

Application Number:	P/FUL/2022/04600
Webpage:	Planning application: P/FUL/2022/04600 - dorsetforyou.com (dorsetcouncil.gov.uk)
Site address:	Beach Control Office, The Esplanade, Weymouth, DT4 7AN
Proposal:	Installation of two roof mounted solar arrays on the south and west facing roof slopes
Applicant name:	Weymouth Town Council
Case Officer:	Robert Parr
Ward Member(s):	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:

- Improvement to Community Facility
- No harm to character, appearance and amenity
- No highway concerns identified
- No adverse impact on Chesil Beach and the Fleet European Protected Site
- There are no material considerations that would warrant refusal of this application

4.0 Key planning issues

Issue	Conclusion
Principle of development	The proposals are supported in principle as they would enhance a local community building.
Design	The proposed design is supported as the design is in harmony with the existing building and in keeping with the site and area.
Highway Safety	No highway concerns identified
Wildlife and Habitat	Within 5km of Chesil Beach and the Fleet European Protected Site. Proposals are not considered to have an adverse effect on the integrity of the designated site.
Amenity	No adverse impact on amenity

5.0 Description of Site

The application site is located on the beach front adjacent to The Esplanade in the Melcombe Regis area of Weymouth Town Centre and is approximately 100 metres to the South of the Jubilee Memorial Clock. The existing building provides the Beach

Control Office and Public Toilets. The site is within the Defined Development Boundary, is within the Weymouth Town Centre Conservation Area, is not a Listed Building and is not within the Dorset Area of Outstanding Natural Beauty. The site is within Flood Zones 2 & 3, which indicates a high probability of flooding and is within 5km of Chesil Beach and the Fleet European Protected Site.

The external walls of the existing building are red brick and blue/grey composite cladding, and the building has a hipped slate and metal seamed roof.

6.0 Description of Development

The proposal is for the installation of two roof mounted solar arrays on the south and west facing roof slopes. The proposed solar installation would be split into two arrays. The array located on the south facing roof slope consists of 9 panels (8.9 metres in length) with the west facing array consisting of 17 panels (19.9 metres in length). The electricity generated would provide a sustainable source of electricity.

7.0 Relevant Planning History

Application No.	Proposal	Decision	Decision Date
P/PASO/2022/04175	Erect 26 panel (9.49kW) roof mounted solar array	Withdrawn	26/07/2022
WP/20/00141/NMA	Amendment to planning permission reference WP/19/00150/FUL - Erection of low level wall	Granted	06/03/2020
WP/19/00749/CWC	Request for confirmation of compliance with condition 3 of planning approval reference WP/19/00150/FUL	Response Given	03/10/2019
WP/19/00150/FUL	Refurbishment and extension of existing Beach Office to provide extra WC's, extended kiosk & first floor office with lift access.	Granted	04/06/2019

8.0 List of Constraints

Weymouth Town Centre Conservation Area

Weymouth Town Centre Strategy

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

Natural England Designation - RAMSAR: Chesil Beach & the Fleet (UK11012)

Distance: 3174m

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076)

Distance: 3605

Flood Zone 3

Flood Zone 2

9.0 Consultations

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

Consultees

1. **Highway Authority:** The Highway Authority has NO OBJECTION to the proposal. The Highway Authority suggested an informative requesting the applicant contact them prior to commencement to ensure that the appropriate licence(s) and or permission(s) are obtained.

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
- ENV5 - Flood risk
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV13 - Achieving high levels of environmental performance
- ENV 16 - Amenity
- SUS2 - Distribution of development
- COM2 - New or improved local community buildings and structures
- WEY1 - Weymouth town centre strategy

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)
- The Planning (Listed Buildings and Conservation Areas) Act 1990- sections 66 & 72

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 6 'Building a strong, competitive economy', paragraphs 84 and 85 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- 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 14 'Meeting the challenge of climate change, flooding and coastal change'
- 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).

National Planning Practice Guidance

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 adverse impact on people with protected characteristics.

13.0 Financial benefits

13.1 No direct financial benefits have been identified or detailed in the application.

14.0 Environmental Implications

14.1 The addition of solar panels would provide a small contribution towards reducing carbon emissions.

14.2 As the application site is within 5km of the Chesil Beach & the Fleet European protected site, the potential impacts on the protected site have been considered. Having considered the proposals it has been concluded that as this would be the addition of solar panels to an existing WC facility to provide more sustainable provision, then there will be no adverse effect on the integrity of the designated site. As such the proposals are considered in accordance with Local Plan Policy ENV2

15.0 Planning Assessment

Principle of development

- 15.1 The site is located in the Defined Development Boundary and is considered to be a community building. As such the proposals are supported by Local Plan Policy SUS2 which sets out that development that meets the needs of the local area will normally be permitted. Furthermore, the proposals are supported by policy COM2 (i) which states that proposals for new, replacement or improved local community buildings or structures will be permitted providing the proposal is within or adjoining an existing settlement. In this instance the proposals are for an improvement to a local community building, within an existing settlement. Therefore, it is considered that the principle of development is accepted.

Design

- 15.2 The application site is considered to be an urban setting and character. The proposed design is not considered to overpower the existing building and the recessive dark colour of the solar panels would be in keeping with the dark colour of the slate and metal seamed roof of the existing building. As such the proposals are considered to be in accordance with Local Plan Policy ENV1, ENV10, ENV12 and WEY1.

Heritage

- 15.3 The heritage assets identified as being potentially impacted by the proposed development are the Weymouth Town Centre Conservation Area (CA) including numerous Listed Buildings in the general area, the closest being approximately 35m away on the opposite side of the road. The significance of the CA and the Listed Building's in the area is considered to be the special architectural and historic interest of the locality, including the Esplanade which is recognised as being an important example of late Georgian town planning.
- 15.4 Having considered the minor scale of the proposed development and the physical separation between the application site and the nearest Listed Building, it is considered that the proposals are so minor as not to have the potential to harm the significance of any designated heritage assets. As such the proposals are considered acceptable when assessed against Local Plan Policy ENV4.

Flood risk

- 15.5 The site is located with Flood zones 2 & 3 which indicates a high risk of flooding. No flood risk assessment has been provided, however given the minor scale of the proposals to install solar panels on the roof of an existing non-residential building, it is considered that a flood risk assessment was not required in this instance. Furthermore, Annex 3 of the NPPF 2021 sets out Flood Risk Vulnerability classifications and it is considered the Beach Control Office and Toilets would fall under the lowest risk category, which is Water Compatible Development. Therefore, in officer's opinion the proposals are considered acceptable when assessed against Local Plan Policy ENV5.

Highway Safety

- 15.5 The proposed development would not give rise to any highway concerns and as such would be considered acceptable. The Highway Authority has suggested an informative condition is added to any decision notice requesting the applicant contact them prior

to commencement to ensure that the appropriate licence(s) and or permission(s) are obtained. In officers' opinion this is a reasonable request and as such an informative condition meeting the Highway Authority request is recommended.

Environmental Performance

15.6 The proposals include the provision of solar panels that would provide electricity to this community building and result in reducing the greenhouse gas emissions required to operate the facility. As such the proposals are expected to achieve high standards of environmental performance and be in accordance with Local Plan Policy ENV13.

Amenity

15.7 By virtue of the proposals being located well away from adjacent dwellings, it is not considered the application represents development that would have an adverse impact on amenity. Furthermore, solar panels are designed to absorb rather than to reflect light and are typically less reflective than standard glazing. As such the proposals are considered acceptable when assessed against Local Plan Policy ENV16.

16.0 Conclusion

16.1 The development has been assessed against the policies of the West Dorset, Weymouth & Portland Local Plan 2015, the policies of the NPPF (2021) and other material considerations. It has been concluded that the development would be an improvement to community facilities and would not result in any harm that would justify refusal in the public interest. The recommendation has been taken in compliance with the requirement of the NPPF to foster the delivery of sustainable development in a positive and proactive manner.

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

Proposed Roof Plan – Dwg No. PW/BC/01F

Proposed Elevations North and East – Dwg No. PW/BC/01C

Proposed Elevations South and West – Dwg No. PW/BC/01D

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

Informative

1. The applicant should contact Dorset Highways by telephone at 01305 221020, by email at dorsethighways@dorsetcouncil.gov.uk, or in writing at Dorset Highways, Dorset Council, County Hall, Dorchester, DT1 1XJ, before the commencement of any works on or adjacent to the public highway, to ensure that the appropriate licence(s) and or permission(s) are obtained.
2. 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.