



Appeal Decision

Inquiry opened on 13 January 2026

Site visit made on 14 January 2026

by David Prentis BA BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th January 2026

Appeal reference: APP/D1265/W/25/3372602

Land to the rear of 156 - 172, South Street, Bridport DT6 3NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Churchill Living Ltd against the decision of Dorset Council.
 - The application reference is P/FUL/2024/04613.
 - The development proposed is described as *redevelopment to form retirement living accommodation for older people comprising 48 retirement living apartments and 25 retirement living cottages including communal facilities, access, car parking and landscaping to create an integrated retirement community.*
-

Decision

1. The appeal is allowed and planning permission is granted for redevelopment to form retirement living accommodation for older people comprising 48 retirement living apartments and 25 retirement living cottages including communal facilities, access, car parking and landscaping to create an integrated retirement community at land to the rear of 156 – 172 South Street, Bridport DT6 3NP in accordance with the terms of the application, reference P/FUL/2024/04613, subject to the conditions in the attached schedule.

Preliminary matters

2. The Inquiry sat for two days on 13 and 14 January 2026. I visited the site and surroundings on 14 January 2026.
3. At the Case Management Conference (CMC), I asked about an amended version of the proposed site plan (Revision E) which was referred to in the Council's statement of case.¹ The changes related to the width of footways, additional parking bays, removal of planting previously proposed along the river wall and the provision of gates at the existing site access from South Street. The Council subsequently carried out consultation on Revision E. The responses to that consultation re-affirmed previous grounds of objection but did not object specifically to the layout changes. At the Inquiry, no party objected to Revision E being accepted. I decided that the changes did not alter the substance of the appeal scheme. Procedural fairness had been addressed by consultation on the amendments. I therefore accepted Revision E and have determined the appeal on that basis.

¹ 10128BP-PA01 Revision E which would replace 10128BP-PA01 Revision B, the plan on which the Council determined the application

4. Discussions on a draft S106 Agreement (the Agreement) continued during the course of the Inquiry. I allowed a period after the end of the Inquiry for the document to be signed. The substance of the signed version, dated 28 January 2026, is the same as the version that was discussed on Day 2 of the Inquiry. The Agreement would make provision for:
 - a financial contribution to the provision of affordable housing; and
 - implementation of a reptile translocation agreement.
5. I comment further on these provisions below. At this point, it is sufficient to note that the Council submitted to the Inquiry a statement of compliance with Regulation 122 of the Community Infrastructure Levy Regulations. No party suggested that either provision would be inconsistent with Regulation 122. I agree and have taken the Agreement into account accordingly.
6. The Council refused planning permission for four reasons relating to:
 - 1) highway safety;
 - 2) reptiles;
 - 3) affordable housing; and
 - 4) flood risk.
7. At the CMC, the Council advised that the layout changes shown on Revision E would resolve the first reason for refusal. Moreover, the appellant had submitted a further report on reptiles together with details of a translocation site. This had resolved the second reason for refusal.
8. At the opening of the Inquiry, the Council identified three further changes in circumstances:
 - in respect of the third reason for refusal, agreement had been reached on a financial contribution of £500,000 to off-site affordable housing;
 - in respect of the fourth reason for refusal, the appellant had submitted a Flood Warning and Evacuation Plan (FWEP); and
 - the Council's Five Year Housing Land Supply Position Statement (October 2025) indicated a supply of 2.53 years, whereas the Council had previously been able to demonstrate the five year supply required by the National Planning Policy Framework (the Framework).
9. The Council's position was that the appeal scheme could have made a greater contribution to affordable housing, whilst still remaining viable. In the Council's view, this resulted in a conflict with development plan policies relating to affordable housing. With regard to flood risk, the Council now accepted that the proposal could be made safe from flooding for its lifetime. However, the Council maintained that the proposal had not passed the flood risk sequential test, resulting in conflicts with national and development plan policy.
10. Despite these two remaining areas of dispute, the Council had reconsidered its overall approach to the appeal, mindful of the benefits of the scheme and the

approach to decision making set out in Paragraph 11 of the Framework. On that basis, the Council no longer opposed the grant of planning permission.

11. The reasons for the substantive differences between the Council and the appellant are discussed below. Moreover, it is important to note that Bridport Town Council (BTC) and several interested parties remained opposed to the grant of planning permission. The reasons for those objections were set out by those who appeared at the Inquiry and in written representations. Those matters are also discussed below.
12. In view of its overall position, the Council did not rely on oral evidence. Written statements were submitted relating to the remaining areas of dispute. The authors of those statements attended the Inquiry to answer my questions.
13. The development plan includes:
 - West Dorset, Weymouth and Portland Local Plan (2015) (LP); and
 - Bridport Area Neighbourhood Plan (2019) (BANP)
14. The first review of the BANP is taking place with the Regulation 14 Consultation Version having been published in October 2025 (BANP Review). This plan is at too early a stage for weight to be attached to the emerging policies. Nevertheless, the evidence base is a material consideration.
15. Although there are no designated heritage assets within the site, it is within the settings of a number of listed buildings. I have therefore kept in mind the requirements of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Main issues

16. The main issues are:
 - whether the proposal would make appropriate provision for affordable housing;
 - whether the proposal would contribute to the achievement of a balanced community;
 - the effect of the proposal on flood risk; and
 - the nature and extent of any economic, social and environmental benefits.

Reasons

Affordable housing

17. LP Policy HOUS1 states that the level of affordable housing that will be sought in West Dorset is 35%. The policy goes on to say that applicants seeking to justify a lower level of affordable housing provision will be expected to provide an assessment of viability. A lower level of provision will only be permitted if there are good reasons to bring the development forward and the assessment shows that it is not economically viable to make the minimum level of provision. Policy HOUS1 states that, in most cases, affordable homes should be provided on site. Policy HOUS3 states that, wherever possible, residential developments should include a

mix in the size, type and affordability of dwellings. BANP Policy H1 states that affordable housing should be provided in accordance with the LP.

18. The Council and the appellant agreed that it would be appropriate for there to be a financial contribution to affordable housing elsewhere, rather than provision on the appeal site. The terms of the Agreement are flexible, in that the contribution would not have to be used for any particular type of affordable housing, nor in any particular location. The Council explained that providing an element of affordable housing within a single retirement living apartment block would cause complexities in terms of estate management and the affordability of service charges. Moreover, the relatively small number of units that could be achieved in this case would be below the level that a registered provider of affordable housing would find economic to manage. For these reasons, the Council considered that, if affordable units were provided on site, it would be unlikely that a registered provider could be found to take them on.²
19. The Council provided examples where two recent retirement living schemes³ had made financial contributions to affordable housing and explained how some of those funds had been used to support the delivery of affordable housing. The financial contribution would be equivalent to about 10 affordable units. In all the circumstances, I agree with the parties that in this case it is appropriate to secure a financial contribution rather than seeking provision on site.
20. The Council and the appellant did not agree on the maximum financial contribution that a deliverable scheme could support. The appellant's viability evidence (given by Mr Lynch) concluded that the maximum sum was £337,419 whilst the Council's evidence (given by Ms Reed) concluded that the sum was £700,000. Following discussions between the respective experts, many of the components of the viability assessment had been agreed. These included a significant level of site-specific abnormal costs, including remediation of contamination, providing a capping layer, piling and costs associated with raising floor levels to mitigate flood risk. These items would add £1.8 million to the other construction costs, which were also agreed, making this a relatively expensive site to develop.
21. Several of the inputs to the gross development value were agreed, including the sales values attributable to the cottages. The sales values for the two-bedroom flats were not agreed but there was only a small difference on this point. The main points of disagreement were the sales values for the one-bedroom units and the length of the sales period. Mr Lynch adopted a blended sales value of £5,204 /sqm whilst Ms Reed's sales value was £5,488 /sqm. Both experts considered comparable evidence from recent retirement living developments at Gordon Court, Bridport (which is not far away from the appeal site) and Casterbridge Court, Dorchester, which is about 14 miles away. In comparing their conclusions, I note that Ms Reed's sales value is relatively close to values achieved at Gordon Court. Gordon Court is a good comparator, being close to the appeal site. However, those sales took place mainly in 2022 and market values (in general) for apartments in Dorset have fallen since then.
22. Current asking prices at Gordon Court are (on average) closer to Mr Lynch's figure. I note that these are re-sales, so will not attract a new-build premium.

² Inspector's note – this evidence was given orally, in answer to my questions, by Mr Paul Derrien, the Council's Housing Enabling and Delivery Manager

³ Gordon Court, Bridport and Casterbridge Court, Dorchester. These schemes are discussed further below.

Nevertheless, they are relatively new units (around three years old) so they are still a useful comparison. Moreover, these are asking prices rather than sales values actually achieved. The selling prices may well be lower, which would tend to support Mr Lynch's figure.

23. Units at Casterbridge Court were first sold in January 2022 and sales of new units are continuing. The average sales values achieved to date, after indexing for changes in market values over time, is close to Mr Lynch's figure. I consider that Casterbridge Court provides good comparable evidence because it is not too distant from the appeal site, is in similar proximity to town centre facilities, and has continuing sales of new units.
24. Other retirement living schemes considered were at Wimborne and Blandford St Mary. To my mind these schemes are less comparable, the former being an extra-care scheme, which is a different form of older persons housing, and the latter being in a rural location at some distance from the appeal site. Drawing all this together, I note that both experts have produced relevant evidence in support of their conclusions. However, for the reasons given above, I consider that Ms Reed's figure may be on the high side and I attach greater weight to the evidence of Mr Lynch.
25. With regard to the sales period, Mr Lynch adopted a figure of 60 months whilst Ms Reed's figure was 42 months. Sales of retirement living units are not usually spread evenly throughout the sales period. Both experts assumed that about half of the units would be sold in the first year. It is usual for retirement living schemes to sell over a relatively long period compared to other forms of housing. This is likely to be influenced by a number of factors. The average age of purchasers is around 80, which suggests that they leave such a move as long as they can. The decision to move to retirement living may result from inability to manage a larger property and/or death of a partner. Purchasers are likely to be reliant on the sale of a family home which may be held up in a chain of transactions.
26. The appellant provided an analysis of sales rates on 16 schemes within its south west division. The date of first occupation of these schemes ranged from June 2018 to the date of the survey. All of the schemes had some units remaining as of June 2025. I consider that the range of sales rates achieved at these schemes tends to support the sales period adopted by Mr Lynch.
27. As the respective experts agreed at the Inquiry, valuation is not a precise science. The contribution provided for in the Agreement is a compromise figure that the parties were able to agree on. It is higher than the maximum contribution calculated by Mr Lynch and below that calculated by Ms Reed. My overall assessment is that, for the purposes of this appeal, it is reasonable to assume that the contribution of £500,000 that would be secured by the Agreement represents the maximum that the appeal scheme could support.
28. The contribution would be equivalent to about 10 affordable units whereas LP Policy HOUS1 requires about 26 affordable units.⁴ However, the policy allows for a lower level of provision if there are good reasons to bring the development forward and a viability assessment shows that it is not viable to provide the level being sought. In this case there are good reasons to bring forward a previously-developed site, in a sustainable location, with much-needed housing. The

⁴ 35% of the 73 units in the appeal scheme

assessments of both experts show that it would not be viable to provide 35% affordable housing. I conclude that the proposal would accord with Policy HOUS1, Policy HOUS3 (insofar as that policy deals with affordable housing) and BANP Policy H1.

29. My overall conclusion is that the proposal would make appropriate provision for affordable housing.

Achievement of a balanced community

30. LP Policy HOUS3 seeks to ensure that open market housing includes a mix in the size, type and affordability of dwellings proposed. BANP Policy H4 is in similar terms and states that the preferred mix will be guided by the latest Bridport Area Housing Needs Assessment (BAHNA). Policy H5 sets out criteria for retirement living developments, including that there should be a proven need for the proposal in the plan area or its closely surrounding parishes.
31. The Council did not object to the principle of a retirement living development and had no objection to the unit types and sizes proposed. The Council's concerns in relation to the third reason for refusal have been resolved by the affordable housing contribution discussed above. However, BTC maintained an objection on the basis that the adverse impacts of a retirement living development would outweigh any benefits. Those concerns were shared by interested parties who spoke at the Inquiry and in written representations.

Need for specialist housing for older people

32. The latest BAHNA is relatively recent, dating from March 2025. It identifies a need for specialist housing for older people from the date of the study to the end of the BANP period (2036), split between the affordable and market housing sectors. In the market housing sector, the total need identified is 321 units, of which 184 would be for retirement living (like the appeal scheme) and 137 for housing with care.⁵ The Statement of Common Ground records that the Council and the appellant agree that there is a need for new open-market retirement living homes in the Bridport area.
33. Interested parties argued that there is an oversupply of retirement living units, which was said to be indicative of a lack of need, pointing to long sales periods and discounted asking prices. However, as discussed above, it is commonplace for retirement living schemes to sell out over a longer period than other types of housing. To my mind the sales rates that have been achieved at Gordon Court and Casterbridge Court reflect factors that are specific to this type of housing rather than an underlying lack of need.

Effect on age profile

34. The BANP Review describes Bridport as a "*magnet for the older generation of retirees from elsewhere*." Over the period 2011 to 2021, there was an increase of over 1,000 of the population in the 60 – 79 age group, with a decrease in younger age groups. This rate of change in the age profile of the plan area is described as alarming. The main reason for people leaving the plan area is said to be a lack of affordable living accommodation. BTC is concerned that continuation of this trend

⁵ CD5.7, Table 6-3

would result in a scarcity of employees for local businesses, the healthcare sector and other support services.

35. I agree with BTC that the significant increase in the 60 – 79 age group from 2011 to 2021 is likely to reflect migration trends. Dorset is known to be a retirement destination and the BANP Review explains why Bridport would be attractive to those moving into the area. However, it does not follow that the appeal scheme would, in itself, exacerbate that trend. The average age of people moving to retirement living schemes is around 80 years. The appellant gave evidence that 70% of those moving into retirement living schemes do so from within a radius of 10 miles.⁶ It therefore seems likely that many of those who would potentially occupy the appeal scheme are already living in the area. It may well be that some of them have moved from other parts of the country previously, but those moves could have happened several years ago. For example, someone who moved to Dorset in 2013, aged 65, would be 80 when the appeal scheme could be ready for occupation in 2028.
36. Rather than drawing older people into the area, I consider that the appeal scheme would, in the main, increase housing choice for those already living in Dorset. In my view this is not a factor which weighs against the grant of planning permission.

Affordability

37. BTC also contended that the appeal scheme would not be affordable to local retirees. However, the BAHNA identifies needs for specialist housing for older people in Bridport in both the market and affordable sectors. The appeal scheme would help to deliver affordable housing through the contribution secured by the Agreement, as discussed above.

Should other forms of housing be given priority?

38. BTC's representative at the Inquiry spoke of a desperate need for town-centre sites, such as the appeal site, to be used for social, affordable and low-cost private housing for working-age people. It was argued that such uses would be more beneficial to the sustainable development of Bridport than a retirement living scheme. In this context, the BANP Review proposes to amend Policy H5 by adding a new criterion, such that a retirement living proposal would:

“Be given less priority than Affordable Housing except where the sheltered or retirement homes may be, in themselves, affordable.”

39. As noted above, the BANP Review is at too early a stage in the plan-making process for weight to be attached to the emerging policies. Moreover, it is not for me to comment on the merits of the emerging Policy H5. This would be considered as part of the examination of the BANP Review.
40. My task is to consider the scheme before me in the light of the development plan and other material considerations. In this case, there is no adopted development plan policy indicating that the site should be used for any particular type of housing. An argument that the site could be better used for another type of housing is therefore unlikely to be a significant factor in the planning balance. Moreover, there is little evidence that low-cost private housing and/or affordable

⁶ Inspector's note – this evidence was given orally by Mr Shellum, in answer to my questions. It relates to schemes operated by the appellant company.

housing is likely to come forward if the appeal is dismissed. There is, however, some evidence that such housing is unlikely to come forward because this would be a relatively expensive site to develop due to ground conditions and flood risk. Drawing all this together, this is not a factor which weighs against the grant of planning permission.

Mix of unit sizes

41. The BANP sets out the preferred mix of sizes for new open market housing. One and two bedroom properties together account for 66% of the preferred mix, with the balance being three bedroom properties. The appeal scheme would comprise one and two bedroom units. It would thereby contribute to the need for smaller units that has been identified. The proposed units would not be in the general housing market, being age restricted. However, by increasing housing choice for older persons, the appeal scheme would support the housing market generally.
42. This is because those moving into retirement living schemes are typically moving from family homes. Enabling older people to downsize is one of the ways of supporting balanced communities identified in Objective 6 of the BANP. The homes that would then become available for occupation by others, including those of working age, would be predominantly within about 10 miles of the site.

Conclusion

43. In relation to BANP Policy H5, the proposal would be in a defined development boundary and would (for reasons discussed below) be of an appropriate scale in relation to its setting. Although South Street is sloping, it is not so steep as to prevent reasonable access to shopping and social facilities on foot or by mobility scooter. There is a need for retirement living dwellings in Bridport. The proposal would therefore accord with Policy H5.
44. The proposal would also accord with BANP Policy H4 and LP Policy HOUS3, in that it would provide smaller dwelling units. It would support the housing market generally in Bridport and the surrounding area, by making existing family homes available for occupation by others. As discussed above, the proposal would also support the delivery of affordable housing, as far as it can, bearing in mind the relatively high construction costs associated with this site. Overall, the proposal would be consistent with the objective of achieving a balanced community.

Flood risk

45. The site is adjacent to the River Brit. Most of the proposed development would be in Flood Zone 2, with the southern part of the site located within Flood Zone 3a, as defined in Planning Practice Guidance (the Guidance).⁷ The site is defended by a flood wall, which would protect the site from the 1 in 100 year flood event.
46. The Council's fourth reason for refusal related to three aspects of flood risk:
 - failure to pass the sequential test;
 - failure to demonstrate safe access and egress in a flood event; and
 - failure to demonstrate that maintenance of the flood wall would not be compromised.

⁷ PPG Reference ID: 7-078-20220825

The sequential test

47. A sequential test was submitted with the application, which concluded that there are no available sites in Bridport that are available and suitable for a retirement living development in an area with a lower probability of flooding. On that basis, the sequential test was considered to be passed. The Council did not dispute the findings in relation to the various sites assessed. However, it concluded that the area of search had been too restricted and that, consequently, the sequential test had not been passed.
48. Following the Council's decision, the Guidance in relation to the area of search for the sequential test was amended in September 2025. The current advice is that the area of search will be governed by local circumstances relating to the catchment area for the type of development proposed and the needs it is proposing to address. The advice goes on to say that the catchment area should be appropriate to the nature and scale of the proposal and the settlement it is proposed for. The Council contended that the area of search should cover the whole district because the need for retirement living accommodation is a need which applies across the district.
49. The Council subsequently put forward some sites in locations outside Bridport that it considered were potentially sequentially preferable to the appeal site. At the Inquiry, it conceded that none of them are reasonably available in the terms of the Guidance.⁸ Nevertheless, it maintained its position that a full sequential test would need to assess all the relevant sources of potential sites across the whole district. This exercise had not been carried out so, in the Council's view, the test had not been passed.
50. The appeal scheme would amount to major housing development, as defined in the Framework. The Guidance indicates that, for such proposals, it may be appropriate to look beyond the town in which the proposal is located. In this case it is, in my view, necessary to focus on the needs that the scheme is proposing to address. I take into account that the BCP and Dorset Local Housing Needs Assessment⁹ indicates a need for around 2,600 market and affordable units of retirement living accommodation across Dorset over the period 2021 – 2038. The need identified in the BAHNA in Bridport is for 226 market and affordable retirement living units over the period 2025 to 2036.
51. Even allowing for the differing assessment periods, the need in Bridport is clearly much less than the need across Dorset. That said, the fact that there is a greater need across a wider area does not, to my mind, detract from the fact that the BAHNA has identified a need in the BANP area. There are no allocated sites to meet the need, so it can only be met through windfall sites such as the appeal site. The appeal scheme seeks to meet the need that has been identified in the BAHNA. For the purposes of this appeal, I find that it is appropriate to look at Bridport rather than further afield.
52. The Council did not contend that there are any sequentially preferable sites in Bridport that are reasonably available. I therefore conclude that the sequential test has been passed.

⁸ Inspector's note – The sites are listed in Appendix B to the Flood Risk Topic Paper. At the round table session on potential sequential test sites Mr Lennis accepted that none of them were reasonably available. He also accepted that site LA/SYMO/008, which is in Bridport, is not reasonably available.

⁹ CD5.6, Table 10.22

The exception test

53. Following the approach set out in the Framework, having established that the sequential test has been passed, it is necessary to apply the exception test in this case.¹⁰ A site-specific flood risk assessment (FRA) was submitted with the application.
54. The wider sustainability benefits of the scheme are discussed in more detail below. They include delivery of housing, delivery of specialist housing for older people, support for affordable housing through a financial contribution, and redevelopment of previously developed land. There would also be social, environmental and economic benefits. For reasons discussed below, I consider that these wider sustainability benefits outweigh the flood risk. This meets the first part of the exception test in accordance with paragraph 178(a) of the Framework.
55. The FRA states that the design flood event is the 1 in 100 years event plus climate change. The Environment Agency (EA) has advised that the climate change allowance should be 47%. In the defended scenario, the design flood level would be below the level of the flood wall. The site would only flood if there was a failure of the defences. The design flood level would vary across the site due to a hydraulic gradient in the river. The highest level, which would be 6.1m above ordnance datum (AOD), has been used to determine finished floor levels (FFL) for the proposed buildings. In accordance with the EA's recommendations, these would be 6.4m AOD for the cottages and 6.7m AOD for the apartments, providing a freeboard of 0.3m and 0.6m respectively. The FFLs would be above the 1 in 100 and 1 in 1000 years flood event levels in both the defended and undefended scenarios.
56. Whilst the buildings themselves would be safe from flooding, there is a residual risk that the site could flood as a result of failure of the defences or the defences being overtopped in a flood event greater than the design event. Flooding within the site, and the adjoining highway at South Street, could impede safe evacuation.
57. When the Council determined the application, no evacuation plan had been submitted. The absence of such a plan is referred to in the fourth reason for refusal. Subsequently, the appellants prepared a Flood Warning and Evacuation Plan (FWEP), implementation of which could be secured by a condition. Having regard to the FWEP, the Council is now satisfied that the development could be made safe for its lifetime.
58. The measures set out in the FWEP include the designation of a flood response coordinator, training for staff, raising awareness amongst residents and use of flood warnings and severe weather warnings. The FWEP prioritises evacuation in advance of a flood event as a first response. Evacuation points have been considered, together with safe walking and vehicular routes to those points. In the event that a "stay put" policy is required, the communal areas within the apartment building would provide a hub from which staff could support residents during a flood event.
59. Construction of the appeal scheme, unless mitigated, would result in a loss of flood storage volume. Mitigation is proposed in the form of floodable voids beneath the apartment building and two of the terraces of cottages. The FRA includes an

¹⁰ The Framework, Paragraphs 177 and 178, and Annex 3

analysis of flood volume compensation. This demonstrates that the net loss of volume arising from the appeal scheme would be fully compensated in both the 1 in 100 and 1 in 1000 years flood events.

60. The FRA includes consideration of a surface water management plan. Run-off would be attenuated by the use of underground storage tanks. It would then be discharged to the river at the greenfield run-off rate.
61. The EA initially objected to the proposal due to concerns about maintenance access to the flood wall. In response to this concern, the layout changes in Revision E included removal of some planting adjacent to the flood wall. The EA's further comments indicated that the objection had largely been addressed because the maintenance access and easement areas would remain as public open space, with existing levels retained. However, although part of the easement area is shown to be reinforced to accommodate vehicles, some areas are shown as grass. The EA remained concerned that any grass areas may be susceptible to damage by its maintenance vehicles. The Council and the appellant agree that this is a matter of detail that could be resolved by a planning condition. I note that the EA does not suggest that there would be any actual impediment to maintenance of the flood defences. Consequently, I agree with the parties on this point.
62. Drawing all this together, I note that the Local Lead Flood Authority has no objection to the proposal, subject to conditions relating to surface water drainage. The Council is satisfied that the development could be made safe for its lifetime. The Council's remaining concern relates to the sequential test, which has in my view been passed, for the reasons given above.
63. The development would provide wider sustainability benefits that outweigh the flood risk. Having regard to the FRA, the responses of statutory consultees, the mitigation measures that would be integral to the scheme and the FWEP, I find that the proposal would be safe for its lifetime, taking account of the vulnerability of its users. The flood storage compensation measures would ensure that there would be no increased flood risk elsewhere. I conclude that the proposal would pass the exception test and would be consistent with the policies of the Framework relating to flood risk. It would also accord with LP Policy ENV5, which seeks to manage flood risk by considering whether there are alternative sites at lower risk of flooding, ensuring that risks are appropriately mitigated and avoiding adverse impacts on flood defences.

Economic, social and environmental benefits

Delivery of housing

64. The Framework emphasises the importance of boosting the supply of homes. The Council is not able to demonstrate the five-year supply of deliverable housing sites required by the Framework. The Council's latest position statement indicates a supply of 2.53 years, which represents a significant shortfall of over 8,000 dwellings. The proposal would result in the delivery of 73 dwellings in a location that is consistent with the strategy of the development plan. In addition, it is likely that most of those moving into the appeal scheme would be moving from existing family homes in Dorset, which may currently be under-occupied. Those dwellings would then become available for occupation by others. The proposal would be consistent with LP Policy SUS1, which sets out the housing requirements for the plan. I attach substantial weight to the delivery of housing.

Delivery of specialised housing for older persons

65. At a national level, the Guidance states that the need to provide housing for older people is critical because the proportion of older people in the population is increasing.¹¹ The need for retirement living accommodation in Dorset and in Bridport has been identified above. There are no sites allocated in the development plan to meet those needs, so it will be necessary for windfall sites such as the appeal site to be brought forward if the need is to be met. The proposal would accord with BANP Policy H5, which sets out criteria for retirement living development. I therefore attach substantial weight to the delivery of specialised housing for older people.

Contribution to affordable housing

66. The affordable housing contribution secured by the Agreement would support the delivery of affordable housing, for which there is a significant need. The contribution would equate to around 10 affordable units. This is well below the 26 units that would normally be sought from a proposal for 73 units under LP Policy HOUS1. However, due to viability constraints, it is the most that the scheme can reasonably sustain. The proposal is therefore compliant with Policy HOUS1. No affordable units would be delivered on site. Although there is a good prospect that the contribution would support the delivery of affordable housing, the type and location of such housing, and the timescale for delivery, is not known. I therefore attach moderate weight to the contribution to affordable housing.

Redevelopment of previously developed land in a sustainable location

67. The appeal site is previously developed land with a history of industrial use. The Framework states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs. Proposals which provide opportunities to remediate contaminated land are also to be supported.¹² LP Policy SUS2 deals with the distribution of development. Bridport is identified as one of the market and coastal towns, at the second level of the settlement hierarchy, which are to be a focus for future development. The appeal site is within walking distance of the centre of Bridport and is in a sustainable location for development. The appeal scheme would also result in the remediation of contaminated land. The proposal would therefore accord with the Framework, in relation to previously developed land, and with LP Policy SUS2. I attach substantial weight to the reuse of previously developed land in a sustainable location.

Economic benefits

68. The proposal would generate employment and spending during the construction phase. Once completed, there would be a modest level of employment associated with the operation of the scheme. The new residents are likely to generate spending in local shops and services, thereby supporting the town centre. That said, the majority are likely to be living in Dorset already so this would not all be new spending. I attach moderate weight to the economic benefits.

¹¹ The Guidance, Reference ID: 63-001-20190626

¹² The Framework, Paragraph 125

Social benefits

69. The Guidance states that offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to social care and health systems.¹³ Retirement living developments can offer a safe environment where maintenance of the buildings and grounds is provided. This is likely to reduce stress and anxiety for those who have difficulty managing a larger property. Purpose-built housing for older people can be better suited to their needs, reducing the risks of falls. Such housing can also benefit wellbeing by reducing social isolation. I attach substantial weight to the social benefits of improved health and wellbeing.

Environmental benefits

70. The proposal would result in environmental benefits from townscape enhancement and sustainable construction. I attach moderate weight to these environmental benefits.

Other matters

Habitats Regulations Assessment

71. The Council did not raise any objection in relation to effects on European sites. The officer's report identified three sites that required consideration:
- Lyme Bay and Torbay Special Area of Conservation (SAC)
 - Sidmouth to West Bay SAC; and
 - Chesil and The Fleet SAC
72. The Council determined that an appropriate assessment (AA) was required in respect of Chesil and The Fleet SAC. I sought further information from the parties to enable me to discharge my duties under Regulation 63 of the Habitats Regulations. I have been provided with the AA carried out by the Council, a consultation response from Natural England (NE) and a Technical Note from Tetra Tech, on behalf of the appellant.

Lyme Bay and Torbay SAC

73. The SAC is designated for slightly offshore reefs and submerged sea caves. The Lyme Bay Reefs area is 1.8km south of the appeal site. The Mackerel Cove to Dartmouth Reefs area is 57km to the south west. The threat to the SAC comes from fishing and harvesting aquatic resources. The proposal will not have any effect on this threat. Whilst the proposal may increase footfall to the coast, the qualifying features of the site are not terrestrial and are largely inaccessible. A review of the SAC by NE has indicated that recreational activity will have no impact on the qualifying features. I conclude that the proposal would have no likely significant effect on the SAC, either alone or in combination with other plans or projects.

¹³ The Guidance, Reference ID: 63-001-20190626

Sidmouth to West Bay SAC

74. The SAC is designated for annual vegetation of drift lines, Tilio-Acerion forests of slopes, screes and ravines and vegetated sea cliffs of the Atlantic and Baltic coasts. The nearest part of the SAC is approximately 1.7km south of the appeal site. The Preliminary Ecological Appraisal (PEA) did not identify any invasive species in the appeal site that could be mobilised during construction. The proposal would use brownfield land within Bridport, so would not lead to encroachment towards the SAC. The proposal would result in a reduction in vehicular traffic use compared with the existing use of the site, and no industrial processes are proposed, so there would be no increase in atmospheric pollution that might affect the qualifying features of the SAC. Whilst the proposal may result in additional footfall, the Local Plan Habitats Regulations Assessment states that disturbance from human activity is not considered to result in a likely significant effect due to access difficulties. I conclude that the proposal would have no likely significant effect on the SAC, either alone or in combination with other plans or projects.

Chesil and The Fleet SAC

75. The appeal site is within 5km of the SAC, within a zone of influence where an increase in population may contribute to an increase in recreational pressure on the features of the SAC. The primary reasons for designation of the SAC are:
- Coastal lagoon;
 - Mediterranean and thermos-Atlantic halophilous scrubs;
 - Perennial vegetation of stony banks; and
 - Annual vegetation of drift lines.
76. As the proposal is for new housing within the zone of influence, an adverse impact cannot be ruled out in the absence of mitigation. The Council rightly determined that an AA is required.
77. Chesil Beach encloses the Fleet, the largest lagoon in England. It is rich in wildlife, with outstanding numbers of aquatic plants and animals present. The SAC overlaps with the Chesil Beach and The Fleet Special Protection Area (SPA), which is also a Ramsar site. The SPA supports over-wintering birds and, in spring and summer, is an important breeding ground for Little Tern. Studies have identified that existing recreational pressure is likely to be compromising the integrity of the SAC site features, as a result of trampling of habitats. Pressure from dog walkers and water sports are thought to be having an adverse effect on the population of Little Tern and the over-wintering birds of the SPA.
78. The Council recognises that a strategic solution is needed to tackle the effects of recreational pressure. Whilst that solution is being developed, NE has suggested that the Council considers an interim solution. NE has provided a package of measures that would, in their view, avoid unacceptable impacts. The measures include wardens to protect breeding and over-wintering birds, a Visitor Centre, seasonal by-laws, leaflets and signage, a review of water access points, a review of car parks and provision of screening at key bird watching points. These

measures have been costed over the period up to 2038, enabling the calculation of a unit charge for each new dwelling in the zone of influence.

79. The Council has committed to fund the measures from Community Infrastructure Levy (CIL) receipts. The appeal scheme would be liable for CIL. The Council's AA concluded that, in the light of the mitigation provided, there would be no adverse effect on the integrity of the designated sites.
80. NE has commented that the Council has measures in place to manage potential recreational impacts associated with this residential development. NE considers that this solution will be reliable and effective in preventing adverse effects on the integrity of those European Sites falling within the zone of influence. NE's formal response was one of no objection, subject to appropriate mitigation being secured.
81. Having taken into account the Council's AA and NE's representation, I consider that the Council's commitment to fund the mitigation measures from CIL funds would secure appropriate mitigation. With mitigation having been secured, I conclude that the proposal would not result in a likely significant effect on the SAC, SPA or Ramsar sites, either alone or in combination with other plans or projects.

Effect on the character and appearance of the area

82. The appeal site is currently used for open storage and sale of aggregates and construction materials. It is bounded by residential development at Doctor Roberts Close to the north, by the river to the west and south, and by buildings fronting South Street to the east. Across the river to the west, there is a car park and football ground. Across the river to the south is a group of listed buildings at Bridport Old Brewery. The site is readily visible from a public footpath along the western riverbank, from South Street and from Skilling Hill Road.
83. The proposal would comprise six terraces of cottages and an apartment block. The scale would vary from one and a half to three storeys. The raised floor levels described above would add some height to the riverside buildings. Lower scale cottages would be sited in the northern part of the site, adjacent to Dr Roberts Close. The three-storey apartment block would face the river. It would not appear out of place in this more open setting.
84. The siting of the blocks would create new facades addressing the site boundaries, with parking and circulation space largely contained within the scheme. The elevations would be mainly in brick, under slate roofs. Features such as varying rooflines, projecting gabled bays, contrasting materials around windows and dormer windows would add visual interest. Final details of facing materials, surfacing materials and planting could be controlled by conditions.
85. The scale and layout of the proposal would be well related to its surroundings and would result in an improvement to the townscape. It would accord with LP Policy ENV10, which states that development should be informed by the character of the site and its surroundings, with Policy ENV11, which seeks to ensure that streets and spaces are well-designed, and with Policy ENV12, which promotes high quality design. It would also accord with BANP Policy D6, which seeks to ensure that developments create a strong sense of enclosure, with Policy D7, which promotes natural surveillance of public areas, and with Policy D8, which seeks to maintain and enhance local character.

Effect on the historic environment

86. There are no designated heritage assets within the site. The Bridport Conservation Area lies to the north. The application was supported by a heritage assessment which identified a number of listed buildings that could potentially be affected through development in their settings. The conservation area covers the historic core of Bridport, extending southwards towards the appeal site. However, there is intervening modern development at Dr Roberts Close. No party has suggested that any important views of or from the conservation area would be affected by the appeal proposal. There would be no harm to the significance of the conservation area through development in its setting.
87. The Grade I listed Church of St Mary lies around 250m to the north of the site. There would be no inter-visibility at street level due to intervening buildings. The church tower can be glimpsed in a view across the appeal site from the Skilling Hill Road Bridge. Whilst this view would be affected by the proposed development, the church is mainly experienced in its more immediate townscape setting, which would be unaffected. I do not think that the ability to understand and appreciate the listed building would be materially affected. The setting would therefore be preserved.
88. No 158 South Street is a Grade II listed building dating from the early 19th century. It shares a side boundary with the appeal site, at the point where there is an existing vehicular access. Insofar as setting contributes to the significance of the listed building, it is the street elevation and the relationship to other buildings fronting South Street that is important. The proposal would not materially alter that relationship. Whilst the rear elevation of the listed building can be seen from parts of the appeal site, these views are not important to the ability to experience the listed building. In any event, such views would still be available from communal areas within the appeal scheme. Although there would be a change in the setting, this change would not be harmful.
89. There is a group of Grade II listed buildings at Bridport Old Brewery, dating mainly from the 19th century with some earlier elements.¹⁴ Together, these buildings have group value in that they comprise an historic brewery complex. They can be considered together for the purposes of this appeal. The setting of the complex is important to the significance of the group, in particular due to the close association with the river. That relationship would be unaltered. The northern side of the complex is quite close to the site and there would be inter-visibility across the river. Replacement of the open storage yard with new buildings would result in a significant change in the setting. The south elevation of the apartment block, which would face the brewery, would be of three storeys with projecting gabled bays forming a balanced composition. To my mind, the scale and design of the apartment block would neither compete with, nor distract from, the listed brewery complex. In aesthetic terms, there would be a townscape improvement. In heritage terms, there would be no change in the ability to experience the heritage asset.
90. South Bridge and Skilling Hill Road Bridge are both Grade II listed buildings. The key elements of setting that add to their significance are the roads which pass over them and the rivers that they span. Those elements would be unchanged. There are views of the appeal site from both bridges, but those are part of the wider

¹⁴ Bridport Old Brewery, Maltings, Former Mineral Water Plant, No 2 West Bay Road and Cottages

townscape and do not contribute to the ability to experience the listed buildings. The views would change, as described above, but this would not be harmful.

91. In conclusion, there would be no harm to the significance of any of the relevant designated heritage assets through development in their respective settings. The settings of each of the listed buildings would be preserved. The proposal would accord with LP Policy ENV4 which seeks to conserve the significance of heritage assets.

Biodiversity

92. The PEA identified that most of the site has negligible value for ecology although there is some scrub and scattered trees. There is therefore some potential for nesting birds and reptiles. The habitats on site have limited suitability for bats, although the adjacent river provides suitable habitat for foraging and commuting.
93. As noted above, the appellant submitted a further report on reptiles, together with details of a translocation site, after the Council's determination of the application. This resolved the second reason for refusal. Implementation of the reptile translocation agreement would be secured by a condition, together with the Agreement. The suggested conditions include the submission of a scheme of ecological enhancements and mitigation, a lighting strategy to protect bats and a Construction Environmental Management Plan (CEMP) to protect biodiversity during the construction phase. Biodiversity net gain would be a statutory requirement which is likely to be met off-site.
94. The proposal would accord with LP Policy ENV2, which seeks to conserve or enhance wildlife and habitats, and with BANP Policy L2 which seeks to secure a net gain in biodiversity.

Effect on the living conditions of neighbours

95. The proposal would adjoin existing residential development at Doctor Roberts Close. The proposed cottages would be of one and a half storey scale, with first floor windows being in dormers or gables. The back elevations of terraces 1 and 2 would face properties on the northern side of the close. They would be set back from the road with enclosed back gardens. Terraces 3 and 5 would have elevations facing an apartment building at Doctor Roberts Close, across communal space or gardens and parking areas. Terrace 4 would be closest to the apartment block but would present a flank elevation to the site boundary.
96. To my mind the proposed siting and design would avoid any harmful overlooking or any unduly overbearing effects. Interested parties have expressed concern about disturbance during construction. Construction impacts would be temporary and could be mitigated by the proposed CEMP, which could be secured by a condition. The proposal would accord with LP Policy ENV16, which seeks to avoid harmful effects on the living conditions of neighbouring occupiers.

Access and highway safety

97. As noted above, Revision E of the site layout included changes to the width of footways, additional parking bays, and the provision of gates at the existing access to South Street. The Council confirmed at the CMC that these changes resolved the first reason for refusal. Nevertheless, interested parties were concerned about traffic and parking. A Transport Statement was submitted with the application. This

compared traffic generated by the proposal with the existing use of the site, concluding that the proposal would produce fewer vehicle trips overall, with a significant reduction in HGV movements. Vehicular access would be via Doctor Roberts Close. The Transport Statement includes details of works at the junction of Doctor Roberts Close and South Street to achieve satisfactory visibility splays. Those works could be secured by a condition.

98. The number of parking spaces proposed would exceed the level of provision at other retirement living schemes operated by the appellant where parking surveys have been carried out. Having regard to the likely age of future occupiers, and the location of the site within walking distance of the town centre, this seems to me to be an appropriate level of provision.
99. I conclude that the proposal would accord with LP Policy COM7, which seeks to create a safe highway network, and with Policy COM9, which requires appropriate provision for parking. It would also accord with BANP Policy AM2, which seeks to provide safe and convenient access to adjacent roads.

Interested parties

100. Interested parties appeared at the Inquiry and made written representations on the appeal and the planning application. The main concerns raised by the interested parties have been discussed above.

Conditions

101. The Council and the appellant agreed a schedule of suggested conditions which I have reviewed in the light of the Guidance. The conditions that I have imposed include some editing for clarity and consistency but are, in substance, the same as those discussed on Day 2 of the Inquiry. Following the Inquiry, I identified the need for a further condition (Condition 21) relating to implementation of the Flood Warning and Evacuation Plan. The parties commented in writing and agreed to this condition. Some conditions require matters to be approved before development commences. These are necessary to address impacts that would occur during construction or where design details would need to be resolved at an early stage. The appellant has agreed to the pre-commencement conditions.
102. Condition 1 requires development to be in accordance with the plans, in the interests of clarity and certainty. Condition 2 is a standard time condition. Conditions 3 and 4 require submission of a surface water management scheme, together with details of subsequent management of the scheme, in the interests of managing risks of flooding and pollution. Condition 5 requires details of off-site access works and Condition 6 requires implementation of the access and parking arrangements shown on the plans. They are needed in the interests of highway safety. Condition 7 requires submission of a Travel Plan, in the interests of sustainable transport.
103. Condition 8 requires submission of a Construction Traffic Management Plan; Condition 9 requires details of gates to be installed at the site access; and Condition 10 requires the first section of the access to be surfaced before other works commence. These conditions are needed in the interests of amenity and highway safety. Condition 11 requires implementation of the Reptile Mitigation Strategy; Condition 12 requires submission of a scheme of ecological mitigation and enhancements; Condition 13 requires submission of a lighting strategy and

Condition 14 requires submission of a Construction Environmental Management Plan. These conditions are needed in the interests of protecting habitats and biodiversity, including protected species.

104. Condition 15 requires submission of a remediation strategy for contaminated land; Condition 16 requires submission of a verification report; and Condition 17 sets out measures to deal with any unexpected contamination discovered during construction. These conditions are needed to manage risks of pollution and to ensure that the site is safe for its intended use. Condition 18 sets out an age restriction for future occupiers. This is necessary because the age profile of occupiers has determined the level of parking provision and to ensure that the scheme delivers the social and economic benefits that have been assessed in the planning balance.
105. Condition 19 requires submission of details of hard and soft landscaping. This is necessary in the interests of the character and appearance of the area; biodiversity; and making appropriate provision for maintenance access to the flood wall. Condition 20 requires submission of details of external facing materials, in the interests of the character and appearance of the area. Condition 21 requires implementation of the Flood Warning and Evacuation Plan. This is necessary because it is part of a package of mitigation measures that would, together, ensure that the site is safe from flooding.

Conclusion

The development plan

106. For the reasons given above, I conclude that the proposal would accord with the following policies of the development plan:

LP Policies

- SUS1 - Level of economic and housing growth
- SUS2 – Distribution of development
- HOUS1 – Affordable housing
- HOUS3 – Open market housing mix
- ENV2 – Wildlife and habitats
- ENV4 – Heritage assets
- ENV5 – Flood risk
- ENV10 – Landscape and townscape setting
- ENV11 – Pattern of streets and spaces
- ENV12 – Design and positioning of buildings
- ENV16 - Amenity
- COM7 – Creating a safe and efficient transport network
- COM9 – Parking standards in new development

BANP Policies

- H1 – General affordable housing policy
- H4 – Housing mix and balanced community
- H5 – Retirement living development
- D6 – Definition of streets and spaces
- D7 – Creation of secure areas
- D8 – Contributing to the local character
- L2 - Biodiversity
- AM2 – Managing vehicular traffic

107. LP Policy INT1 contains a presumption in favour of sustainable development, which sets out three matters to take into account when relevant policies are out-of-date. Relevant policies are out-of-date because the Council cannot demonstrate the supply of deliverable housing sites required by the Framework. It is convenient to comment on the three matters in reverse order.

108. The third matter is whether the adverse effects of granting planning permission could significantly outweigh the benefits. The benefits are:

- delivery of housing, to which I attach substantial weight;
- delivery of specialised housing for older persons, to which I attach substantial weight;
- contribution to affordable housing, to which I attach moderate weight;
- redevelopment of previously developed land in a sustainable location, to which I attach substantial weight;
- economic benefits, to which I attach moderate weight;
- social benefits, to which I attach substantial weight; and
- environmental benefits, to which I attach moderate weight.

109. The appeal site is at risk of flooding. Even though the sequential and exception tests would be met, I still regard this as an adverse effect because it is preferable to develop on land that is not at risk of flooding. I attach moderate weight to this adverse effect. I have not identified any other adverse effects to weigh against the benefits. I conclude that the adverse effect does not outweigh the benefits. The same factors lead me to conclude that, for the purposes of paragraph 178(a) of the Framework, the development would provide wider sustainability benefits to the community that would outweigh the flood risk.

110. The second matter is whether specific policies in the Framework indicate that development should be restricted. They do not, because the proposal passes the flood risk sequential test and the exception test. It would not be contrary to any other policies in the Framework.

111. The first matter is the extent to which the proposal contributes to the strategic objectives of the LP. In my view it would contribute to a significant extent, by helping to meet housing needs, regenerating a prominent brownfield site, and supporting sustainable communities. I conclude that Policy INT1 indicates that planning permission should be granted.

112. Insofar as there are other development plan policies that are relevant,¹⁵ no party has identified any that would be breached by the proposal. My overall conclusion is that the proposal would accord with the development plan as a whole.

Other material considerations

113. The Framework is a material consideration. Although the presumption in favour of sustainable development is not in identical terms to Policy INT1, in this case the assessment leads to the same place. For the same reasons, the most important policies are out-of-date, there are no policies in the Framework that provide a strong reason for refusing the proposal and the adverse effect would not significantly and demonstrably outweigh the benefits. The Framework therefore also indicates that permission should be granted.

Overall conclusion

114. The proposal would accord with the development plan. There are no material considerations that indicate a decision other than in accordance with the development plan. It follows that the appeal should be allowed.

David Prentis

Inspector

¹⁵ The policies that are agreed to be relevant are listed in the Statement of Common Ground

APPEARANCES

<i>For the appellant</i>	
Sasha White KC and Margherita Cornaglia	Instructed by Planning Issues
Matthew Shellum BA(Hons) DipTP MRTPI	Planning Issues
Damien Lynch BSc(Hons) MSc MRICS	Planning Issues
<i>For the Council</i>	
Michael Feeney	Instructed by Dorset Council Legal Services
Cecilia Reed BSc(Hons) MRICS	District Valuer Services
Paul Derrien	Housing Enabling and Delivery Manager, Dorset Council
Robert Lennis Jr BSc MA MRTPI	Lead Project Officer for Major Applications, Dorset Council
<i>Interested parties</i>	
Cllr Sarah Carney	Bridport Town Council
Glenn Crawford	Bridport resident
Jan Parker	Bridport resident

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1	Opening statement for the appellant
ID2	Opening statement for the Council
ID3	Statement of Cllr Carney
ID4	Statement of Jan Parker
ID5	Pre-engrossment version of S106 Agreement
ID6	Closing submissions for the appellant

DOCUMENTS SUBMITTED AFTER THE INQUIRY

Appellant's agreement to pre-commencement conditions	14 January 2026
Council's agreement to Condition 21	21 January 2026
Appellant's agreement to Condition 21	21 January 2026
Signed version of S106 Agreement	28 January 2026

CONDITIONS

- 1) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Location Plan 10128BP_PA00
 - Site Layout Plan 10128BP_PA01 E
 - Ground Floor Plan 10128BP_PA02 A
 - First Floor Plan 10128BP_PA03 A
 - Second Floor Plan 10128BP_PA04 A
 - Roof Plan 10128BP_PA05 A
 - Apartment Elevation Sheet 1 10128BP_PA06 A
 - Apartment Elevation Sheet 2 10128BP_PA07 A
 - Apartment Elevation Sheet 3 10128BP_PA08 A
 - Apartment Elevation Sheet 4 10128BP_PA09 A
 - Cottage Block 1 & 2 10128BP_PA10 A
 - Cottage Block 3 & 4 10128BP_PA11 A
 - Cottage Block 5 10128BP_PA12 A
 - Cottage Block 6 10128BP_PA13 A
 - Cottage Block 6 10128BP_PA14 A
 - Mobility Scooter & Bins 10128BP_PA15
 - Site Gate 10128BP_PA16
 - Indicative Site Access Arrangements 01-PHL-101
 - Landscape Strategy JBA 23_126_SK02 G
- 2) 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.
- 3) No development shall take place until a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, has been submitted to and approved in writing by the Local Planning Authority. The surface water management scheme shall be fully implemented in accordance with the submitted details before the development is completed.
- 4) Prior to occupation of the development, details of maintenance and management of both the surface water sustainable drainage scheme and any receiving system shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.
- 5) Prior to commencement of any works on site details of the off-site access arrangements and works shown on Drawing no 01-PHL-101 shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access shall be constructed in accordance with the approved details prior to the occupation of the development and maintained as such in perpetuity.

- 6) Prior to occupation of any dwelling hereby approved, the access, geometric highway layout, turning and parking areas shown on Drawing Number 10128BP-PA01 Rev E shall be constructed. Thereafter, these shall be maintained, kept free from obstruction and available for the purposes specified.
- 7) Prior to occupation of any dwelling hereby approved, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as submitted, shall include:
 - a) targets for sustainable travel arrangements;
 - b) effective measures for the on-going monitoring of the Travel Plan;
 - c) a commitment to delivering the Travel Plan objectives for a period of at least five years from first occupation of the development; and
 - d) effective mechanisms to achieve the objectives of the Travel Plan by the occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

- 8) Before the development hereby approved commences, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The CTMP shall include:
 - a) construction vehicle details (number, size, type and frequency of movement);
 - b) a programme of construction works and anticipated deliveries;
 - c) timings of deliveries so as to avoid, where possible, peak traffic periods;
 - d) a framework for managing abnormal loads;
 - e) location of construction site access;
 - f) contractors' arrangements (compound, storage, parking, turning, surfacing and drainage);
 - g) wheel cleaning facilities;
 - h) vehicle cleaning facilities;
 - i) inspection of the highways serving the site (by the developer (or his contractor) and Dorset Highways) prior to work commencing and at regular, agreed intervals during the construction phase;
 - j) a scheme of appropriate signing of vehicle routes to the site;
 - k) a route plan for all contractors and suppliers to be advised on; and
 - l) temporary traffic management measures where necessary.

The development shall be carried out strictly in accordance with the approved CTMP.

- 9) Prior to their installation, a scheme showing details (including the technical specification) for the provision of the electric gate(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be constructed before any part of the development hereby permitted is occupied or utilised. Thereafter, the electric gate(s) shall be maintained and kept available for the purpose specified.

- 10) Prior to commencement of any works on site (other than those required by this condition) the first 15.00m of the proposed access road, including the junction with the existing public highway, shall be completed to at least binder course level.
- 11) Prior to occupation of any dwelling hereby approved, the mitigation and enhancement measures detailed in the Reptile Survey Report (RSR) and Reptile Mitigation Strategy (RMS) (dated October 2025) shall be completed in full and evidence of completion shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation shall be permanently maintained and retained in accordance with the RSR and RMS.
- 12) Prior to first occupation a scheme of ecological mitigation and enhancements shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme of ecological mitigation and enhancements and shall be permanently retained as such thereafter.
- 13) Prior to commencement a detailed lighting strategy which reflects the need to avoid harm to protected species shall be submitted to and approved in writing by the Local Planning Authority. The lighting strategy shall demonstrate that light spill onto the riparian corridor, from all internal and external lighting fixtures, is no greater than 0.5 lux. The riparian corridor in this instance is defined as the river, riverbank and 10m from the top of the riverbank. The strategy shall address all aspects of lighting that will be introduced, including:
 - a) the extent of areas to be illuminated including lux levels, by way of a lighting contour plan;
 - b) the types of lighting that will be used; and
 - c) the specification for all light fixtures including measures to prevent light spill.

The lighting design for the site shall follow guidance from the Institute of Lighting Professionals (ILP) Guidance Note 8 Bats and Artificial Lighting (ILP, 2023). Where acceptable levels cannot be achieved through compliance with the ILP Guidance Note alone, additional measures will be required to reduce light transmission, such as application of glazing films to reduce light transmission. The lighting shall be implemented in accordance with the approved strategy. Lighting that is not detailed within the lighting strategy shall not be installed within the site area at a later date without the written consent of the Local Planning Authority.

- 14) Prior to the commencement of development on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local Planning Authority. The CEMP shall include the following:
 - a) risk assessment of potentially damaging construction activities;
 - b) identification of biodiversity protection zones;
 - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);

- d) the location and timing of sensitive works to avoid harm to biodiversity features;
- e) the times during construction when specialist ecologists need to be present on site to oversee works;
- f) responsible persons and lines of communication;
- g) the role and responsibilities on site of an ecological clerk of works or similarly competent person; and
- h) use of protective fences, exclusion barriers and warning signs.

The development shall take place strictly in accordance with the approved CEMP.

15) No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted has been submitted to and approved in writing by the Local Planning Authority. This strategy shall include the following components:

- a) a preliminary risk assessment which has identified all previous uses, potential contaminants associated with those uses, a conceptual model of the site indicating sources, pathways and receptors, and potentially unacceptable risks arising from contamination at the site;
- b) a site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site;
- c) the results of the site investigation and the detailed risk assessment referred to in (b) and based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken; and
- d) a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

The scheme shall be implemented as approved.

16) Prior to any part of the development approved by this planning permission being occupied, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

17) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise approved in writing by the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

18) Each dwelling hereby permitted shall be occupied only by:

- a) a person aged 60 years or over;
- b) a person aged 55 years or older living as part of a single household with the above person in (a); or
- c) a person aged 55 years or older who was living as part of a single household with the person identified in (a) who has since died.

19) No building hereby permitted shall be occupied until full details of both hard and soft landscape proposals have been submitted to and approved in writing by the Local Planning Authority. These details shall include as appropriate:

- a) finished levels or contours;
- b) means of enclosure;
- c) hard surfacing materials; and
- d) minor artefacts and structures such as furniture, refuse or other storage units.

Soft landscape details shall include planting plans, specifications (including cultivation and other operations associated with plant and grass establishment), schedules of plants noting species, planting sizes and proposed numbers/densities where appropriate, as well as a schedule of tree planting to include the specification of tree planting pits with details of any irrigation or drainage infrastructure, and tree root barriers (if necessary) to prevent damage or disruption to any proposed hard surfacing or underground services, drains or other infrastructure.

In addition, implementation timetables and maintenance programmes detailing all operations to be carried out to allow successful establishment of soft landscaping shall be submitted to and approved in writing by the Local Planning Authority before the development is occupied.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of the development or in accordance with the timetable approved by the Local Planning Authority which shall include appropriate planting to be undertaken at the earliest opportunity. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of a similar species, size and number as originally approved.

20) No development above damp course level of any building hereby approved shall take place until details of external facing materials for that building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

21) The measures set out in the Flood Warning and Evacuation Plan by AWP (Exeter) LLP dated 4 November 2025 shall be implemented prior to the first occupation of the development hereby approved. The measures in the said plan shall thereafter be adhered to for the lifetime of the development hereby approved.

End of schedule