

[WP/19/00528/FUL](#) and [WP/19/00529/LBC](#)

TERRACE ADJACENT TO BEACH CHALETS GREENHILL GARDEN, GREENHILL, WEYMOUTH

Removal of temporary RNLI facility and alterations to restore building to its former condition.

Applicant: Greenhill Community Trust

Case Officer: Rob McDonald

Ward Member: Cllr J Orrell

This application is brought to committee at the request of the Nominated Officer in accordance with section 134 of the Officer Scheme of Delegation, following representation received from the Ward member and consultation with the Chair and Vice Chair.

1.0 Summary of Recommendation: Grant Planning Permission and Listed Building Consent (WP/19/00528/FUL and WP/19/00529/LBC) subject to respective conditions.

2.0 Reason for the recommendation:

- The removal of the facility would not result in the loss of a community asset.
- The removal of the facility would preserve and enhance the significance of the heritage assets.
- The removal of the facility would result in a positive visual impact within the character of the area.
- There would be no impact on neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application.

3.0 Key planning issues

Issue	Conclusion
Principle of development	The sub-building is no longer required by the RNLI following approval of a replacement shelter on the beach in 2011. The removal of the sub-building would not result in the total loss of a community facility as the resulting space following demolition would thereafter form part of the larger covered open area on the upper deck of the beach chalet building for the continued use of the community.
Impact on the significance of the heritage assets	The sub-building does not contribute to the architectural interest and aesthetic

	significance of the listed building, nor does it contribute positively to the character of the Conservation Area. Its removal, therefore, would enhance the architectural interest and significance of the listed building and enhance the character and appearance of the Town Centre Conservation Area. Great weight is given to this benefit in the overall planning balance.
Impact within the character of the area	The removal of the sub-building would enhance the visual character of the promenade frontage and Greenhill area.

4.0 Description of site

4.1 The site forms part of a grade II listed beach chalet building located immediately adjacent to the promenade in the Greenhill area of Weymouth. The two storey terrace building is constructed of concrete with iron columns and railings, with part-glazed timber panelling. It comprises a continuous row of timber fronted part-glazed beach chalets on the ground floor level and some bays on the first floor, some of which accommodate a café. The sub-building subject to this application is of timber construction and positioned towards the southern end of the first floor terrace. It forms part of a covered walkway, spanning about 4 'bays' and is accessed via an open stairwell (although access to this part of the building is gated).

4.2 The sub-building effectively has a lawful use as a "RNLI lifeguard support building", originally approved in 2001 (Ref: 01/00354/TEMP), having been in place and in such continuous use since this period until circa September 2016. Since around this time the sub-building has been occupied by the Weymouth Bay Sea Swimmers non-profit company as a changing facility for members.

4.3 The site lies within the Defined Development Boundary (DDB) of Weymouth, as well as the Town Centre Conservation Area boundary. The site is covered by the Weymouth Town Centre Strategy i.e. policy WEY1 of the adopted Local Plan.

5.0 Description of proposal

5.1 The applications seek planning permission and listed building consent to demolish the temporary RNLI facility and make alterations to restore the building to its former condition. The timber walls and roof of the sub-building would be removed and the electrics present also made safe.

5.2 No details have been provided of the methodology of the demolition and the restoration of this part of the whole building, however the Conservation Officer is

content with this being secured by way of a condition on the listed building consent to suitably control how this would be carefully carried out.

6.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
01/00354/FUL	Erection of temporary lifeguard support building	Approved	31.07.2001
01/00620/TEMP	Erection of temporary lifeguard support building (renewal of temporary permission)	Approved	18.12.2001
03/00345/FUL	Temporary lifeguard support building	Approved	27.07.2003
04/00311/FUL	Temporary lifeguard support building	Approved	20.05.2004
05/00255/FUL	Temporary lifeguard support building	Approved	06.06.2005
06/00293/FUL	Temporary lifeguard support building (renewal)	Approved	21.06.2006
On adjacent land			
WP/11/571/FUL	Install Lifeguard Unit (Retrospective)	Approved	05.09.2011

7.0 Relevant Constraints

- Within defined development boundary of Weymouth
- Grade II listed building
- Town Centre Conservation Area setting
- Town Centre strategy

8.0 Consultations

8.1 Cllr J Orrell (Ward Member)

I would be grateful if WP/19/00528/FUL could be considered by the full planning committee. This is to enable councillors to consider the Weymouth and Portland plan and the following material planning implications:

*ECON 4. RETAIL AND TOWN CENTRE DEVELOPMENT states,
iv) Development likely to lead to significant adverse impacts on existing centres will be refused.*

*ECON.5 TOURISM ATTRACTIONS AND FACILITIES p.92 states,
i) Proposals for new, or extensions to, tourism attractions and facilities will be encouraged and supported.*

8.2 Weymouth Town Council

The Council has no objection subject to the Conservation Officer being satisfied. It is requested that this application is considered by the Dorset Council full Planning Committee.

8.3 Design and Conservation Officer

Having carried out the pre-application meeting I am satisfied this is a positive move for the heritage asset overall. However because of the minimal information within the supporting documentation, we will have to impose a condition asking for a little more information. Recommended condition: Method statement (preferably illustrated) to describe the demolition and making good processes.

8.4 Highway Authority

No objection.

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

9.0 Representations

WP/19/00528/FUL (Planning application)

9.1 10 representations have been received for this application. Of these 1 supports the application and the other 9 object. Four of the objections are received from the same 2 third parties. The material planning considerations are summarised as follows:

Support

- Temporary structure is an eyesore and should be removed;

Object

- Removal does not support healthy and sustainable activity;
- Violation of vision and strategic objectives for the area in the Local Plan;
- Harmful to tourism offer;
- Would reduce community's ability to meet its day to day needs;
- No alternative community uses explored;

10.0 Relevant Policies

Adopted West Dorset and Weymouth & Portland Local Plan (2015)

- INT1- Presumption in favour of Sustainable Development
- ENV1 - Landscape, Seascape and Sites of geological interest
- ENV4 – Heritage Assets
- ENV10 - The landscape and townscape setting
- ENV12 – The design and positioning of buildings
- ENV16 – Amenity
- COM3 – The retention of local community buildings and structures
- WEY1 – Weymouth town centre strategy

National Planning Policy Framework

As far as this application is concerned the following section(s) of the NPPF are considered to be relevant;

- 2. Achieving sustainable development
- 4. Decision-making
- 12. Achieving well-designed places
- 16. Conserving and enhancing the historic environment

Para 38 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, 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.

Other material considerations

- Weymouth Town Centre Conservation Area Appraisal (2012)
- Supplementary Planning Guidance 2: Listed Building and Conservation Areas (SPG2)

11.0 Human rights

Article 6 - Right to a fair trial.

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

The first protocol of Article 1 Protection of property

This Recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

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

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

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

13.0 Financial benefits

13.1 There would be short-term minor economic benefits as a result of the proposals in terms of employment of local contractors for the demolition and works to make good the upper deck.

14.0 Planning Assessment

Principle of development

14.1 The subject RNLI facility was originally approved in 2001 (Ref: 01/00354/FUL), with the intention of it being a temporary structure on the upper deck of the beach chalet building. Several applications followed, over a period of five years, to extend the temporary period for the structure being in place, the latest being 06/00293/FUL in June 2006. This latest consent concerning the sub-building conditioned that the use be discontinued and site restored to its former condition on or before 31 March 2008, unless renewal of the permission was obtained prior to this date. No renewal of the permission was or has since been sought and the sub-building remains in place.

14.2 It is not clear when the RNLI vacated the sub-building but retrospective planning permission was acquired in September 2011 for a new lifeguard hut positioned on the beach directly in front of the beach chalet structure. The new structure on the beach has been in use since June 2011 (Ref: WP/11/571/FUL) so it could be assumed the RNLI vacated the subject sub-building within the beach chalet around or just before this time.

14.3 It is understood that the Weymouth Bay Sea Swimmers club leased/occupied the sub-building from around September 2016 until the end of March 2019. However no

change of use application has been submitted to regularise the most recent use of the sub-building and thus there is no lawful planning use as a changing facility.

14.4 It should be reiterated that leaseholder disputes and issues with occupancy are not considered material planning considerations in this case. The need for changing facilities for a community group is not the subject of these planning and listed building applications. This need should be addressed through exploring alternatives to lease or rent and set up arrangements with a landlord, not via the planning process.

14.5 The whole beach chalet structure can be considered a community facility, providing a means of shelter and day-time accommodation for the local community and tourists. The subject sub-building has been lawfully used as a lifeguard support building, sitting inside a small part of the first floor of the overall building. Its primary function would have been to accommodate RNLI staff to carry out their duties in the public interest.

14.6 The removal of a small internal part of the building does not alter the overall purpose of the building as a whole providing facilities to support healthy and sustainable activity of use of the beach and sea. This meets the relevant Local Plan strategic objective to: *“Support sustainable, safe and healthy communities with accessibility to a range of services and facilities”*. The Beach chalet building is retained and there is no impact on the use of the building as a whole to provide community and tourism facilities by the removal on one internal structure within it. The proposal complies with the vision and strategic objectives for the area in the Local Plan by continuing to meet a community need related to the maritime heritage and coastal landscape. The vision states: *“We want to keep the individual identities of the communities that make up our area, linking to our maritime heritage and the beautiful coastal and rural landscapes, but always looking to the future.”*

14.7 The sub-building was only intended to be temporary, which is evident by the descriptions of previous consents and the fact that a series of consents was granted to extend the temporary period for its presence and use. The sub-building is no longer required by the RNLI as they have a replacement shelter on the beach and this has been in the situation since at least 2011. The removal of the sub-building can therefore be accepted as the RNLI facility has not been lost. Furthermore, the removal of the sub-building would not result in the loss of a community facility as the resulting space following the demolition would thereafter form part of the larger covered open area on the upper deck and available to the public

14.8 The removal of the RNLI facility is therefore acceptable in principle.

Impact on the significance of heritage assets

14.9 It is understood that the beach chalet building as a whole was first built in 1923. Part of their significance is that they represent an early and innovative example of beach hut design and are rare examples of elaborately designed beach facilities. The

Historic England listing description also states specifically about the subject sub-building that: "The lifeguard station at the left hand end of the first floor is a late C20 addition is not of interest".

14.10 Although the application was approved, the Conservation Officer for the 2004 renewal of the lifeguard support building commented at the time that the subject sub-building was "detrimental to the appearance of the chalet building and as such the Conservation Area", with the planning officer agreeing with this point in the conclusion of the delegated report.

14.11 It is clear that the lifeguard support building does not contribute to the architectural interest and aesthetic significance of the listed building, nor does it contribute positively to the character of the Conservation Area. Its removal, therefore, would enhance the architectural interest and significance of the listed building and enhance the character and appearance of the Town Centre Conservation Area. Great weight is given to this benefit in the overall planning balance.

14.12 The Conservation Officer has recommended that the methodology of demolition be secured by way of a condition. This would ensure that the method is appropriate for the building and the works to make good would be appropriate.

14.13 Having had regard to s16, s66 and s72 of the Planning and Listed Building Act 1990 it is accepted that the development would preserve and enhance the significance and settings of heritage assets.

Impact within the character of the area

14.12 As highlighted above, the removal of the lifeguard support building would provide an enhancement with regard to heritage assets. In turn, it would also have a positive impact within the character of the area i.e. the promenade and Greenhill area in general.

Impact on neighbouring amenity

14.13 The removal of the structure would have no impact on neighbouring residential amenity.

15.0 Conclusion

15.1 The proposed removal of the RNLI support building would positively enhance the character of the listed building and Conservation Area, as well as the character of the local area. It would not result in the loss of a community asset as the beach chalet building as a whole remains in situ as a community asset and there would be no impact on neighbouring residential amenity as a result of the removal of the sub-building.

15.2 Both applications are therefore recommended for approval, subject to the respective conditions below.

16.0 Recommendation

WP/19/00528/FUL 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, Site Plan, Proposed Floor Plans and Elevations - Drawing Number 2904:151.002A received 28 June 2019.

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

WP/19/00529/LBC Grant Listed Building Consent 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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

Location Plan, Site Plan, Proposed Floor Plans and Elevations - Drawing Number 2904:151.002A received 28 June 2019.

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

3. Prior to any demolition works of the RNLI lifeguard support building a demolition method statement (to include details of making good the remaining structure) must be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.

Reason: To preserve the remaining historic fabric of the listed building and preserve and enhance the significance of the heritage asset.