

<b>Application Number:</b>	P/FUL/2022/05320
<b>Webpage:</b>	<a href="https://www.dorsetcouncil.gov.uk/planning-application/P/FUL/2022/05320">Planning application: P/FUL/2022/05320 - dorsetforyou.com (dorsetcouncil.gov.uk)</a>
<b>Site address:</b>	4 Waterloo Place, Weymouth, DT4 7NX
<b>Proposal:</b>	Erect single storey rear extension
<b>Applicant name:</b>	Mr & Mrs Shorthouse
<b>Case Officer:</b>	Toby Hibbs
<b>Ward Member(s):</b>	Cllr Orrell

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

**2.0 Summary of recommendation:** Grant subject to conditions.

**3.0 Reason for the recommendation:**

- Para 14 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 proposal is acceptable in its design and general visual impact.
- No harm to heritage assets of the listed building or their setting or Conservation Area
- There is not considered to be any significant harm to neighbouring residential amenity.
- 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 principle of development is acceptable and the scope of the proposal is very minor.
Design	The scale and design is considered to be subservient and in keeping with the existing building, the site and area.
Impact on landscape or heritage assets	No impact on the heritage assets (following amendments).
Amenity	No adverse impact on amenity.

## 5.0 Description of Site

The Weymouth Town Centre Conservation Appraisal (2012) references Waterloo Place as being first established circa 1835 providing a pleasant entry into Weymouth Town Centre from the north. The application site is located at the rear of a mid-terrace building in a row of 12 Grade II\* three storey listed terraces. The buildings of Waterloo Place are constructed in brickwork with number 1-6 finished in stucco render. The terraces feature slate tile roofing with bay sash windows and spearhead railings that comprise the principal elevation. Waterloo Place is situated some 84 metres northwest from Weymouth Beach and is considered a prominent and attractive landmark close to the Weymouth Esplanade. The site is within the Weymouth Town Centre Conservation Area and is also within the defined development boundary.

## 6.0 Description of Development

The proposal is to erect an infill extension to the rear northwest elevation of the dwellinghouse to facilitate an enlargement of an existing ground floor bedroom and to carry out internal alterations to the existing sitting room (the latter being only subject to the separate application for listed building consent). The proposed infill extension would be constructed with painted render walling with a timber door painted white, with cast iron rainwater goods and would feature a flat roof with a low-profile roof light. It would infill the gap between two existing built projections at the rear of the property and is very small in size.

## 7.0 Relevant Planning History

None.

## 8.0 List of Constraints

Grade II\* listed building NUMBERS 1-12 WITH RAILINGS listed building grade G2\*. HE Reference: 1147976 (*statutory duty to preserve or enhance the significance of heritage assets under the Planning (Listed Buildings & Conservation Areas) Act 1990*)

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*)

*Landscape Character Area; Weymouth Urban Area*

Dorset Council Land (Freehold)

Within the defined development boundary

## 9.0 Consultations

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

### **Consultees**

1. **Conservation Officer:** The Conservation Officer has no objection to the proposal, following the receipt of amended plans.
2. **Historic England:** The LPA should seek the view of its specialist conservation advisors.
3. **Weymouth Town Council:** No objection.
4. **Cllr Orrell:** Similar to neighbours, so support.

### **Representations received**

None

## **10.0 Relevant Policies**

### **West Dorset Weymouth and Portland Local Plan 2015**

The following policies of the Local Plan are considered to be relevant:

- INT1 - Presumption in favour of Sustainable Development
- ENV4 - Heritage Assets
- ENV10 - The landscape and townscape setting
- ENV 12 - The design and positioning of buildings
- ENV 16 - Amenity
- SUS2 - Distribution of development
- WEY1 - Weymouth town centre strategy

### **Neighbourhood Plans**

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

### **Other Material Considerations**

Supplementary Planning Documents/Guidance

- Weymouth & Portland Urban Design (2002)
- Weymouth Town Centre Conservation Appraisal (2012)
- Landscape Character Assessment (Weymouth & Portland)

### **National Planning Policy Framework (2021)**

The following policies of the National Planning Policy Framework (2021) are considered to be relevant for this proposal:

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 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).

## National Planning Practice Guidance

### **Duties under legislation:**

Duty under section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Duty under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of buildings or other land in the conservation area.

## **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 Planning Assessment**

### Principle of development

14.1 The site is located within the Weymouth Town Centre Area and as such Local Plan policy WEY1 applies. It is considered that this proposal would be in line with this policy which strives to ensure all new development within the Weymouth Town Centre Strategy Area must retain and enhance the areas’ distinct local character and be in harmony with the scale, massing and materials of the locality. Furthermore, ENV4 of the Local Plan sets out that the impact of development on designated heritage assets must be thoroughly assessed. In this instance consultation with the conservation officer raised no objection concerning harm to the heritage assets following the receipt of amended plans. Therefore, the principle of development is considered acceptable.

### Design

14.2 The scope of this proposal is very modest and the external design is considered to be in keeping with the host building and adjacent neighbouring properties feature various extensions of similar character therefore as a whole, the design of this proposal would conform with the pattern of development within the area and would be in line with policies ENV10, ENV12 & WEY1 of the West Dorset, Weymouth & Portland Local Plan.

## Heritage & Conservation

14.3 The heritage assets relevant to this proposed development are the Grade II\* listed building the subject of this application and the adjoining row of terraces, their setting and the Weymouth Town Centre Conservation Area. The proposed development having regard to its location at the rear of the property, the small scale of the extension and its design is considered to not result in any harm to the listed building itself, the setting of adjacent listed buildings or the character and appearance of the Conservation Area. The initial proposed development scheme featured a parapet roof which was considered visually damaging and at odds with the existing rear roof of the north facing wall which features a cat slide design. This has since been omitted through an amended plan which replaced the former with a flat roof. This amendment was subsequently supported by the Conservation Officer. Furthermore, the Conservation Officer recommended the infill extension was set back from either rear element to preserve the visual expression of the gap. Having regard to all of the above it is considered that the development accords with Policy ENV4 of the adopted local plan and the NPPF.

## Amenity

14.4 The location of the extension is set back a considerable distance from the nearest highway 'Victoria Street' and is significantly obscured by the surrounding built environment of the rear (northwest) elevation(s) of Waterloo Place terraces. For this reason, the proposal would not be clearly visible in the street scene and its impact on visual amenity is considered diminutive. Furthermore, the nature of this proposal being an infill extension between two walls of the dwelling would pose no harm to the amenity of neighbouring occupants. For this reason the proposal is considered to accord with Policy ENV16 of the adopted local plan.

## **15.0 Conclusion**

15.1 The development has been assessed with regard to the policies of the West Dorset, Weymouth & Portland Local Plan (2015), the NPPF (2021) and all other relevant material considerations. It has been concluded that the proposed development would pose no harm to local amenity or the heritage assets of the Grade II \* listed building(s), their setting and the Weymouth Town Centre Conservation Area. In reaching this conclusion regard has been had to the duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **16.0 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, Site, Proposed floor plans & elevations 16/208/001 Rev B

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

3. The external door hereby approved shall not be installed until detailed drawings and specifications showing the design and construction of the new external door (at a scale no less than 1:10) 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 preserve or enhance the character and appearance of the heritage asset.

4. The rooflight to the extension hereby approved shall not be installed until details of the material, design, colour and height of the rooflight 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 preserve or enhance the character and appearance of the heritage asset.

5. Prior to the installation of the roof to the extension hereby approved the construction details of the roof and its finish, material, colour and sectional details of any connection with the existing building (this is to three sides) shall be 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 preserve or enhance the architectural and historical qualities of the building.

6. All new and replacement rainwater goods shall be cast metal and painted black to match the existing.

Reason: To preserve or enhance the character and appearance of the heritage asset.

**Informative:**

## 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.

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