

Application Number:	P/FUL/2022/04612
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Boat Shed Boat Park George Street West Bay DT6 4EY
Proposal:	Demolition of existing and erection of replacement boat shed.
Applicant name:	Bridport Sea Cadets (Charity No 278404)
Case Officer:	Ian Cousins
Ward Member(s):	Cllr Bolwell; Cllr Clayton; Cllr Williams

1.0 The application is brought to Committee as Dorset Council is the landowner.

2.0 Summary of recommendation:

GRANT subject to conditions

3.0 Reason for the recommendation: as set out in paras 13 at end

- 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
- It is the replacement of a building that is dilapidated.
- It will improve the recreational facility to the benefit of the local area.
- The development will not harm designated heritage assets.
- The location is considered sustainable, and the proposal is acceptable in its design and general visual impact.
- There is not considered to be any significant harm to neighbouring residential amenity.
- There will be no increased impact on the Chesil and Fleet SSSI.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of replacing the building is acceptable in accordance with policies SUS2 and COM4 of the West Dorset, Weymouth & Portland Local Plan (2015).
Scale, design, impact on character and appearance	The proposed building is of a similar scale to the existing building and the design is appropriate to the boat yard setting.

Impact on amenity	There is no negative impact upon any neighbour's amenity given the limited changes to the building in its new built form and distance/orientation away from the nearest neighbour. As such, policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015) is complied with.
Impact on landscape or heritage assets	The West Bay Conservation Area is enhanced in character/appearance and no harm created to its setting or the setting of listed buildings 5 George Street and HM Coastguard Station, in accordance with policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015). The natural beauty of the West Dorset AONB is also maintained in accordance with policies, ENV1 and ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015).
Access and Parking	The existing access and parking are unaffected by the proposal and the scheme will not result in significant intensified use of the Boat shed.
Chesil and Fleet SSSI	In light of the proposed building being of the same footprint as the existing, there will be no adverse effect on the integrity of the designated sites.
Flood Risk	There will be no increase in flood risks because the floor area is not increasing retaining a neutral impact in this regard.

5.0 Description of Site

The site is located on the corner of George Street at the entrance to a Boat Park. The existing building is a relatively small boatshed constructed of corrugated metal, used by the Bridport Sea Cadets. The site is within the built-up area of West Bay being within the DDB, surrounded by a mix of uses, and is within the West Bay Conservation Area and AONB. The site is also surrounded by various designated heritage assets; Swans Row to its south east, numbers 5-11 George Street (5 being the closest) to its south west and HM Coastguard Station directly south – all being Grade II listed. The site is within flood risk zones 2 and 3.

6.0 Description of Development

The proposal seeks to replace the existing dilapidated building with a new, purpose-built boat shed. The proposed boat shed will have higher eaves than the existing however, the footprint and overall height of the building will remain. The building measures 5.3m in width, 6.7m in depth and 4m in height; it will be clad in green profiled sheeting to the walls and roof – looking similar to the Coastguard storage building to its north east.

7.0 Relevant Planning History

None

8.0 List of Constraints

- Dorset Council Land
- Special Area of Conservation (Chesil & The Fleet) SAC, SPA & Ramsar
- Flood Zones 2 and 3
- Within the Defined Development Boundary
- Within the West Bay Conservation Area (statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990)
- Area of Outstanding Natural Beauty: (statutory protection in order to conserve and enhance the natural beauty of their landscapes - National Parks and Access to the Countryside Act of 1949 & Countryside and Rights of Way Act, 2000)

9.0 Consultations

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

Consultees

1. **Natural England** – Concur with the Council's Appropriate Assessment that the proposal will not result in adverse effects on the integrity of any of the sites in question.
2. **Natural Environment Team** – It has been confirmed that a bat survey is not required.
3. **Conservation Officers** – It is considered that the development would result in no harm to West Bay Conservation Area and no harm to other heritage assets around the site.
4. **Building Control West Team** – No comments
5. **Bridport Town Council** – Support the application.

Representations received

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

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

10.0 Relevant Policies

Development Plan

West Dorset, Weymouth & Portland Local Plan (2015):

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 recreation facilities
COM7	-	Creating a Safe & efficient transport network

Bridport Neighbourhood Plan (2020):

CF1	-	Protection of Existing Community Infrastructure
HT2	-	Public Realm
L1	-	Green Corridors, Footpaths, Surrounding Hills & Skylines
L2	-	Biodiversity
D1	-	Harmonising with the site
D8	-	Contributing to the Local Character

Material Considerations

NPPF

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. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

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 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 15 'Conserving and Enhancing the Natural Environment' - In Areas of Outstanding Natural Beauty great weight should be given to conserving and enhancing the landscape and scenic beauty (para 176). Decisions in Heritage Coast areas should be consistent with the special character of the area and the importance of its conservation (para 178). Paragraphs 179-182 set out how biodiversity is to be protected and encourage net gains for biodiversity.
- 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)

Other material considerations

Dorset AONB Landscape Character Assessment

Dorset AONB Management Plan 2019-2024

WDDC Design & Sustainable Development Planning Guidelines (2009)

Landscape Character Assessment February 2009 (West Dorset)

Interim strategy for mitigating the effects of recreational pressure on the Chesil Beach and the Fleet SAC, SPA and Ramsar – April 2020

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 and concluded that there are no impacts on persons with protected characteristics.

13.0 Planning Assessment

Principle of development

The principle of replacing the building is considered acceptable and in accordance with Policy COM4 of the West Dorset, Weymouth & Portland Local Plan (2015) which seeks to support improved recreational facilities including water sports and marine based recreational facilities.

Scale, design, impact on character and appearance

The proposed building is to be of a similar scale to the existing building, with only an increase in height of the eaves to 3.32m which is 1.69m higher on the north west elevation eaves as existing and 0.64m on the south east elevation of the eaves as existing. The proposed use of corrugated steel is reflective of that already used in the existing building and is considered entirely appropriate for a building in this use and in this boat yard location, retaining the industrial type appearance. Accordingly, the proposed building is considered not to be of any detriment to the prevailing character and appearance of the area and it is considered that its visual upgrade will enhance the site. Therefore, the scheme complies with policy ENV12 of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on amenity

Given the overall scale of the proposed building, the fact that the overall height change to the eaves is modest, the building is not changing in terms of usable area and the existing use is to continue, it is considered that there will be no affect upon the existing levels of amenity to any neighbours. No comments have been received from third parties. Therefore, the scheme complies with policy ENV16 of the West Dorset, Weymouth & Portland Local Plan (2015).

Impact on landscape or heritage assets

Given the location of the site within the built-up area of West Bay and the nature of the replacement building, it is considered that the proposal will not have a detrimental effect upon the appearance and character of the Area of Outstanding Natural Beauty in compliance with policies ENV1 and ENV10 of the West Dorset, Weymouth & Portland Local Plan (2015).

In terms of the impact on heritage assets, the Conservation Officer has raised no objections and it is clear that the renewal of the building will improve the visual enhancement of the site given how aged and tired the building now appears. As such, given its appropriate design, scale & materials, no harm is created to the West Bay Conservation Area (designated heritage asset) with it being enhanced and no harm created to the setting of other designated heritage assets as identified, in accordance with policy ENV4 of the West Dorset, Weymouth & Portland Local Plan (2015) and advice contained within Section 16 of the NPPF (2021).

Access and Parking

The existing access and parking arrangements are unaffected by this proposal and therefore the scheme complies with policy COM7 of the West Dorset, Weymouth & Portland Local Plan (2015).

Chesil and Fleet SSSI

The site lies within the protection area for the Chesil and Fleet where there is currently an unacceptable level of existing recreational pressure at Chesil Beach and the Fleet which is likely to be compromising the integrity of the SAC site features. There are concerns that the trampling of habitats and species by people are resulting in adverse effects on the features of the SAC designation and mitigation needs to be provided. Notwithstanding this, the proposed building is to be of the same footprint as the existing and will continue to be used as a boat store for the Sea Cadets. Therefore, it is considered that this proposal will not increase any recreational activity and will have a neutral effect upon the Chesil and Fleet European Site. Natural England concurs with this assessment. Therefore, the scheme complies with policy ENV2 of the West Dorset, Weymouth & Portland Local Plan (2015).

Flood Risk

The site is located within Flood Risk Zone 3 however, there will be no increase in vulnerability and the building will continue to be used for boat storage. In addition to this, given the footprint of the building will not increase, the proposal is not considered to increase flooding risk elsewhere and complies with policy ENV5 of the West Dorset, Weymouth & Portland Local Plan (2015).

14.0 Conclusion

The proposal is to provide a new and improved recreational facility for the Sea Cadets. The building is considered appropriate in all regards and the application is therefore in full compliance with the West Dorset, Weymouth & Portland Local Plan (2015), Bridport Neighbourhood Plan (2020) and the NPPF (2021).

15.0 Recommendation

Grant, subject to the following 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:
22/008/01 Location & Block Plan
22/008/03 Proposed floor plans & elevations

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

3. Prior to the installation of the walls and roof, details of the colour of the profiled steel sheeting to be used in the construction of the building shall be submitted

to and approved in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved details.

Reason: To ensure a visually satisfactory form of development.

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

2. Please check that any plans approved under the building regulations match the plans approved in this planning permission or listed building consent. Do not start work until revisions are secured to either of the two approvals to ensure that the development has the required planning permission or listed building consent.