

Application Number:	P/FUL/2022/04176
Webpage:	Planning application: P/FUL/2022/04176 - dorsetforyou.com (dorsetcouncil.gov.uk)
Site address:	Lodmoor Country Park, Main Car And Coach Park (Public toilets) Greenhill, Weymouth, DT4 7SX
Proposal:	Install 15 Panel Roof Mounted Solar Array
Applicant name:	Weymouth Town Council
Case Officer:	Robert Parr
Ward Member(s):	Cllr Barrow, 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 conditions.

3.0 Reason for the recommendation:

- Improvement to Community Facility
- No harm to character and appearance, 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 an existing public toilet located in the Lodmoor Car Park, southwest of the Lodmoor Country Park and approximately 18m northeast of the Premier Inn Hotel. The site is outside the Defined Development Boundary, is not within

the Dorset Area of Outstanding Natural Beauty, is not within a Conservation Area and is not a Listed Building. The site is within Flood Zones 1, which indicates a low 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 and yellow brick, and the building has a hipped tile roof.

6.0 Description of Development

The proposal is to install a 15 Panel Roof Mounted Solar Array on the southwest facing roof slope. The proposed Solar Array would be arranged in a single row and measure approximately 16.6m long x 1.6m wide. The electricity generated would help offset the electricity used on site.

7.0 Relevant Planning History

None

8.0 List of Constraints

Lodmoor Gateway and Country Park Area; Lodmoor Gateway

Weymouth Town Centre Strategy; Weymouth Town Centre

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

Areas Susceptible to Groundwater Flooding; Superficial Deposits Flooding; >25% <50%

Dorset Council Land (Freehold): DT316589 - Reference 60111

Natural England Designation - RAMSAR(5km Buffer): Chesil Beach & the Fleet (UK11012)

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

Historic Landfill Site: Lodmoor

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.

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
- 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
- WEY8- Lodmoor gateway and country park area

Neighbourhood Plans

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

Other Material Considerations

10.4 Supplementary Planning Documents/Guidance

- Weymouth & Portland Urban Design (2002)
- Landscape Character Assessment (Weymouth & Portland)

National Planning Policy Framework (2021)

10.5 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'

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 Lodmoor gateway and country park area and as such Local Plan Policy WEY8 is relevant and sets out that this land will be permitted for tourism, low key recreation and ancillary uses, appropriate to its gateway location and its proximity to sensitive sites. It is considered that the proposals would support the sustainability of the Public Toilets which are an ancillary facility to the area. 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 be for an improvement to the existing Public Toilets, which are within an existing settlement. Therefore, it is considered that the principle of development is accepted.

Design

15.2 The Public Toilets location in the Lodmoor Car Park is considered to be an urban setting and character. The proposed design is not considered to overpower the existing building and would be in keeping with the character of the location where other solar arrays can be viewed (southwest roof of Premier Inn Hotel). As such the proposals are considered to be in accordance with Local Plan Policy ENV1, ENV10, ENV12 and WEY1.

Highway Safety

15.3 The proposed development would not give rise to any highway concerns and as such would be considered acceptable. The Highway Authority has commented on the red line of the application site on the Location Plan submitted and they set out it should be extended to the adopted maintainable public highway. National Planning Practice Guidance requires the red line to include all land necessary to carry out the proposed development but does not require the red line plan to be extended to the public highway. In view of the application sites location within a public car park and contained

within the footprint of the existing building, it is not considered an amended location plan is necessary in this instance.

Environmental Performance

15.4 The proposals include the provision of solar panels that would provide electricity to the public toilets 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

15.5 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

Block Plan

Proposed Elevations – Dwg No. PW/LT/01B

Proposed Roof Plan – Dwg No. PW/LT/01D

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

Informative

1. 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.