

<b>Application Number:</b>	P/FUL/2022/01624
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Weymouth Sea Life Centre Greenhill Weymouth Dorset DT4 7SX
<b>Proposal:</b>	Demolition of existing external sheds and WC building. Construction of new WC building and access ramp.
<b>Applicant name:</b>	Merlin Entertainments
<b>Case Officer:</b>	Suzanna Knowles
<b>Ward Member(s):</b>	Cllr Barrow and Cllr Gray

**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 planning conditions.

**3.0 Reason for the recommendation:**

- No harm to character and appearance, or amenity
- No contribution to flood risk.
- There are no material considerations which would warrant refusal of this application.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	The proposals are supported in principle as they would have an acceptable visual impact and support the visitor attraction.
Scale, design, impact on character and appearance	The proposed development would be sympathetic in scale and design and would not create an adverse impact on the character and appearance of the area.
Impact on amenity	The proposals would not give rise to any impact on amenity.
Flood Risk	The proposals would not give rise to any increased risk of flooding.

**5.0 Description of Site**

The site of the proposed works is the Weymouth Sea Life Centre. The Sea Life Centre is located within Lodmoor Country Park, Dorset. Lodmoor itself is a site of specific scientific interest and RSPB reserve. The site is a former landfill site and part of the Sea Life Centre sits within flood zone 2 and 3.

The area where the works are to take place within the Sea Life Centre is currently situated at the back of house storage area housing a small WC block (in public use) with an enclosed yard. There are a number of storage sheds in this area as well as storage containers that provide storage for the café and retail facilities of the attraction.

## **6.0 Description of Development**

The proposed works include the demolition of the existing WC block and storage sheds. A new building within the existing yard is proposed to house visitor and staff WC facilities. This will contain separate male and female WCs, Changing Places shower/ WC, baby change facilities and staff facilities.

The proposed building would be single storey and detached from the existing entrance building. Externally the building will be clad in horizontal grey Fortex shiplap boarding and will have a low-pitched profiled metal roof. New rainwater goods will consist of Dark grey powder-coated aluminium gutters and grey UPVC downpipes. These will match existing finishes found elsewhere on site to provide continuity of the design language within the attraction. New doors and windows will have dark grey aluminium frames.

## **7.0 Relevant Planning History**

96/00044/FUL – Children’s Play Area - Granted

95/00499/FUL – Extension to Sea Life Park - Granted

92/00533/FUL – Extension to quarantine buildings - Granted

82/00083 – Erection of Sea Life Centre including restaurant and fish farm - Granted

## **8.0 List of Constraints**

- Outside Defined Development Boundary
- Weymouth Town Centre Strategy Centre
- Flood Zone 3
- Flood Zone 2
- Historic Landfill Site: Lodmoor

## **9.0 Consultations**

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

### **Consultees**

**Weymouth Town Council** – No Objection.

**Flood Risk** – No Objection subject to detailed surface water drainage strategy before groundworks start.

**Environmental Health** – No comment.

### **Representations received**

Weymouth and Portland Access Group - Support

## 10.0 Relevant Policies

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

- ENV5 – Flood risk
- ENV10 – The landscape and townscape setting
- ENV12 – The design and positioning of buildings.
- WEY1 – Weymouth town centre strategy
- WEY8 – Lodmoor Gateway and Country Park
- COM7 – Highway safety
- SUS2 – Distribution of development

### Other material considerations

#### National Planning Policy Framework (2021)

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

- 12 – Achieving well-designed places
- 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

- Weymouth Town Centre Masterplan SPD

## 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. This application proposes a replacement WC block which would be larger than the existing and incorporate changing places facilities as well as baby changing facilities and male and female toilet facilities. It would therefore provide enhanced facilities for a greater number of the population. There would be a ramp to the building enabling access by wheelchair/pram/buggy users.

### **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 Energy would be used as a result of the production of the building materials and during the construction process, however that is inevitable when providing new buildings and a balance has to be struck between providing improved facilities versus conserving natural resources and minimising energy use.

### **15.0 Planning Assessment**

#### Principle of development

The site is located beyond the Defined Development Boundary for Weymouth. In such areas, policy SUS2 states that development will be strictly controlled, having particular regard to the need for the protection of the countryside and environmental constraints and only allowed in a limited number of circumstances, which includes new employment, tourism, educational/training, recreational or leisure related development. The proposed use of the site promotes tourism and is a well-established tourism site. Therefore, the proposal in principle is considered acceptable.

#### Scale, design, impact on character and appearance

The proposed scale and design would be in keeping with the rest of the Sea Life Centre and would be an improved facility within the site. The proposed scale and design would be sympathetic to the existing surroundings and would not adversely impact the character and appearance of the area.

#### Impact on amenity

The proposed development would not have any impact on neighbour amenity and would be of benefit to the Sea Life Centre.

#### Flood risk

The proposed structure would replace the existing WC block. The proposals would result in an increase in roof area from approximately 65m<sup>2</sup> to 125m<sup>2</sup>. The proposals would not lead to a change in vulnerability of the use to flood risk. The proposal would also not result in any increase in the area of impermeable surfaces at the site. The site is assessed to be very low risk of flooding from surface water, from Lodmoor Nature Reserve and from the watercourse running through the site. The site has been highlighted as being located within flood zones 2 and 3, however the site is shown to benefit from flood defences. There would be no increase in the area of impermeable surfaces at the site and as such the water runoff would continue to be managed by the existing surface water drainage system at the site. It would however be considered reasonable to request a detailed surface water drainage strategy prior to the groundworks being started as whilst it is noted that there is already an impermeable area in situ, the proposed WC building is slightly larger than the existing arrangements on site. It would therefore be reasonable to request this information to ensure the surface water is draining in the correct manner.

#### Highway Safety

The site of the building is within the existing sealife centre park and as such the proposals would not impact on any road.

### **16.0 Conclusion**

The proposed development is considered to enhance the visitor experience within the Sea Life Centre and would be an enhanced replacement of the existing arrangements on site. The proposed development would therefore accord with policies SUS2, ENV10, ENV12 and WEY1 of the West Dorset, Weymouth and Portal Local Plan (20151). Subject to a planning condition the proposal would not contribute to flood risk and nor would it adversely impact amenity or 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 22-102-LOC1

Proposed Site Plan SP 22-102-EX-SP-1

Proposed Floor Plans and Elevations 22-102-GA1

Proposed Sections 22-102-S1C

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

3. The external materials to be used for the wall(s) shall be in accordance with those described within the application form and on the approved plans. No development above damp proof course shall be carried out until details of the colour of the roof material have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory visual appearance of the development.

4. Prior to commencement of development details of the proposed surface water drainage scheme and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority and the approved drainage scheme shall thereafter be implemented in accordance with the approved details and timetable and retained thereafter.

Reason: To avoid drainage problems as a result of the development with consequent pollution or flood risk.

5. 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 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. On completion of the approved remediation scheme a verification report shall be prepared and submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

#### 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/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.
- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.