

1.0 Application Number: [WP/19/00445/FUL](#)

Site address: Council Offices, North quay, Weymouth DT4 8TA

Proposal: Demolition of existing building and provision of car park

Applicant name: Dorset Council

Case Officer: Bob Burden

Ward Member(s): Cllrs Brian Heatley, Clare Sutton and Kate Wheller

This application is brought to Committee for determination in accordance with the Scheme of Delegation as Dorset Council is the applicant.

2.0 Summary of Recommendation:

2.1 Grant with planning conditions.

3.0 Reason for the Recommendation:

- The scheme would not cause harm to the character or appearance of the conservation area.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There are no material considerations which would warrant refusal of this application

4.0 Table of key planning issues

Issue	Conclusion
Principle of development	The site lies within the defined development boundary, and the adjacent land is already in existing use as car park.
Heritage considerations	The scheme would preserve the character of the conservation area and would not have an adverse effect on the setting of listed buildings.
Impact on residential amenity	The scheme would not result in significant harm to residential amenity.
Flood risk issue	The proposal would not cause flood risk, subject to appropriate conditions.
Land contamination	The scheme is acceptable subject to appropriate contaminated land conditions.

Archaeology	The proposals will affect archaeology, which can be addressed through a programme of archaeological works.
Access and parking	The scheme would use existing accesses which is acceptable, and increases parking on the site.
Loss of employment	This is acceptable and in the context of adopted Local Plan policy WEY7 allows for the redevelopment of this site which may later include employment.
Economic benefits	Increased public car parking revenue from about 60 spaces. Employment during demolition phase.
Ecology	Ecological survey carried out; acceptable biodiversity mitigation plan produced.

5.0 Description of Site

5.1 The site lies on the south side of Weymouth Harbour, and fronts onto the south side of the North Quay road. The site is currently occupied by the “footprint” and building of the vacant former Weymouth and Portland Borough Council offices. This is essentially a four storey brick and predominantly Portland Stone building with additional higher storey elements in the central section. It covers an area of about 68 x 19m= 1292m². The site is relatively level.

5.2 The site is surrounded on all sides apart from the north by the existing car park. To the north of the site, across North quay, is Weymouth Marina within the Harbour area. To the east side is part of the existing car park with older traditional houses 28 and 28A Trinity Street beyond. To the south side is the elevated linear belt of trees/vegetation known as Chapelhay Gardens, retained by a mix of historic natural stone walling, buttresses and timber retaining sections. To the west is the historic High West Street area. Buildings close to the edge of the existing car park include the brick/slate Kingdom Hall of Jehovahs Witnesses, the Old Town Hall and the listed Boot Inn. North Quay House (residential) is also to this side.

6.0 Description of Development

6.1 The development involves the demolition of the office building and its replacement with a tarmac public parking area for about 60 cars.

7.0 Relevant Planning History

WP/15/00031/OUT Demolition of the existing office buildings and redevelopment with approximately 72 dwellings and approximately 216m² of commercial space. Approved 13 July 2016.

8.0 List of Constraints

Within Defined Development Boundary

Adopted Local Plan Policy WEY7

Flood risk

Land contamination

Setting of Grade II listed buildings (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

9.1 Historic England- The existing council offices are of limited architectural and historic interest and Historic England has no objection to the proposed demolition. However, we are concerned that it is not proposed to replace the building, but simply to use the site for surface car parking. We commented previously on proposals for this site (WP/15/00031/OUT) when it was proposed to replace the building with a development of small individual units that we considered sensitive and well considered, with the potential to create a rich and pleasing backdrop to the harbour. This will not be achieved by simply utilising the site for car parking; and indeed the harm caused by the former offices to the character and historic grain of the conservation area will be exacerbated.

NPPF Para 200 requires local planning authorities to look for opportunities for new development in conservation areas to enhance or better reveal their significance. This proposal does not conform with that guidance. We encourage your authority to reconsider these plans and formulate a plan for the reuse of this site in a manner that preserves and enhances the character and appearance of the conservation area.

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraph 22 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

to pay special attention to desirability of preserving and enhancing the character or appearance of conservation areas.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice.

9.2 Design and Conservation Officer- The loss of the existing building will not be seen as harmful to the setting of the conservation area. It is not a positive contributor to the area but the site does allow for some views of the wider townscape and harbour setting. The demolition of the building in this sense can be seen as a positive agenda. This part of the conservation area has already lost the historic grain of development but it would be normal for any demolition within a conservation area to be followed by a development proposal. As long as the car park is a temporary agenda and a development proposal re-instating the historic building line frontages comes forward within a reasonable time frame – I see no other heritage issues here.

Noted that some trees are removed. If no new trees planted can they be planted in large containers strategically placed.

9.3 Natural England- Biodiversity plan submitted - this should be conditioned.

9.4 Environment Agency- No objection, with informatives.

9.5 WPA Land Contamination Consultant- Desk-top study submitted. Await provision of an invasive site investigation and an asbestos survey. This can be addressed by conditions.

9.6 Planning Policy Officer- The application site falls within the Harbourside area of the Weymouth Masterplan SPD (2015), and Policy WEY7 – Westwey Road and North Quay Area, of the adopted WDWP Local Plan 2015.

These policies encourage mixed use development to create an active street and waterfront. Criterion (ii) of policy WEY7 specifically requires a comprehensive scheme for the former municipal offices which complement the scale, rhythm and rich texture of the buildings in Trinity Road and East and West High Street so as to present an attractive frontage. The policy goes on to say that development can proceed in phases provided that it does not compromise this objective. I note that the proposal is for the demolition of the office building with public car parking to replace it. While the proposed use does not fulfil the policy requirement, it does not prejudice or compromise the delivery of a future comprehensive mixed use scheme. As it stands, the proposal to demolish the building simply serves as the first phase to help facilitate future regeneration.

You may want to consider a condition which time limits the car park use. Reason: to ensure that the development site comes forward as intended through planning policy.

9.7 Highway Officer- No objection.

9.8 Archaeological Officer - Comment in Design and Access Statement: "The demolition may present opportunities for small scale archaeological investigation as part of the demolition process. This could inform the necessity for a wider site strategy." In my opinion this is correct. Some of the demolition works and the car park construction could have an impact on below-ground archaeological remains, so for this reason alone it is important that these works are monitored by an archaeological contractor and that any archaeological material affected by the works is recorded to an appropriate standard. Beyond this, the results of this monitoring should provide useful archaeological information to assist in the determination of the possible future proposal that is referred to in the current application. Recommend programme of works archaeological condition.

9.9 Technical Services Officer- The site is mostly located in EA flood zone 1 – with a small area of the site nearer the harbour being within EA flood zones 2&3. I note that you have consulted with the EA regarding the flood risk. The Weymouth and Portland SFRA shows more of the site being within flood zone 3 by 2126. The EA's surface water flood mapping indicates that the surface water flood risk is low. Due to the size of the proposals, they qualify as major development with regards to the proposed management of the surface water drainage for the site. In this regard, the FRM team at DC have been consulted and I suggest you refer to their comments.

9.10 Wessex Water- Existing surface water arrangements discharging to harbour must be utilised. Site close to public water main and public combined sewer; applicant will need to agree scheme of protection works for demolition and re-development.

9.11 Flood Risk Officer- Site lies mainly in Flood Zone 1 with north-east corner in Flood Zones 2 and 3. Request more information to clarify surface water drainage arrangements and how these will be managed. Proposed conditions have been discussed with the flood risk officer and they have no objections.

9.12 Economic Development Officer- No comment to make other than additional parking may be of marginal benefit to the local businesses.

9.13 Tree Officer- Senior Tree Officer considers that the trees proposed for removal are not good specimens and are not of sufficient quality to warrant a Tree Preservation Order.

9.14 Environmental Health Officer- No comments received at time of report preparation

9.15 Weymouth Town Council- No objection

Representations received

2 letters of objection received. The main planning related points include-

- Inconsistent with Local Authorities declaration of climate and ecological emergency; should re-use (not demolish) the building (thereby reducing CO2 emissions from making concrete).
- query if bomb damage would actually have disturbed archaeology.
- ensure a full archaeological investigation is carried out.
- Loss of overall public parking facility whilst works carried out - extra car parking would be less visually acceptable than the existing building.
- should retain and re-use existing building instead; it is a worthy part of areas heritage.

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

10.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan 2015

INT1 Presumption in favour of sustainable development

ENV1 Landscape, seascape and sites of geological interest

ENV2 Wildlife and habitats

ENV4 Heritage Assets

ENV5 Flood risk

ENV9 Pollution and contaminated land

ENV10 Landscape and townscape setting

ENV11 The pattern of streets and spaces

ENV15 Efficient and appropriate use of land

ENV16 Amenity

SUS2 Distribution of development

ECON3 Protection of other employment sites

COM7 Creating a safe and efficient transport network

COM9 Parking standards in new development

WEY7 Westway Road and North Quay Area.

National Planning Policy Framework-

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.

The following sections are relevant;

2. Achieving sustainable development
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

Other material considerations

Weymouth Town Centre Conservation Area Character Appraisal

Bournemouth, Dorset and Poole Parking Standards

Landscape Character Assessment

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.

The increased car park size in this location close to the town centre would ease access for elderly or less able persons.

13.0 Financial benefits

- Employment during carrying out of demolition works.
- Additional car parking revenue from about 60 further car spaces.

14.0 Climate Implications

14.1 Use of powered machinery releasing CO₂ and carbon monoxide during demolition phase. Loss of embodied energy in the building materials etc. Potential increased emissions from more vehicles making use of larger car park area.

15.0 Planning Assessment

Principle of development-

15.1 The site lies within the defined development boundary of the town where development is normally permitted subject to relevant material planning considerations. Approved outline planning application WP/15/00031/OUT in 2016 established the principle of removal of the existing building to allow for the redevelopment of the site for up to 72 dwellings and up to 216m² of commercial floor space.

15.2 This application represents an interim step to prepare the site for redevelopment in the future, whilst ensuring the site continues in an appropriate use for the meantime. The wider site and the former Fire Station site (now re-developed) fall with the area affected by adopted Local Plan policy WEY7.

WEY7 WESTWEY ROAD AND NORTH QUAY AREA reads as:

The Westway Road and North Quay area will be redeveloped for mixed uses which may include residential, hotel, commercial and small scale retail development so as to create an active street and waterfront.

A comprehensive scheme is required for North Quay which will complement the scale, rhythm and rich texture of the buildings in Trinity Road to the East and High West Street to the South so as to present an attractive frontage to the harbour and to respect the historic buildings of the old High Street.

Redevelopment can proceed in phases provided it does not compromise the above objectives.

15.3 The principle of extending the car park over the footprint of the removed building would not compromise the above policy objective.

Heritage considerations-

15.4 The site occupies a prominent site in the Weymouth Town Centre Conservation Area. Historically the site supported characterful buildings which were lost as a result of WW2 bombing. The building subject of this application resulted from a post-war redevelopment of the site. The building is 4 storey with a small top pavilion and crown feature, and was the former civic offices of Weymouth and Portland Borough Council opening in the early 1970's. It has a slab and frame construction with the front and side elevations mainly in Portland Stone, with brick to the rear. The elevations have alternating stone and window panels. The Weymouth Town Centre Conservation Appraisal includes the building in its category of "Detimental characteristics". It states: "While the building may have architectural merit its imposition on the earlier historic street pattern of Weymouth, including the clearing of High Street is to the detriment of the area".

15.5 This is a building which is highly prominent and visible from a variety of viewpoints in the locality. It also lies in relatively close proximity to historic buildings, including the listed Boot Inn to the west, the Old Town Hall, the terraced houses of High West Street, the listed Town Bridge and the grade II* Trinity Church.

15.6 Historic England do not object to demolition of the building, however they are concerned by the increased site area now temporarily proposed as a car park; they refer to the previous application (WP/15/00031/OUT) which showed the redevelopment of the site for a comprehensive development sensitive to the location close to the harbour. They feel the application does not address para 200 of the NPPF (exploring opportunities to enhance the site)

15.7 Regarding Historic England's comments, it is important to consider the wider context of this application: The Council has a clear intention to seek the redevelopment of this site based on the adopted Local Plan policy WEY7 (outlined above). The Council has an "interim" position in that it wishes to make appropriate temporary use of the site until circumstances allow progression towards its redevelopment.

15.8 This intention is acknowledged in the comments of the Conservation and Design Officer, who considers that the scheme would not be seen as harmful to the setting of the conservation area:

The building is not seen as a positive contributor to the area but the site does allow for some views of the wider townscape and harbour setting.
The demolition of the building in this sense can be seen as a positive agenda.
This part of the conservation area has already lost the historic grain of development but it would be normal for any demolition within a conservation area to be followed by a development proposal. As long as the car park is a temporary agenda and a development proposal re-instating the historic building line

frontages comes forward within a reasonable time frame – I see no other heritage issues here.

15.9 Returning to the concern of Historic England regarding Para 200 of the NPPF this states:

Local Planning Authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated more favourably.

15.10 The former Shared Partnership of Weymouth and Portland, and West Dorset Council devised policy WEY 7 which is consistent with the objective of para 200 above. The interim use as a car park (given that all the surrounding land is already car park) would not compromise the stated planning policy objective.

15.11 In visual terms the removal of this building and its replacement with a further car parking area would “open up” the site substantially in a way which would allow some increased public views of the rear historic walling, listed and/or historic buildings and Chapelhay Gardens planting area. The interim use as extra parking spaces would be visually similar to the existing surrounding parking area and the tarmac surface would be similar to the existing. In these circumstances it is considered that the scheme would, in that sense, preserve the character of the conservation area.

It is considered that the proposal will not adversely affect the setting of the listed buildings nearby. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy

The proposal is considered to preserve the character or appearance of the conservation area. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

Arboricultural Considerations-

15.12 There is an irregular spaced line of trees including silver birches up to about 9m high along the site frontage in the verge. The Council's Senior Tree and Woodland Officer has assessed these and does not consider them to be good specimens. The proposal includes removal of these because they are too close

to the zone of demolition works. It is considered that their removal would be acceptable. However, it should be noted that the remaining existing trees within the wider car park site would have protective fencing erected around them.

Effect on Residential Amenity-

15.13 The wider site is already in use as a pay and display car park and as such the normal activities of starting, driving and headlamps at night are established; this use would add a further about 60 spaces to the existing 130. It is not considered this would result in unacceptable detriment to the residential amenity of existing residents in the locality of the site.

15.14 It is the intention to crush the concrete from the demolition work whilst on the site. A Demolition/Construction Environment Management Plan (DCEMP) is required by condition. The Environmental Health Officer has been consulted to help assess this aspect, and any comments will be reported at the meeting.

Flood Risk Considerations-

15.15 The site lies in a zone of low flood risk but adjacent to a medium risk area to the north-east. The Technical Services Officer has advised consultation with the Flood Risk Management Team (FRM) and the Environment Agency. The Environment Agency have been consulted and have raised no objection but advised informatics be added. The FRM Team have requested more details of the surface water drainage scheme and its maintenance. The Council is currently in the process of producing further information to address this issue. It is addressed by appropriate surface water conditions.

Land Contamination-

15.16 The site has a history which includes a timber yard and garages. Initial contamination surveys including an asbestos survey have been carried out. Further invasive site investigations will be carried out. This is addressed by suitable planning conditions.

Loss of Employment-

15.17 As the former civic offices of Weymouth and Portland Borough Council the site would have supported a significant number of jobs. However the adopted planning policy WEY 7 allows for a range of uses on this site which could still include an element of employment.

Economic Benefits-

15.18 The use of the site as an additional area of car parking is likely to increase car parking revenue for the District Council during the period the car park

operates. The demolition works would provide employment opportunities for that phase.

Archaeology-

15.19 The Senior Archaeologist agrees that the demolition may present opportunities for small scale archaeological investigation as part of the demolition process which could inform the necessity for a wider site strategy. The officer recommends an archaeological programme of works condition.

Ecology-

15.20 The applicant has carried out a bat survey and ecological appraisal of the site. A Biodiversity Mitigation Plan has then been produced which includes assessment of the possibility of bats and the need for a pre-demolition inspection. The Plan has been verified by the Natural Environment Team.

16.0 Conclusion

16.1 This site forms part of the wider North Quay area where policy WEY7 of the Local Plan seeks to redevelop the area in a manner appropriate to the rich texture of the historic buildings close by and historic street pattern formerly present. The existing North Quay Office building is recognised as a building not appropriate to this townscape context. The principle of removal of the building was established by the 2016 planning permission. Removal of the building would effectively amount to the first stage of the intention to see the site redeveloped more sympathetically.

16.2 The interim use of the site as additional public car parking would be an appropriate use pending the future redevelopment of the site. The extra car park area would not prejudice or compromise the delivery of a future comprehensive scheme.

17.0 RECOMMENDATION

17.1 Grant with planning conditions:

1. Three year implementation time limit.
2. Plans list:

Location Plan & Site Plan - Drawing Number 006389 L101 P1

Demolition Plan - Drawing Number 006389 L100 P1

Proposed Car Park - Schematic Layout - Drawing Number 006389 L110 P1

3. The surfacing of the additional car park area shall be finished in tarmac to match the existing.

REASON: To protect the character of the conservation area.

4. No development approved by this permission shall be commenced until a Demolition/Construction Environmental Management Plan has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and within an agreed timetable.

The plan shall include pollution prevention measures, (including details of any crusher equipment to be used), arrangements for the protection of local residents from noise, vibration and dust from the development and proposals to ensure that –

Hours of works are to be limited to

Monday – Friday	0700 – 1900
Saturday	0800 – 1300
No works on Sundays or Bank Holidays	

The start up of vehicles and machinery is only carried out in a designated area, as far away from residential / sensitive areas as practicable

The start up of vehicles / equipment etc. is limited to 30 minutes prior to the hours of demolition/construction only.

REASON: In order to protect residential amenity, prevent pollution of the water environment and to protect water quality interests.

5. No construction of the new car park area shall be commenced until a detailed and finalised surface water management scheme for the site, based on the hydrological and hydrogeological context of the development, has been submitted to, and approved in writing by the local planning authority. The surface water scheme shall be implemented in accordance with the submitted details before the development is completed.

REASON: To prevent increased risk of flooding and to improve and protect water quality.

6. No construction of the new car park area shall be commenced until details of the maintenance and management of the surface water sustainable drainage scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a

plan for the lifetime of the development, the arrangements for adoption by any public body or undertaker, or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

REASON: To ensure future maintenance of the surface water drainage system and to prevent increased risk of flooding.

7. Before the commencement of demolition (paragraph a below), and before car park construction (paragraph b below), the following documents shall be submitted for the written approval of the Local Planning Authority:

An invasive site investigation report summarising prior reporting and documenting the current ground conditions of the site, and incorporating a 'developed conceptual model' of all potential contaminant linkages, detailing the identified sources, pathways and receptors and the basis of risk assessment;

A detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed including a detailed phasing scheme for the development and remedial works. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

The car park area hereby approved shall not be first brought into use until the following document shall have been submitted for the written approval of the Local Planning Authority:

Written confirmation in a verification and validation report that the remediation scheme agreed with the Local Planning Authority has been fully undertaken as detailed in the remediation scheme and/or as amended through agreement with the Local Planning Authority.

REASON: To ensure that risks from soil contamination are minimised.

8. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175.

Should any contamination be found requiring remediation, a remediation scheme shall be submitted to and approved by the Local Planning Authority. The approved remediation scheme shall be carried out to a timescale to be first agreed with the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and submitted which is subject to the approval in writing of the Local Planning Authority.

REASON: To ensure risks from contamination are minimised.

9. No demolition shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to, and approved in writing by the Planning Authority. This scheme shall cover archaeological fieldwork together with post-excavation work and publication of the results.

REASON: To ensure the archaeological record is correctly recorded.

10. The development shall be carried out in accordance with the Biodiversity Mitigation Plan received 4 June 2019. There shall be no variation to the agreed contents of the Plan without the prior written agreement of the local planning authority.

REASON: In the interests of nature conservation.

11. No development shall take place until all existing trees, shrubs and other natural features not scheduled for removal have been fully safeguarded and fenced in accordance with a scheme to be first approved in writing by the Local Planning Authority. Such fencing shall be maintained during the course of the works on site. No unauthorised access or placement of goods, fuels and chemicals, soil or other materials shall take place inside this fenced area. The soil levels within the fenced area shall not be raised or lowered and no trenching or excavation shall take place. In the event that protected trees (or their roots) become damaged, are lost or become otherwise defective in any way during such period, the Local Planning Authority shall be notified immediately and a programme of remedial action as directed by the Local Planning Authority shall be carried out within a timescale to be specified by the Local Planning Authority.

REASON: To ensure that trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability throughout the construction period in the interests of amenity.