:

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

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

The Dorset Council Local Plan

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

Local Nature Recovery Strategy

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

National Planning Policy Framework 2024 (as amended 2025)

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

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are 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'

National Planning Practice Guidance

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

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment (Weymouth & Portland)

11. Human rights

Article 6 - right to a fair trial.

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

The first protocol of Article 1 protection of property.

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

12. Public Sector Equalities Duty

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

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

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

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

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

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

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

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

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

13. Planning Assessment

Principle of development

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

Scale, design, impact on character and appearance

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

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

Flood risk

- 13.16 The application site is in an area recorded in the Environment Agency's recently published National Flood Risk Assessment (NaFRA2) as being flood zone 3 and at 1:100 year risk of surface water flooding.
- 13.17 NPPF paragraph 176 sets out that some minor development should not be subject to the sequential test, nor the exception test and NPPF footnote 62 sets out that minor development includes small non-residential extensions (with a footprint of less than 250m²). The proposed non-residential development is considered to be a minor development, amounting to an extension to the existing use of the site and has a footprint of less than 250m². As such the proposal does not trigger the requirement for a sequential test as set out in Section 14 of the NPPF. The proposed bird hide and associated refuse store are considered to fall within the

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

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

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

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

Economic benefits

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

Highways

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

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

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

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

Biodiversity

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

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

Habitats Regulation Assessment

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

Amenity

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

14 Conclusion

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

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

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

15 **Recommendation**

Grant planning permission subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.
Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – Dwg no. 25/052/01

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Informatives:

Informative: National Planning Policy Framework Statement

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

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

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

In this case:

- The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.

Biodiversity Net Gain

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

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

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

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

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

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

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

Read more about Biodiversity Net Gain at

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4.5 Self and Custom Build Development, meaning development which:

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

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

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