

Application Number: [WD/D/19/001887](#)

Application Site: HARBOUR MASTERS OFFICE, THE MOUND, QUAYSIDE, WEST BAY

Proposal: Change of use of part of the Harbour Masters Office from B1 to A1 (retrospective).

Applicant: Dorset Council

Case Officer: Rob McDonald

Ward Member: Cllr Bolwell, Cllr Clayton, Cllr Williams

This application is brought through the Scheme of Delegation to the planning committee as the application has been submitted on behalf of The Council.

1.0 Summary of Recommendation: GRANT subject to conditions.

2.0 Reason for the recommendation:

- The principle of the change of use is acceptable in principle by virtue of its location.
- The change of use would preserve and enhance the character and visual appearance and settings of heritage assets.
- There would be no significant impact on neighbouring amenity.
- There would be no severe impact on highway safety.
- There would be no increased flood risk.

3.0 Key planning issues

Issue	Conclusion
Principle of development and impact on the local centre	The change of use is modest in size and has the local benefit of selling essential equipment to the users of West Bay Harbour, thus meeting a localised need and niche market in this location. It is an appropriate type of use in the local centre, supporting the harbour economy and contributing positively to the vitality and vibrancy of West Bay.
Impact on heritage assets	The impact on the character and significance of the Building of Local Importance would be minimal, as would the impact on the setting of the

	Conservation Area and setting of the listed Harbour wall. The specified retail use would enhance the character of the Conservation Area.
Impact on neighbouring amenity	The change of use would not exacerbate any existing impacts to an extent that would be deemed significantly harmful.
Impact on highway safety and parking	There would be no severe highway impact.
Flood risk	The change of use has no increased flood risk.

4.0 Description of site

4.1 The application site forms part of a quarter-circle building on the west side of the harbour in West Bay. The building is recognised as a Building of Local Importance and a landmark building. It has a flat roof and is faced with stone and lies at the eastern end of The Mound public car park. The building, accessed by foot, comprises an office, storage area and the subject retail area forming the southern part of the building. The building fronts onto the harbour wall which itself is grade II listed. Public toilets adjoin the building and hot food takeaway 'chalets' stationed just to the west. The site lies within the defined development boundary of Bridport, the West Bay Conservation Area and Dorset AONB. West Bay is regarded as a 'local centre' in the current adopted Local Plan (policy ECON4). The site also lies within flood zones 2 and 3, lying immediately adjacent to the harbour.

5.0 Description of proposal

5.1 The application seeks retrospective planning permission to change the use of part of the Harbour Master's office space to A1 retail space. The application form indicates the change of use occurred from 1 November 2018. The change of use amounts to some 21 square metres and is shared with the reception area of the building. The application essentially seeks to regularise the retail function of the building, which comprises the supply of essential equipment to the users of West Bay Harbour.

5.2 The change of use has involved no external alterations having taken place or proposed.

6.0 Relevant Planning History

Application No.	Application Description	Decision	Date of decision
1/D/09/001202	Construct new access ramp	A	05 October 2009
1/D/10/000720	Construct new access	A	26 July 2010

	ramp		
1/W/84/000314	Use land to site trampolines	A	26 June 1984
1/W/85/000172	Retain cafe/restaurant (Renewal of 1/W/80/1069)	A	22 July 1985
1/W/85/000675	Renew Permission to retain rollalong cabin for St Johns Ambulance	A	09 December 1985
WD/D/15/000948	Site a steel shipping container on land adjoining Harbourmasters office and erect a timber fence and gates enclosure	A	03 September 2015
WD/D/18/002157	Renewal of temporary planning permission WD/D/15/000948 for siting of steel shipping container, timber fence and gates enclosure	A	15 February 2019

7.0 Relevant Constraints

- West Bay Local Centre
- Building of Local Importance
- Conservation Area
- Setting of Listed Building
- Flood zones 2 and 3
- Dorset AONB

8.0 Consultations

8.1 Bridport Town Council

8.1.1 Support

8.2 Highway Authority

8.2.1 No highway comment.

8.3 Technical Services

8.3.1 No objection or further comments to make.

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

9.0 Representations

9.1 None received.

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
- ENV5 – Flood risk
- ENV10 - The landscape and townscape setting
- ENV14 – Shopfronts and advertisements
- ENV16 – Amenity
- SUS2 – Distribution of development
- SUS5 – Neighbourhood Development Plans
- ECON4 – Retail and town centre development
- COM7 – Creating a safe and efficient transport network
- COM9 – Parking standards in new development

Bridport Neighbourhood Plan

- HT1 – Non Designated Heritage Assets

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
- 6. Building a strong, competitive economy
- 7. Ensuring the vitality of town centres
- 12. Achieving well-designed places
- 15. Conserving and enhancing the natural environment
- 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

West Bay Conservation Area Appraisal (2013)

Dorset Area of Outstanding Natural Beauty: A Framework for the Future AONB Management Plan 2019 – 2024

West Dorset Landscape Character Assessment (2009)

WDDC Design & Sustainable Development Planning Guidelines (2009)

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 The retail use of the site supports the local economy and local centre of West Bay and wider market area. The retail use would also support local employment.

14.0 Climate implications

14.1 There would be minimal climate implications resulting from the change of use. The change of use may result in more deliveries of stock to the site and thus potentially some minor increase in carbon emissions.

15.0 Planning Assessment

Principle of development and impact on the local centre

15.1 West Bay lies within the defined development boundary of Bridport where employment and other development to meet local needs is normally permitted. West Bay is also regarded as a 'local centre', which usually include a range of shops of a local nature, serving a small catchment.

15.2 Policy ECON4 of the Local Plan provides support for retail and town centre development, appropriate in type and scale to the particular centre and its catchment population. It also provides support for small scale development of shops and other A Class Uses within local centres.

15.3 In this regard, the A1 retail function is modest in size and, has the local benefit of selling essential equipment to the users of West Bay Harbour, thus meeting a localised need and niche market in this location. It is therefore an appropriate type of use in this local centre, supporting the harbour economy and contributing positively to the vitality and vibrancy of West Bay.

15.4 With these points in mind, the principle of the development is acceptable.

Impact on heritage assets

15.5 There have been no material external alterations to the unit, nor any proposed. Thus, the impact on the character and significance of the Building of Local Importance, which is described as having a "fort-like character" would be minimal, as would the impact on the setting of the Conservation Area and setting of the listed Harbour wall.

15.6 West Bay has a "strong maritime character", with the West Bay Conservation Area Appraisal describing angling off the slipway and piers as adding to the "enjoyment" of the area as a "local pastime". It is reasonable to judge that such activities contribute towards the maritime character and significance of the

Conservation Area and, thus, a specific retail use for angling equipment in this location is likely to enhance the character in this respect.

15.7 Therefore, having had regard to s66 and s72 of the Planning and Listed Building Act 1990, as well as national policies, policy ENV4 of the Local Plan and the West Bay Conservation Area Appraisal, it is accepted that the development would preserve and enhance the significance and settings of heritage assets.

Impact on neighbouring amenity

15.8 The unit fronts onto the harbour itself, effectively with its back to the Quayside block of flats and The Mound public car park and existing hot food chalets sitting in between. In this respect, the modest retail use of the unit would not exacerbate any existing impact on these neighbouring properties to an extent that would be considered harmful.

15.9 Pier Terrace lies on the opposite side of the harbour to the application site and these properties face the Harbourmasters building and adjacent pier. However, again, by virtue of the separation, existing prevalence of retail uses in the immediate area and the modest size and type of retail use proposed, the development would not exacerbate any existing impacts to an extent that would be harmful to these neighbours and any others in the surrounding area.

Highway safety and parking

15.10 West Bay benefits from several public car parks. It is not considered that the modest retail use would generate a significance increase in vehicle movements or demand for parking spaces and therefore the change of use would be very unlikely to have a severe impact on highway safety. The Highways department have been consulted and raise no objections in terms of highway safety.

Flood risk

15.11 Whilst the site lies within flood zones 2 and 3, it stands above the harbour wall level. There would be no physical changes to the building. There would be no change in terms of vulnerability class from an office use to retail use, both falling within the 'less vulnerable' category. In such instances, development can be appropriate. An FRA has been submitted and reviewed by the Technical Services team. No objections have been raised and it is therefore accepted the change of use would not increase any existing flood risks.

16.0 Conclusion

16.1 The retail unit lies within the DDB of Bridport and local centre of West Bay, whereby shop uses can be acceptable to meet local needs. In this instance the change of use is currently meet local needs and enhancing the vibrancy and vitality

of the local centre area. The change of use would does not cause harm to the significance of heritage assets and, to some extent, enhances the special maritime character of the Conservation Area. There is no significant harm to neighbouring amenity nor a severe impact on highway safety. There are no increased flood risks. The proposed development is acceptable and therefore recommended for approval, subject to conditions.

17.0 Recommendation

Grant subject to this condition:

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

Site and Location Plans drawing number 107/17/03 received 23 July 2019.

Reason: For the avoidance of doubt and to clarify the permission.