

<b>Application Number:</b>	P/FUL/2022/02016
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Beach Operations Building Weymouth Beach The Esplanade Weymouth
<b>Proposal:</b>	Installation of Mural Artwork on printed board
<b>Applicant name:</b>	Weymouth Town Council
<b>Case Officer:</b>	Suzanna Knowles
<b>Ward Member(s):</b>	Cllr Orrell

**1.0** In accordance with the Council's scheme of delegation this application is brought to committee for determination as Dorset Council is the landowner.

**2.0 Summary of recommendation:** Grant subject to conditions.

**3.0 Reason for the recommendation:**

- Enhancements to public realm and local character.
- No harm to heritage assets.
- No contribution to flood risk.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The proposals are supported in principle as they would enhance local character.
Conservation and heritage	The proposals would not give rise to any harm in heritage terms.
Flood Risk	The proposals would not give rise to any increased risk of flooding.

**5.0 Description of Site**

The Beach Operation Building is located on Weymouth beach, central to the bay, opposite the Tea cabin café and recently refurbished public toilets and beach office. The building is used as a Lost Children Centre and for Beach Security.

The building comprises a metal container on a concrete plinth. The site is within the Weymouth Town Centre Conservation Area.

## **6.0 Description of Development**

The application seeks to install mural artwork on the side of the building. The sign would be printed on aluminium board. The Town Council plan bi-annual inspection and any required maintenance of all boards. The artwork in this location depicts a postcard of Weymouth - with an illustration of Weymouth Beach and related seaside images.

## **7.0 Relevant Planning History**

P/PAP/2021/00508 – Pre application advice sought for Mural Trail of Artwork at 10 locations around the town

## **8.0 List of Constraints**

- 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)
- Defined Development Boundary
- Weymouth Town Centre Strategy
- Flood Zone 3
- Flood Zone 2

## **9.0 Consultations**

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

### **Consultees**

1. **Highways** – No Objection
2. **Weymouth Town Council** – No Objection
4. **Conservation Officer** – No Objection, subject to temporary time condition.
5. **Cllr Orrell** – No Objection

### **Representations received**

No letters of representation have been received.

## **10.0 Relevant Policies**

West Dorset Weymouth and Portland Local Plan 2015

- 10.1 So far as this application is concerned the following policies of the Local Plan are considered to be relevant:

- ENV4 – Heritage assets
- ENV5 – Flood risk
- ENV10 – The landscape and townscape setting
- WEY1 – Weymouth town centre strategy
- COM7 – Highway safety

### **Other material considerations**

#### National Planning Policy Framework (2021)

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

- 12 – Achieving well-designed places
- 16 – Conserving and enhancing the historic environment
- 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.
- Weymouth Town Centre Masterplan SPD
- Weymouth Town Centre Conservation Area Character Appraisal

### **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 Public Sector Equalities Duty. It is considered that given the

type and nature of the development proposed it would have no impact on people with protected characteristics.

### **13.0 Financial benefits**

13.1 There would be no direct financial benefits as a result of this proposal.

### **14.0 Climate Implications**

14.1 None.

### **15.0 Planning Assessment**

#### Principle of development

15.1 The mural is to be sited within the town centre boundary of Weymouth, where development proposals are generally supported. The proposal is supported by policy ENV10 (iv) which states that opportunities to incorporate features that would enhance local character, including public art.

15.2 The mural would contribute to achieving the objectives of the Weymouth Town Centre Masterplan of achieving a diverse, thriving town centre, providing high quality destination streets creating an attractive and vibrant town centre and providing an active waterfront. It is also supported by policy WEY1 (Weymouth Town Centre Strategy ) of the Local plan, which has the aims of retaining and enhancing the areas character, having an attractive public realm, supporting a thriving town centre and improving first impressions of the area.

#### Heritage

15.3 The Council's conservation officer has considered the scheme and notes that there would be no harm in heritage terms to the character or appearance of the conservation area or the setting of nearby listed buildings. The conservation officer notes that the installations will be considered a visual improvement and will make a positive contribution to the conservation area. The Conservation Officer suggested that it be conditioned that the mural be removed after 1 – 2 years but such a condition is not considered necessary given that the public benefits are considered to outweigh the less than substantial harm of the proposal.

#### Flood risk

15.4 The installation is within flood zones 2 and 3. However, it is an art installation which is to be added to an existing structure. Owing to the nature of the proposals it is not considered that it would contribute to additional risk of flooding.

#### Highway Safety

15.5 The proposed development would not give rise to any highway concerns and as such would be considered acceptable.

### **16.0 Conclusion**

16.1 The proposed art installation is considered to enhance the visitor experience and public realm of Weymouth and is supported by policies ENV10 and WEY1 of the West Dorset, Weymouth and Portland Local Plan 2015, and the Weymouth Town Centre

Masterplan. The proposals would not result in any harm to heritage assets, would not contribute to flood risk and would not adversely affect highway safety.

## 17.0 Recommendation

GRANT subject to conditions.

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:

Location Plan  
Elevation Plan

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

### Informative

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 application was acceptable as submitted and no further assistance was required.