

## Officer Report

<b>Application Number:</b>	P/LBC/2023/05439
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=399957">https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=399957</a>
<b>Site address:</b>	15 Bath Street Weymouth Dorset DT4 7DS
<b>Proposal:</b>	Replace external front door & frame. Repair & reinstate single glazed fanlight above door. Installation of draughtproofing threshold strip & timber weather bar. Internal alterations to provide smoke detectors throughout the property.
<b>Applicant name:</b>	Housing Standards Dorset Council
<b>Case Officer:</b>	Nicola Yeates
<b>Ward Member(s):</b>	Cllr Orrell

- 1.0 This application has been brought to committee as Dorset Council is the applicant.
- 2.0 **Summary of recommendation:** Grant subject to conditions.
- 3.0 **Reason for the recommendation:** as set out in paras 16.0 the proposal would preserve and enhance the Listed building, the setting of the neighbouring Listed buildings and the Conservation Area.
- 4.0 **Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Impact on Heritage Asset, Setting and Conservation Area.	Positive impact.

### 5.0 Description of Site

No.15 Bath Street is Grade II Listed, a group listing with No.16 and No.17. The listing description notes these buildings as a terrace of 3 houses dated early C19. The properties are three storey with a central window to each storey and semicircular arched doorways with mid C20 doors. As noted in the submitted Design and Accessibility / Heritage Statement, the properties have historic significance illustrating the early C19 expansion of the old town and architectural significance with Georgian architectural detailing of vertical sash windows and arched doorways.

Bath Street is a narrow road with terrace dwellings to either side and is located to the north of Weymouth town centre. Bath Street is located within the Weymouth Town Centre Conservation Area.

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### 6.0 Description of Development

The proposal seeks to replace the external front door and frame, repair & reinstate the single glazed fanlight above the door and install a draughtproofing threshold strip and timber weather bar. Internal alterations are proposed to provide smoke detectors throughout the property.

### 7.0 Relevant Planning History

88/00435/LBC - Decision: GRA - Decision Date: 23/08/1988

CONVERSION OF HOUSE INTO 2 FLATS.

88/00434/FUL - Decision: GRA - Decision Date: 23/08/1988

CONVERSION OF HOUSE INTO 2 FLATS.

### 8.0 List of Constraints

Grade II Listed building 15, 16 AND 17, BATH STREET. HE Reference: 1313436  
*(statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)*

Within the Weymouth Town Centre Conservation Area *(statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)*

### 9.0 Consultations

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

#### Consultees

1. **Weymouth Town Council:** No objection.
2. **Melcombe Regis Ward:** No comment received.

#### Representations received - None

### 10.0 Duties

S38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990 - section 16 requires that in considering whether to grant listed building consent, special regard is to be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

### **11.0 Relevant Policies**

#### West Dorset Weymouth and Portland Local Plan 2015

The following policies of the Local Plan are considered to be relevant:

- ENV4 - Heritage Assets

#### Neighbourhood Plans

Weymouth Neighbourhood Plan - In preparation – limited weight applied to decision making.

#### Other Material Considerations

Supplementary Planning Documents/Guidance

- Weymouth Town Centre Conservation Appraisal (2012)

#### National Planning Policy Framework (2021)

The following policies of the National Planning Policy Framework (2021) are considered to be relevant for this proposal:

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay.

Relevant NPPF sections include:

- Section 16 'Conserving and Enhancing the Historic Environment' - When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

National Planning Practice Guidance

### **12.0 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.

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### **13.0 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 Public Sector Equalities Duty. The proposed alterations to the front door and addition of smoke detectors will not impact on people with protected characteristics.

### **14.0 Financial benefits**

None.

### **15.0 Environmental Implications**

None.

### **16.0 Planning Assessment**

#### Impact on Heritage Asset, Setting and Conservation Area

**Replace the external front door and frame, repair & reinstate the single glazed fanlight above the door and install a draughtproofing threshold strip and timber weather bar.**

The proposal seeks to address the current poor state of repair of the existing front door and proposes a replacement which will be appropriate and in-keeping for this listed building. The existing door is a modern addition and therefore the proposal would see no loss of historic fabric. The replacement of the existing door would preserve and enhance this Listed building and therefore would not result in any harm to the significance of the Listed building. The proposal is supported.

**Internal alterations are proposed to provide smoke detectors throughout the property.**

The proposal seeks to install a series of hard-wired single point smoke detectors, the system stated to be a mixed fire alarm system. The submitted Design and Accessibility

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/ Heritage Statement contains details regarding a Method Statement which is to be produced by the Contractor following a detailed building survey. It is discussed that the existing routes are to be utilised and to avoid impact on historic fabric where possible. There is no objection to the proposal, a method statement for the works should be confirmed by way of a condition.

It is considered that the proposal would preserve and enhance the heritage asset. The proposal would not be detrimental to the special architectural and historic interest and therefore would not result in harm to the significance of the listed building.

Overall, it is considered that the proposed works would also improve the setting of this building and the surrounding areas and improve the character and appearance of the Conservation Area. Having regard to all of the above it is considered therefore that the development accords with Policy ENV4 of the adopted local plan and the NPPF.

### **17.0 Conclusion**

The development has been assessed with regard to the policies of the West Dorset, Weymouth & Portland Local Plan (2015), the NPPF (2021) and all other relevant material considerations. It has been concluded that the proposal would preserve and enhance the Grade II Listed building, the setting of the neighbouring Listed buildings and the Weymouth Town Centre Conservation Area. In reaching this conclusion regard has been had to the duties under sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

**18.0 Recommendation:** Grant listed building consent subject to the following conditions:

1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. The works hereby permitted shall be carried out in accordance with the following approved plans:  
PP-12468349v1 Location plan

Reason: To preserve the architectural and historical qualities of the building.

3. The replacement door shall be a 6 panel exterior solid timber door, painted black, with single glazed fanlight above and all works hereby permitted shall be carried out in accordance with the details contained in the following approved document:

Design and Accessibility / Heritage Statement

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Reason: To preserve the architectural and historical qualities of the building.

4. Prior to the commencement of work(s) hereby approved to install smoke detectors a method statement / schedule of works for the internal alterations to provide smoke detectors throughout the property shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved method statement / schedule of works.

Reason: To preserve the special architectural and historic interest of the listed building.

### **Informative Notes:**

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

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

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

In this case:

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