

<b>Application Number:</b>	P/LBC/2023/05348
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	4-5 Kings Square King Street Bridport DT6 3QE
<b>Proposal:</b>	Install defibrillator box on building in public car park
<b>Applicant name:</b>	Bridport Christian Fellowship
<b>Case Officer:</b>	Rob Parr
<b>Ward Member(s):</b>	Cllr Bolwell; Cllr Clayton; Cllr Williams

**1.0** This application is brought to committee for determination as part of the application site is owned by Dorset Council.

**2.0 Summary of recommendation:**

Grant subject to conditions.

**3.0 Reason for the recommendation:**

- The proposal would result in less than substantial harm to the designated heritage asset which would be outweighed by public benefits.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Impact on heritage assets	The development would result in less than substantial harm to the host building, a designated heritage asset which would be outweighed by the public benefits of the proposal. There would be no harm to the character of the Conservation Area and the setting of adjacent listed buildings.

**5.0 Description of Site**

**5.1** The application site is a grade II listed building in the Bridport Conservation Area. It is a former school building which is now surrounded on 3 sides by a public car park. The building is in part single storey and in part two storey with natural stone walls and a slate roof. Kings Square is to the east of King Street and to the south of East Street.

**6.0 Description of Development**

**6.1** The proposal is to fix a Defib Caddy Outdoor Cabinet to the west elevation (gable end) to house a defibrillator. It is proposed to be located to the north of one of the two windows in the gable end at about sill height. The plastic box to house the defibrillator would be yellow.

**7.0 Relevant Planning History** - No relevant planning history

## 8.0 List of Constraints

ST MARYS PRIMARY SCHOOL INCLUDING THORNHILL listed building grade G2.  
HE Reference: 1287714 - Distance: 0

Grade: II Listed Building: RAILINGS OPPOSITE NO 26 List Entry: 1216236.0; -  
Distance: 19.39

Grade: II Listed Building: 3 POSTS IN STREET OPPOSITE NO 18 List Entry:  
1216235.0; - Distance: 2.03

Grade: II Listed Building: 14-22, KING STREET List Entry: 1216278.0; - Distance:  
7.05

Grade: II Listed Building: 9, 11 AND 15, KING STREET List Entry: 1216237.0; -  
Distance: 16.33

Grade: II Listed Building: 6-10, KING STREET List Entry: 1287728.0; - Distance:  
13.87

Application is within a conservation area - Distance: 0

Important Local Buildings, Record Key = 225 - Distance: 0

Area of Outstanding Natural Beauty; Dorset - Distance: 0

Defined Development Boundary; Bridport - Distance: 0

Neighbourhood Plan - Made; Name: Bridport Area NP; Status 'Made' 05/05/2020; -  
Distance: 0

Dorset Council Land (Freehold)

Grade II listed building (statutory duty to preserve or enhance the significance of  
heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)

Within the Bridport 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. **Conservation Officer** – The development is of a de minimis nature and  
therefore will result in no harm to the heritage asset and its setting.

2. **Bridport Town Council** – Support

**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.

Section 72 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 are considered to be relevant to this proposal:

ENV4 – Heritage Assets

**Bridport Neighbourhood Plan 2020-2036** (made 5/5/2020)

HT2 Public Realm

### **Other material considerations**

### **National Planning Policy Framework (2023)**

- 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).

Supplementary Planning Documents/Guidance For West Dorset Area:  
WDDC Design & Sustainable Development Planning Guidelines (2009)

Bridport Conservation Area Appraisal - adopted January 2003 (reviewed October 2010)

The application site is a detached building but it is adjacent to other former school buildings to the north of it, namely the former Bridport General School building which is described in the CAA as the foremost building in the Sub Area. "Its extravagant Tudor Revival style, elevated position and substantial form reinforce its significance."

## **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.

### **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. It is considered that the development would provide a defibrillator in a central location within the town, accessible via the car park which is a potential improvement to the provision of emergency treatment in the town and would not disadvantage those with protected characteristics.

### **14.0 Financial benefits - None**

### **15.0 Environmental Implications - None**

### **16.0 Planning Assessment**

#### **Impact on Designated Heritage Assets**

**16.1** The building is grade II listed and within the Conservation Area. Both are designated heritage assets. The addition of the defibrillator box would be a fairly minor alteration given that it would principally affect only one elevation of the building and is of a small size. However, its colouring would make it prominent on that elevation, but then its colouring is what helps make it readily locatable in the event of an emergency and is therefore appropriate to the use of the box. Overall given the size of the box it is considered that the change would be de minimis and even if it were to be concluded that on balance it did cause less than substantial harm to the character and appearance of the listed building as a result of the box colour it is considered that in this case the very low degree of harm attributed to it would be outweighed by the public benefit of the provision of a defibrillator in an accessible location close to the town centre and which would be available to all in the event of an emergency.

**16.2** In terms of the setting of adjacent listed buildings, including the main school building identified in the conservation area appraisal as being the foremost building in the sub area, it is considered that the siting of the box on the western elevation of the building would not have any adverse impact on the setting of the adjacent listed building. It would be seen in the context of existing paraphernalia and street furniture in the wider street scene when looking east towards the school buildings, include lamp posts, signage and a ticket machine. The same applies in terms of the impact

on the character and appearance of the Conservation Area and it is considered that given the de minimis nature of the development the Conservation Area character would be preserved. Overall, it is considered that the proposed development accords with Policy ENV4 of the adopted local plan, Policy HT2 of the Neighbourhood Plan and the NPPF.

## **17.0 Conclusion**

**17.1** The development when seen in the wider street scene context would preserve the character of the Conservation Area and would not result in harm to the setting of the adjacent listed building. Any harm to the character and appearance of the listed building to which the box would be attached, arising from the colour of the box, would be less than substantial harm which it is considered would be outweighed by the provision of a defibrillator in an accessible location close to the town centre. As such it is considered that the proposed development accords with Policy ENV4 of the West Dorset, Weymouth and Portland Local Plan (2015), Policy HT2 of the Bridport Neighbourhood Plan (2020) and the National Planning Policy Framework (2023).

## **18.0 Recommendation**

Grant 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:

Block, Site and Location Plan Drwg no. 23/095/01  
Existing and Proposed West Elevation Drwg no. 23/095/02

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