

Application Number:	P/FUL/2021/02334
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Adult Education Centre 45 Dorchester Road Weymouth DT4 7JT
Proposal:	Temporary demolition and re-instatement of a section of the existing front wall to widen entrance. Carry out repairs to wall.
Applicant name:	Dorset Council
Case Officer:	Thomas Whild
Ward Member(s):	Cllr J Orrell

1.0 In accordance with the scheme of delegation, this application is being considered by the planning committee as the applicant is Dorset Council.

2.0 Summary of recommendation: That the committee be minded to GRANT planning permission subject to conditions and that the Head of Planning determines the application accordingly.

3.0 Reason for the recommendation: as set out in para 16.1:

- The works are minor in nature and any impacts resulting from the removal of the wall would be temporary in nature as the wall is to be reinstated.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposal is to facilitate the construction of a consented children's home and are considered acceptable in principle.
Impact on heritage assets	Although the permanent demolition of the wall would potentially to harm the conservation area, the proposals include reinstatement and making good of the wall using the existing materials which are to be retained, avoiding any heritage harm.
Access and Parking	There is no objection from the Highway Authority. Conditions have previously been imposed on WP/20/00477/FUL to ensure the provision of suitable access prior to the occupation of the wider scheme.

5.0 Description of Site

5.1 The site comprises part of the former Adult Education Centre site, 45 Dorchester Road, Weymouth. The wider site sits on the western side of Dorchester Road and is

currently undergoing conversion to residential use following an earlier grant of planning permission.

5.2 This application specifically relates to a section of the existing boundary wall for the site, on the northern side of the site entrance, and the area immediately behind it.

6.0 Description of Development

6.1 The works proposed comprise the demolition of a section of the boundary wall immediately to the north of the existing site entrance and the removal of a tree immediately behind that section of wall. The wall is to be removed in order to facilitate access for vehicles involved in the delivery and construction of the consented Children’s Home which is to be a modular construction with sections of the building constructed off site and then craned into position.

6.2 Following the completion of the work the wall is to be reinstated and any damage made good. It is intended that the bricks of the existing wall will be retained and re-used in the reinstatement of the wall. Compensatory tree planting is to be provided as part of the landscaping scheme for the wider consented development.

7.0 Relevant Planning History

Application Number	Proposal	Decision	Decision Date
WP/20/00477/FUL	Demolition of existing single storey modular building, glazed link corridor and privacy wall, change of use of existing property from office use to residential use on first and second floors, erect two storey residential children's home, installation of boundary fencing and railings and alterations to vehicle access and gates	Granted	22/12/2020

8.0 List of Constraints

- Within Defined Development Boundary.
- Grade II listed building (setting) (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Within the Lodmoor Hill 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 All consultee responses can be viewed in full on the website.

Consultees

1. Highways – No objection, conditions and informatives are recommended.

2. Conservation Officers – No objection

3. Weymouth Town Council – No objection

4. Melcombe Regis Ward – No objection

Representations received

Total - Objections	Total - No Objections	Total - Comments
0	0	1

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

10.0 Relevant Policies

West Dorset, Weymouth and Portland Local Plan

10.1 So far as this application is concerned, the following policies are considered to be relevant:

- INT1 – Presumption in favour of sustainable development
- ENV4 – Heritage Assets
- ENV12 – The design and positioning of buildings

National Planning Policy Framework

10.2 So far as this application is concerned the following sections and paragraphs are considered to be relevant:

- 15. Conserving and enhancing the natural environment
- 16. Conserving and enhancing the historic environment

10.3 Paragraph 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.

Other material considerations

10.4 Supplementary Planning Guidance 2: Listed Buildings and Conservation Areas

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.

11.1 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

12.1 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.

12.2 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.

12.3 The proposals comprise a minor and temporary change to the boundary wall in order to allow the construction of a consented development. It is not considered that the proposal would impact upon persons with protected characteristics.

13.0 Financial benefits

None

14.0 Climate Implications

None

15.0 Planning Assessment

Principle

15.1 The proposals comprise temporary works to facilitate the construction of consented works on the site, specifically the construction of a new children’s home. As the proposals are only required to facilitate that consented scheme which would itself deliver community benefits it is considered that they are acceptable in principle.

Heritage and conservation

The existing wall makes a contribution to the character of the conservation area as a characterful boundary treatment which is contemporaneous with the main building on site which, although not listed does contribute to the character of the conservation area. While the permanent removal of the wall would have potential to harm the conservation area, the proposal involves the re-instatement of the wall after construction so there would be no permanent harm to heritage assets. The long term impacts in conservation terms would therefore be at worst neutral and have potential for enhancement though the making good of existing damage.

15.3 The conservation officer has confirmed there is no objection to the scheme.

Highways

- 15.4 The highways authority has not raised any objection to the scheme. A condition has however been recommended requiring the construction of the first 5 metres of the access road prior to occupation. Given that the proposal relates solely to the works to the boundary wall to facilitate construction and does not itself include the creation of a new access or a building which would be occupied, it is not considered appropriate or necessary to impose such a condition in this case. The construction and provision of the access and parking arrangements for the wider development is controlled by condition 5 pursuant to planning consent WP/20/00477/FUL which requires the access and parking to be provided prior to the occupation of the consented building.

Trees

- 15.5 The proposal will result in the removal of a single tree, T8 which is an apple tree which has been assessed as falling within category C. Trees of that category are considered to be of low quality and value, and which should not constrain development. The tree does not make a significant contribution to local character and it is not considered that its loss would be harmful. The landscaping of the wider site will incorporate replacement tree planting in compensation for its loss.

16.0 Conclusion

- 16.1 The proposals will result in a temporary change to the frontage of the site required in order to facilitate construction of the children's home approved under consent WP/20/00477/FUL. The wall will be reinstated following the completion of the building avoiding any permanent harm to the character of the conservation area.

17.0 Recommendation

That the committee be minded to GRANT planning permission subject to conditions and that the Head of Planning determines the application accordingly.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

006496 L103 Rev P1

006496 L104 Rev P1

006496 L105 Rev P1

Reason: For the avoidance of doubt and in the interests of proper planning.

3. All bricks and stone arising from the demolition of the wall shall be stored securely on site and be re-used in the reinstatement of the wall. Where new or additional reclaimed materials are required, details and samples shall be submitted to and approved in writing by the local planning authority prior to their use.

Reason: to safeguard the character of the conservation area.

4. All pointing will be carried out in mortar to match the colour and texture of retained part of the boundary wall.

Reason: To ensure the satisfactory appearance of the reinstated wall.

5. No part of the development approved under planning consent ref WP/20/00477/FUL shall be occupied until such time as the boundary wall has been reinstated.

Reason: To ensure the timely reinstatement of the wall and prevent harm to the conservation area.

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 applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.