

Application Number:	P/FUL/2022/03801
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Weymouth Angling Society, Commercial Road Weymouth DT4 8NF
Proposal:	Erect extension to form cellar
Applicant name:	Mr Tucker
Case Officer:	Charlotte Loveridge
Ward Member(s):	Cllr Orrell

1.0 This application has been brought to committee for determination as Dorset Council is the landowner.

2.0 Summary of recommendation:

Grant planning permission subject to conditions.

3.0 Reason for the recommendation:

- Para 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise
- The location is considered to be sustainable with policy SUS2 of West Dorset, Weymouth & Portland Local Plan (2015) providing in principle support for this scheme and the proposal is acceptable in its design and general visual impact.
- No harm is caused to the Weymouth Town Centre Conservation Area and the Conservation Area is preserved by virtue of the modest scale & matching appearance of the cellar extension in accordance with policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015) and guidance at paragraphs 199 to 208 of the NPPF (2021).
- There is not considered to be any significant harm to neighbouring residential amenity.
- The applicant has demonstrated the scheme will not result in significant flooding of the site or significantly change the flow of water resulting in increased flooding of the surroundings.
- There are no material considerations which would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	Located within the Weymouth DDB and therefore supported by policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015). Policy COM4 (Improved local recreational facilities) of the West Dorset, Weymouth & Portland Local Plan (2015) also supports the scheme in principle.
Scale, design, impact on character and appearance	The scale of the extension and use of matching materials ensures the extension is modest and appropriate and has a positive impact on visual amenity in character with the existing building in accordance with policy ENV12 (Design & Positioning) of the West Dorset, Weymouth & Portland Local Plan (2015). The Weymouth Town Centre Conservation Area is preserved with no harm to its character and appearance in accordance with policy ENV4 (Heritage assets).
Impact on amenity	Amenity impact is neutral given no neighbours to the site and the extension is small scale & in matching materials.
Impact on landscape or heritage assets	<p>Wider landscape is protected given the single storey nature & limited increase in floor area provided by the extension.</p> <p>No harm to the significance of the Weymouth Town Centre Conservation Area (designated heritage asset) is created and overall the Weymouth Town Centre Conservation Area is preserved in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth & Portland Local Plan (2015).</p>
Economic benefits	Short terms benefits from construction employment.
Access and Parking	The extension will not intensify use of the site or change access/parking arrangements.
Flooding	Submitted FRA details flood prevention measures.

--	--

5.0 Description of Site

The existing building provides a social club for Weymouth Angling Society and sits on its own on a flat paved pedestrian area, immediately adjacent to the marina part of Weymouth Harbour, on the west side of Commercial Road and immediately south of Harbourside car park. The site is within the Weymouth Town Centre Conservation Area and the defined development boundary.

The social club is not listed or of heritage value, is single storey and constructed of brick, concrete tiles and UPVC fenestration. The porch area on the south elevation (to be extended) is topped with a GRP roof (which is to be matched).

The site sits opposite commercial units, car parking and at a distance, flats.

6.0 Description of Development

This application seeks to erect an extension to the front porch area (South elevation) of the existing social club to extend the existing cellar facilities by 5m². The proposed extension will be on the east facing side of the porch and will be finished in matching materials to the porch (brick, GRP and UPVC). Unlike the existing cellar which is accessed internally, the cellar extension will have an external access door. The existing a.c. unit/extract will be resited to the new east wall of the cellar extension. The extension measures 2.06m wide by 2.51m depth and 3.22m high.

7.0 Relevant Planning History

None

8.0 List of Constraints

SUS2; Defined Development Boundary; Weymouth

WEY2; Town Centre and Commercial Road Area; Commercial Road Area

ENV 4; Conservation Area; Town Centre Conservation Area

WEY 1; Weymouth Town Centre Strategy; Weymouth Town Centre

ECON4; Town Centre Areas; Weymouth

Landscape Character; Urban Area; Weymouth Urban Area

Neighbourhood Area; Name: Weymouth; Status Designated 18/05/2020;

Risk of Surface Water Flooding Extent 1 in 1000

Areas Susceptible to Groundwater Flooding; Superficial Deposits Flooding; >= 50% <75%;

Dorset Council Land (Freehold): DT325612 - Reference 60140

Nature Fleet (UK11012);al England Designation - RAMSAR: Chesil Beach & the
Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076);
Site of Special Scientific Interest (SSSI) (400m buffer): Radipole Lake;

Main River Consultation Zone

Flood Zone 3

Flood Zone 2

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

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

Consultees

1. **Highways** – No objection.
2. **Weymouth Town Council** – No objection.
4. **Asset & Property Team** – No comment.

Representations received

None.

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:

- INT1 - Presumption in favour of Sustainable Development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV4 – Heritage assets
- ENV5 – Flood risk
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 – Amenity
- SUS2 - Distribution of development
- COM4 – New or improved local recreational facilities

- COM7 - Creating a safe & efficient transport network

Neighbourhood Plans

- 10.2 Weymouth Neighbourhood Plan - In preparation – limited weight applied to decision making.

Other Material Considerations

- 10.3 Supplementary Planning Documents/Guidance
- Weymouth & Portland Urban Design (2002)
 - Landscape Character Assessment (Weymouth & Portland)
 - Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

National Planning Policy Framework (2021)

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

Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Relevant NPPF sections include:

- Section 4. Decision taking: 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...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.
- Section 8. 'Promoting healthy and safe communities', paragraph 93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- Section 11 'Making effective use of land'
- Section 12 'Achieving well designed places indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 126 – 136 advise that: The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 16 'Conserving and Enhancing the Historic Environment' - When considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance (para 199). The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 203).

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.

The proposed development is on level ground and has step-free access with a 1.19m wide doorway and it is considered that given the type and nature of the development proposed it would have no adverse impact on people with protected characteristics.

13.0 Financial benefits

Short term construction employment.

Long term efficient operation of the Social Club.

14.0 Climate Implications

Ability to store more at the Social Club, less deliveries.

15.0 Planning Assessment

Principle of Development:

Having regard to its location within the defined development boundary for Weymouth, this scheme is supported in principle by policy SUS2 of the West Dorset, Weymouth & Portland Local Plan (2015). Policy COM4 (Improved local recreational facilities) of the West Dorset, Weymouth & Portland Local Plan (2015) also supports the scheme in principle as an extension (and improvement) to a recreational facility subject to criteria. The small cellar extension will not undermine the commercial viability of other nearby community facilities as it will only enlarge storage facilities on site. Therefore, the scheme complies with the criteria of policy COM4.

Impact on amenity:

There are no immediate neighbours to the site and therefore, residential amenity is protected in accordance with policy ENV16 (amenity) of the West Dorset, Weymouth & Portland Local Plan (2015).

The extension is modest/small scale, in matching materials, well sited over an existing paved area, well related to the main building and is proposed to upgrade cellar capacity at the social club to the benefit of users. Its appropriate design, scale, finish and appearance ensure this proposal is acceptable in visual amenity & street scene impact terms and therefore complies with policy ENV12 (Design & Positioning) of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on designated heritage assets:

The limited scale, matching materials and appropriate siting of the cellar extension all ensure that no harm is created to the Weymouth Town Centre Conservation Area and the Conservation Area overall is preserved in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 199 of the NPPF (2021).

The nearest listed building is The White Hart Public House (Grade II*) whose west facing gable wall can be briefly seen down a long passageway between two large scale commercial units from the east wall of the Social Club. The new extension will not be within this shared view given its location on the south side of the building and therefore, even though appropriately designed in any case, this scheme raises no harm to the setting of that designated heritage asset.

Impact on flooding:

The site does fall within flood zone 3 given its proximity to the marina. However, given the nature and the very limited scale of the extension, it is considered that this proposal will not result in increased flooding of the site, surrounding area or increase risk to human life. The proposal is not required to be subject to the sequential and exception tests as it is minor development as set out in the planning practice guidance.

Flood resilience measures have been outlined at paragraph 9.2 of the submitted Flood Risk Assessment with the applicant having taken necessary steps to ensure that where possible, the cellar extension will be future proofed from existing/future flooding.

As such, the scheme complies with policy ENV5 (Flood Risk) of the West Dorset, Weymouth & Portland Local Plan (2015) and guidance at paragraph 167 of the NPPF (2021).

Impact on SSSI (Radipole Lake and Chesil & Fleet):

The proposed scheme will not result in additional residential occupation or recreational pressures within the buffer zones of both of the identified SSSI (Radipole Lake) or SAC/SPA/RAMSAR site (Chesil & Fleet). Given the limited scale of the extension and intended use, it is considered this scheme will have no impact on the special features/habitats/biodiversity of the protected sites and is acceptable in accordance with policy ENV2 (Wildlife & habitats) of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on highway safety:

No objections have been received from the Highways team. The scheme will not result in intensification of the use of the site or change access/parking arrangements currently in place. Therefore, policy COM7 of the West Dorset, Weymouth & Portland Local Plan (2015) is satisfied and complied with.

16.0 Conclusion

Having regard to its appropriate siting, design, matching materials, overall modest scale and the employment of flood resilience measures; the cellar extension has an acceptable impact on amenity, flooding, protected SSSI and habitats sites and highway safety. The scheme will also result in no harm to the Weymouth Town Centre Conservation Area with the Conservation Area preserved overall in accordance with policy ENV4 (Heritage assets) of the West Dorset, Weymouth & Portland Local Plan (2015) and paragraph 199 of the NPPF (2021).

17.0 Recommendation

Grant planning permission, 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:

2904: 405/001 Rev A

2904: 405/003 Rev A

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

3. Prior to first use of the cellar extension hereby approved, the flood resilience measures as outlined at paragraph 9.2 of the Flood Risk Assessment shall have been installed/carried out and thereafter shall be retained.

Reason: To ensure the approved extension remains resilient to existing/future flooding.