

Officer Report

Application Number:	P/LBC/2024/00492
Webpage:	https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=403032
Site address:	The Warwick Guest House, 9 The Esplanade, Weymouth DT4 8EB
Proposal:	Relocation of main electricity service line cut-out board by SSEN from lower ground floor to first floor of the property adjacent to already existing electricity board.
Applicant name:	Dr Vinod Gupta
Case Officer:	Nicola Yeates
Ward Member(s):	Cllr Orrell

- 1.0** This application has been brought to committee as the building to which the application relates is owned by Dorset Council.
- 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 not have a detrimental impact upon the Listed building, the setting of the neighbouring Listed buildings and the Conservation Area.
- 4.0 Key planning issues**

Issue	Conclusion
Impact on Heritage Asset, Setting and Conservation Area.	No harm.

5.0 Description of Site

No.9 Esplanade, The Warwick Guest House, is Grade II* Listed, a group listing with No.7-12 known as Pulteney Buildings. No.9 is a mid-terrace 3 storey property with a lower ground floor and attic space. The front façade faces towards the beach and Weymouth Bay whilst the rear elevation faces Weymouth Harbour. Immediately to the rear of the property is a two storey gabled extension, a single storey lean-to store and a courtyard.

The properties within this terrace have architectural significance with Georgian architectural detailing. Furthermore, the properties have historic significance and as noted within the listing description, the terrace, in conjunction with the neighbouring Devonshire Buildings, provides a worthy starting group for the long Esplanade stretching to the north.

Officer Report

The site is part of a prominent group of buildings located within the Weymouth Town Centre Conservation Area.

6.0 Description of Development

The proposal seeks to relocate the main SSEN electricity service line cut-out board from the lower ground floor to the first floor of the property adjacent to the already existing electricity board.

7.0 Relevant Planning History

97/00121/LBC - Decision: GRA - Decision Date: 13/05/1997

Partition and alteration to form en-suite bathroom accommodation, including external waste pipes and fan outlets.

93/00505/LBC - Decision: GRA - Decision Date: 11/01/1994

Rear Porch.

93/00504/FUL - Decision: GRA - Decision Date: 11/01/1994

Rear porch

95/00442/LBC - Decision: GRA - Decision Date: 11/04/1996

Rendering of rear elevations (No.1-11 Esplanade).

96/00110/LBC - Decision: GRA - Decision Date: 26/03/1996

Canopies over front doors and externally illuminated wall mounted advertisements (No.1-11 Esplanade).

96/00109/ADV - Decision: GRA - Decision Date: 26/03/1996

Externally illuminated wall mounted advertisements (No.1-11 Esplanade).

95/00488/LBC - Decision: GRA - Decision Date: 04/12/1995

ROOFLIGHT TO REAR ELEVATION.

94/00041/LBC - Decision: GRA - Decision Date: 09/02/1994

Ensuite facilities.

08/00461/LBC - Decision: GRA - Decision Date: 22/10/2008

New enlarged window to the south east elevation, reinstatement of window to north east elevation and internal alterations to first floor to create en-suite bathrooms.

11/00880/LBC - Decision: GRA - Decision Date: 21/11/2011

Officer Report

Alterations to convert an existing bathroom to the second floor into two new en-suite shower rooms to the existing bedrooms and formation of a new opening in the existing wall through to one of the new en-suite shower rooms.

P/PAP/2022/00022 - Decision: RES - Decision Date: 09/03/2022

Proposed rear extension and roof terrace.

P/FUL/2022/01834 - Decision: REF - Decision Date: 28/07/2022

Demolish single storey rear extension and erect rear single storey extension with roof terrace and proposed front entrance to basement hotel.

P/LBC/2022/01835 - Decision: REF - Decision Date: 28/07/2022

Demolish single storey rear extension and erect rear single storey extension with roof terrace and proposed front entrance to basement hotel. Internal alterations includes walls to be removed, new stud work partitions and door openings with addition of external staircases leading down to the rear.

8.0 List of Constraints

Dorset Council Land (Freehold) Distance: 0

Grade II* Listed PULTENEY BUILDINGS (TERRACE), 7-12, ESPLANADE HE
Reference: 1145965 (*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 objection.
3. **Archaeology:** no comment received.
4. **DC - Asset & Property:** no comment received.

Representations received – None.

Officer Report

10.0 Duties

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 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)

Emerging Local Plans:

The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making. However, the production of the Draft Local Plan has significant implications for the assessment of housing land supply.

The emerging Local Plan has reached Regulation 18 of the (Town and Country Planning (Local Planning) (England) Regulations 2012 stage and includes a policies map and proposed allocations towards meeting housing need. Therefore, as detailed under Paragraph 226 of the NPPF (December 2023), for decision-making purposes only, the Council is only required to identify a minimum of 4 years' worth of deliverable housing sites.

Paragraph 48 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

Officer Report

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

National Planning Policy Framework

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. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

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 205). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 209).

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

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

Officer Report

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 proposal 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

The existing SSEN service line and main electricity meters are currently located within the front room to the lower ground floor. As noted within the submitted Design and Access Statement this is considered an awkward location due to the arrangement of the rooms at this level. Furthermore, and as noted during my site visit, there is evidence of damp issues within this space which is considered to increase the risk of electrical short-circuiting issues.

The proposal seeks to relocate the main SSEN electricity service line cut-out board (meter and fuses) from the lower ground floor to the first floor of the property. There is an existing wooden panel high level cupboard located within the main entrance to the property which already houses the property fuseboard. The submitted documentation states that the new equipment will be concealed within this existing cupboard. This location is considered to provide better access to the services and removal from any potential damp interference.

It is understood that the service joint, located below ground level to the front of the property, is to be reinstated and a 50mm hole drilled through the front of the property

Officer Report

at low level to allow cable access. Internally the new cable is to run along the internal wall of the front dining room at low level being concealed behind the existing skirting board.

The proposal does not see the loss of any historic fabric however caution must be taken when removing the existing skirting board. The proposal also includes an existing cupboard being utilised to house the relocated equipment rather than forming any new housing or boxing. It is therefore considered that the proposal would not be detrimental to the special architectural and historic interest and therefore would not result in harm to the significance of this listed building.

It is considered that as the proposed works are predominately internal, there would be no impact on the setting of the neighbouring Listed buildings nor 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 not be detrimental to the significance of 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.

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-10374087v1 Location plan
FBS577 1 Detail Drawing- Scottish & Southern Electricity Networks

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

Officer Report

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.