



Weymouth & Portland  
Borough Council

# **Scrutiny Review –Weymouth Town Centre Conservation Area**

**Report of the scrutiny working  
group on behalf of the Scrutiny  
and Performance Committee**

**May 2017  
Updated September 2017**

# 1. Decision Required

- 1.1 The Scrutiny and Performance Committee is asked to endorse the findings and recommendations of the review contained within this report for referral to the Management Committee, for consideration and decision.

## 2. Introduction

### 2.1 Background – Weymouth Town Centre Conservation Area

The Weymouth Town Centre Conservation Area was designated in 1974 and extended in 1979, 1989, 1996 and 1998. The conservation area designation reflects Weymouth's outstanding historic environment, which is one of its prime assets as a high quality tourism destination and focus for inward investment.

A detailed character appraisal of the conservation area was adopted by the borough council in December 2012. Local policies relating to conservation areas are included in the local plan, adopted in 2015. These closely reflect national policy.

The Weymouth Town Centre Masterplan was adopted as Supplementary Planning Guidance in 2015, to support the local plan policies for the regeneration of the town centre. It was prepared in the context of the local plan policies including those for conservation areas, and took account of all the various constraints and challenges associated with the regeneration of town centre sites, as well as the input from public consultation and work with various stakeholders and interest groups. It was also informed by the conservation area appraisal.

Decisions affecting listed buildings and conservation areas must follow national legislation and policy, which is not under the borough council's control, although there are judgements to be made about the impact of each scheme, with the advice of Historic England, who is the statutory consultee on matters relating to listed buildings and conservation areas. Conservation area designation does not prevent development, and development often provides opportunities to enable buildings to be maintained in viable uses. The potential harm and/or benefit of any particular scheme need to be assessed taking into account the significance of the heritage assets concerned.

There are various powers that local authorities may use to ensure that repairs are carried out to improve the condition of listed buildings or buildings in conservation areas. These powers are in place to protect historic buildings from urgent or fundamental damage, rather than generally enforce standards of maintenance.

### 2.2 Reason for review

A request for a scrutiny of the Weymouth Town Centre Conservation Area was submitted by Councillor James Farquharson and at the meeting on 6 October 2016, the Scrutiny and Performance Committee agreed to include the review on their work plan. The request for scrutiny had asked in particular for consideration of the following:

- With the town centre regeneration programme moving forward (part of the adopted Town Centre Masterplan) there is an urgent need to discover if conservation policies and its operation will present any conflicts that could disrupt progress;
- Also, more broadly, to discover how the Conservation Area policy and operation provide powers to enforce appropriate maintenance of existing town centre listed buildings. As well as enabling developments within and around those buildings to support their current and future viability and borough-wide economic and cultural vibrancy.

There was also a separate request to consider the impact of listed building legislation and policy on the potential for regeneration of Weymouth Town Centre, which is included on the Management Committee Action Plan. It was noted that these two reviews would be combined and dealt with through a single report to Scrutiny and Performance Committee and then onto Management Committee.

### 2.3 **Membership and meetings**

The Scrutiny and Performance Committee established a scrutiny working group in order to undertake the review. Membership of the scrutiny working group was as follows:

Councillors Claudia Moore (Lead Member), Jon Orrell (until May 2017), Cathy Page-Nash and Kate Wheller (until May 2017).

The scrutiny working group met on seven occasions during the period of the review to consider the different elements of the review and also undertook work outside of meetings.

## 3. **Scope and Key Focus Areas of the Review**

3.1 The scrutiny working group focused on two distinct areas – the impact of conservation area policies on the town centre regeneration programme and the powers there were to enforce appropriate maintenance of existing town centre listed buildings as well as to enable developments within and around them. The scope for the review set out the following areas for review:

- An examination of specific examples where the Conservation Area designation has hampered development within Weymouth Town Centre and how this can be mitigated against for future development;
- Consideration of issues associated with the maintenance of buildings, including listed buildings, in the Conservation Area and how maintenance issues can be successfully dealt with. Seeking to improve the condition of buildings/upgrading of buildings in the Conservation Area;
- How the energy efficiency of buildings in the Conservation Area can be improved and the promotion of available opportunities to owners of buildings;
- Making a positive effort to bring flats above shops back into use as homes – looking at links to the borough council's housing needs role;

- Improving the quality and sustainability of the town centre environment and economy.

## 4. Summary of evidence considered

### 4.1 Documentation

The following documents and data were used by the committee in the process of carrying out this review:

- Scrutiny request form from Councillor James Farquharson – Councillor Farquharson was consulted throughout the scrutiny.
- Background note produced for the Scrutiny and Performance Committee by the Corporate Manager, Planning – Community and Policy Development, in respect of the Conservation Area Policy and Town Centre Regeneration
- Historic England guidance on conservation area designations, appraisals and management plans
- Historic England guidance on conservation areas at risk which provides detail on specific ways in which community groups and management plans etc. can work to enhance heritage in at risk/deprived areas
- Historic England guidance on energy efficiency in listed buildings
- Historic England guidance on improving accessibility to historic buildings
- Weymouth Town Centre Conservation Area Character Appraisal – appraisal document and maps
- Review of Policy ENV 4 of the West Dorset, Weymouth and Portland Local Plan 2015 and the National Planning Policy Framework
- Review of Planning (Listed Building and Conservation Areas) Act 1990
- North Dorset Shopfront Design Guide
- Examples of recent successful applications concerning shop front changes including Islington shopfront design guide
- PowerPoint presentation of an example application which recently went to Planning Committee and was approved for roller shutters, contrary to officer recommendation on conservation grounds
- List of applications showing where flats have been approved over shops in Weymouth plus suggestions of constraints and issues
- Review of cases provided by Planning and Enforcement officers including listed building consents
- Examples of relevant appeal decisions from the Planning Inspectorate
- List of applications that have been granted permission in the town centre Conservation Area for residential (members were able to view the applications using the planning application search on [www.dorsetforyou.gov.uk](http://www.dorsetforyou.gov.uk))
- Examples of cases of allowing the removal of ground floor interiors and resolution of enforcement issues arising
- A consultation was carried out in August 2017 over a three week period to ascertain how local business and agencies have potentially been impacted by conservation procedures in the past three years. Links by email to the on-line survey (paper copies to those where we only had a postal address) were sent to a varied selection of businesses including shops, hotels, estate agents, businesses/agents known to have had dealings with the planning and conservation teams and organisations such as Weymouth

and Portland Chamber of Commerce, BID, Civic Society etc. to enquire about their experiences in this area. This survey was also advertised on Social Media. People were also invited to come and talk to us at a drop-in session if they wished. This was not taken up. The responses received (6 in total) were reviewed on 11<sup>th</sup> September 2017 by the scrutiny working group;

- Details of the consultation were also circulated to all Weymouth and Portland Borough Councillors for their information and to invite any comments that they may have. One response was received from a borough councillor.

#### 4.2 **Witnesses**

The following people acted as witnesses, providing verbal evidence and assistance in the process of carrying out this review:

- Kate Williams, Senior Conservation Officer
- Clare McCarthy, Senior Planning Officer
- Hilary Jordan, Corporate Manager – Planning, Community and Policy Development
- Councillor James Farquharson, Economic Development Brief holder and originator of scrutiny request
- Councillor Ray Nowak, Environment and Sustainability Brief holder
- Neil Dackham, Enforcement Officer
- David Stuart, Historic England
- Paul Wyeth, Specialist Services Manager, Development Services

#### 4.3 **Other activities undertaken**

- Review of guidance available on Historic England website:  
<https://www.historicengland.org.uk>
- Review of information on Georgian Group website:  
<https://georgiangroup.org.uk>
- Walk through of Weymouth Town Centre with the Conservation Officer

## 5. **Key Findings**

- We are lacking evidence to substantiate the claims made regarding planning officers restricting town centre improvements. Planning officers work with applicants to suggest improvements and members were referred to a number of policy, guidance, good practice and appeal decision/case law that is all used by officers when determining or assessing proposals. Each application needs to be assessed on its own merits. Only 1 application was turned down in 2016 and 3 applications in 2015. The scrutiny working group members saw 8 examples of successful upper floor conversions on their town centre walk;
- The consultation with businesses/organisations did not bring up any tangible examples of the Conservation department restricting economic development in the town centre. 6 responses were received in total and there were no consultees who took up our offer to have a face to face discussion. Conservation staff were praised for their common-sense approach;

- However, it was noted by respondents that the Planning Department is under-resourced and timeliness has been an issue. This issue was mainly because of the reorganisation due to the formation of the Dorset Councils Partnership and has been gradually improving in 2017 and is closer to hitting the government targets. This is outlined in the quarterly Business Review report considered by the borough council's Management Committee;
- The responses also highlighted concerns regarding lack of enforcement to maintain the quality of local buildings and increasing decay;
- The Planning department runs a bi-annual Customer Forum where anyone who has worked with the Planning team is invited to come and share their feedback to improve services for the future;
- We feel that the Planning department is severely under-resourced (specifically in Conservation and Enforcement);
- There is a need to balance visitor versus resident needs – independent versus national stores – which is recognised as being difficult. It is all about quality but also need to consider who is best placed to lead on different areas;
- The council has a role in leading this work but can't do it all – there needs to be shared approach;
- There is a recognition that the council needs help in this area;
- We noted the importance of establishing a strategy and priorities and having everything in place ready for potential investment/funding opportunities;
- Marketing and promotion needs to be looked at in order to inspire people to visit Weymouth. There is a need to find out what the market wants;
- Reference was made to the peninsular development and whether it is ambitious enough. There are opportunities to promote cultural activities as part of the development;
- There needs to be a political conviction of ambition. The impact of regular elections was recognised;
- There is a lack of awareness of Weymouth's historic features and events and more should be made of what the town already has;
- Research has shown that it is about the quality of experience – the totality of the experience - and not just about shops e.g. parking, what do streets look like, toilets, are buildings in good condition, is the area welcoming, is there a diversity of food/drink opportunities and a recognition that there is something special, reinforcing the unique selling point;
- It was noted that there needed to be consideration of promoting things within one hour's drive of Weymouth plus promotion of choices for evening entertainment. The council has a role in setting the agenda to aspire others to join in and invest;
- With regard to the review objective to make a positive effort to bring flats above shops back into use as homes, members of the scrutiny working group note that this is something that is already encouraged by the Planning department when they are asked for advice in this area.

## 6. Ideas and suggestions to be explored

6.1 **The following numbered suggestions are directly associated with the remit of this scrutiny working group in relation to Conservation. These all hinge on a successful bid for additional resources to be provided within the Conservation and Enforcement teams. If the bid is successful the aim would be for the funding to enable staff to investigate the following ideas and prioritise them through a further report to Scrutiny and Performance Committee and then undertake project work as agreed by members:**

- i. Securing a designation of Conservation Area at Risk from Historic England for Weymouth Town Centre Conservation Area, following submission of the 'at risk' Survey on 30<sup>th</sup> May 2017. *(If we are seen to be at risk we will receive match funding.)\**

\*It has been confirmed in September 2017 that Weymouth Town Centre Conservation Area has been designated as "at risk" and Historic England are primarily concerned with the commercial section of the conservation area (St Thomas and St Mary streets).

- ii. Creation of a shopfront design guide for Weymouth and Portland based on the North Dorset District Council guide. The design guide would include examples and details of how the town centre shopfronts should be maintained to encourage improvement and consistency;
- iii. Setting up an Article 4 Direction to help prevent piecemeal changes that are harmful to the area or buildings, through the removal of certain permitted development rights in the Weymouth Town Centre Conservation Area;
- iv. Increase revenue by increasing the charge for pre-application advice that Conservation Officers provide for listed buildings. *(During pre-application advice, officers can achieve the best results by working with an applicant to look at how issues can be accommodated and find possible solutions in order to keep the building in use);*
- v. Enforcement of maintenance and repair of Listed Buildings and buildings within the Conservation Area through the use of Section 215 Notices by the Enforcement Officers within the Planning department. *(This will require an extra enforcement officer to be employed);* The Planning Department is currently putting together letters to send out Section 215 notices to relevant building owners.
- vi. Explore opportunities to work with hoteliers, including looking at tenancy timescales, protocols for items such as signs and other ways of encouraging owners to look after their properties (possible pilot scheme);
- vii. Research and apply for available funds to help bolster services such as Enforcement, Conservation, street scene improvements and contribute to grant incentives in Weymouth.

**6.2 The following ideas and suggestions to be progressed by the borough council in conjunction with other organisations if resources allow:**

- Appointment of a Weymouth Town Manager to take a lead on community driven projects with support from the Heritage Champion (see below);
- Appointment of a 'Heritage Champion' for the town centre – potentially in association with the BID and Civic Society;
- 'Pride in our Borough' competition to be discussed further with the BID including shop window displays/flower display competitions;
- Organise a public meeting including BID, local businesses, Civic Society and community to explain the issues clearly and gain a consensus for the way forward. (*We need to get everyone on board and encourage them to take ownership of the improvements*);
- Work with and encourage the BID to look at place branding / public realm work undertaken by Historic England. *Some initial discussion has already been undertaken*;
- Working with the Civic Society and other bodies who may be able to take on specific actions such as putting together a map of historic features for visitors;
- Pension fund owners to be more greatly encouraged to make improvements to the buildings they own;
- Discussions with local estate agents to encourage them to be more honest with their clients regarding planning applications and permissions;
- Working with Dorset County Council Highways team to secure removal of inappropriately placed A-boards forthwith as they are blocking large stretches of walkway and the styles are often not in keeping with the style of the town centre;
- A retail study to be undertaken including a SWOT analysis of what is working/not working in the town centre;
- Investment in a cherry picker by the Council to rent out for use by all in maintaining and cleaning buildings including Council owned buildings within the town, as well as use by the BID for cleaning and maintenance of street furniture and lighting.;
- Use of the comprehensive signage report commissioned by the BID to improve the issues we currently have.



### 6.3 **The following observations are recorded about officers and members involved in the Conservation and Planning areas:**

- Conservation/Planning and members will need to work more collaboratively together to promote and encourage sustainable and economic growth. In so doing, build stronger relationships and understanding to help improve the standard of decision making and the quality of development in Weymouth. The goal is to attract long term, positive investment to a town that takes pride in its assets;
- Council members to be supportive of the new approach concerning shop front signage, shutters and lighting in Weymouth including the decisions at Planning Committee, will help raise the bar in the quality of materials and design within the town.

### 6.4 **Conclusion**

The scrutiny working group conclude that the Conservation Area is a quality that makes Weymouth special rather than being a hindrance to development. It is clear that the Heritage qualities of the Town Centre Conservation Area potentially offer a stimulus for investment and regeneration of the town. If this asset of Conservation is to assist in regeneration of the Town Centre it requires adequate resources.

It was recognised that the best means of achieving improvements is if the Conservation Area succeeds in being declared to be “at risk” by Historic England. This position has now been declared as of September 2017 and the recommended bid could be used to prepare a case to secure further funding from Historic England, the Arts Council, or the Heritage Lottery to enhance any resourcing bid from within the Council. These funds could then be spent on improvements to key buildings and other measures listed at section 6 above.

It is therefore recommended that a bid for £200,000 for increased funding of Conservation and Enforcement staffing will enable measures to be implemented to assist in the regeneration of the Town Centre Conservation Area to the benefit of Weymouth as a whole.

## **7. Recommendations**

**The Scrutiny Working Group propose that a bid for £200,000 is supported by Scrutiny and Performance Committee and recommended to be submitted to the Management Committee for investment in the Weymouth Town Centre Conservation Area to secure the following 5 key improvements.**

1. Put forward a business case to secure funding from Historic England towards Conservation Area improvements;
2. Provide a clear shopfront and advertisement design guide for the town centre to steer new development to protect local distinctiveness and quality of historic assets;

3. Provide Enforcement by removal of A boards in the town centre, monitoring of developments and use of Section 215 notices to secure maintenance and repairs of buildings;
4. A Conservation Officer to Support the Heritage Champion for the town centre (promoted by the BID) and Town Centre Manager (with facelift improvements to the pedestrianised area);
5. Manage any funding from Historic England and bid for grants from the Arts Council and Heritage Lottery, to spend on restoring some Council owned buildings as a positive example to encourage others to do the same;
6. There is recognition of the fact that aspects in this report rely on working in partnership with the Weymouth BID. Therefore if the Weymouth BID was to get a no vote and cease to continue in the future, the borough council should use a proportion of the levy currently paid to the Weymouth BID, in order to deliver this project.

## **8. Acknowledgements**

- 8.1 The scrutiny working group would like to express their thanks to those that took time to meet with councillors and for the information that they provided as part of this scrutiny review.

## **9. Post scrutiny monitoring**

- 9.1 A review of agreed recommendations made should be undertaken after six months of implementation.