

<b>Application Number:</b>	P/FUL/2023/01846
<b>Webpage:</b>	<a href="https://planning.dorsetcouncil.gov.uk/">https://planning.dorsetcouncil.gov.uk/</a>
<b>Site address:</b>	Former Council Offices, North Quay, Weymouth, DT4 8TA
<b>Proposal:</b>	Demolition of the existing (former council) building, alterations to the existing car park and provision for additional car parking spaces.
<b>Applicant name:</b>	Dorset Council
<b>Case Officer:</b>	Bob Burden
<b>Ward Member(s):</b>	Cllrs Heatley, Cllr Sutton and Cllr Wheller

**1.0** The application has been made by Dorset Council in relation to land that is owned by Dorset Council and is reported to committee for consideration in accordance with requirements of Dorset Council's Constitution.

**2.0 Summary of recommendation:**

Grant subject to conditions.

**3.0 Reason for the recommendation:**

The recommendation is made following consideration of the application having regard to:

- The development plan;
- The Weymouth Town Centre Masterplan Supplementary Planning Document;
- National planning policy and guidance;
- Consultation responses and other representations made about the application; and other material planning considerations set out in this report.

**4.0 Key planning issues**

<b>Issue</b>	<b>Conclusion</b>
Principle of development	Application in context of WEY1 and WEY7 policies; this temporary use does not compromise the comprehensive development opportunities of WEY7.

Effect on Heritage Assets	Demolition of this unlisted and undesignated heritage asset is considered acceptable. The scheme would not cause harm to the conservation area, setting of listed buildings and would preserve the character and appearance of the conservation area.
Archaeology	Site has archaeological interest; works should be subject to observation and recording.
Residential amenity	Construction Environment Management Plan submitted. Use as car park similar to existing in terms of amenity. Acceptable in residential amenity terms.
Employment considerations	Policy WEY7 does not preclude commercial use as part of a mixed use development. The employment has not been lost since those who worked at the offices now work elsewhere for the Council.
Arboricultural considerations	Some trees would be removed, but more would be provided in pots/planters to compensate.
Ecological considerations	An acceptable biodiversity mitigation plan has been submitted and Certified by the Natural Environment Team.
Sustainability aspects	Existing building has issues in terms of re-use due to age, design and condition. Demolished materials to be used on site if possible, otherwise building materials used elsewhere in Council area. Some of the materials in the building are to be recycled.
Flood-risk aspects	Site largely in Flood Zone 1, small part in Flood Zones 2/3. No increase in impermeable area; acceptable surface water drainage details supplied.
EIA	The application is considered to not constitute EIA development.

## 5.0 Description of Site

- 5.1 The site lies on the south side of Weymouth Harbour, and fronts onto the south side of the North Quay road. The site is currently occupied by the “footprint” and building of the vacant former Weymouth and Portland Borough Council offices. This is essentially a four storey brick and predominantly Portland Stone building with additional higher storey elements in the central section. It covers an area of about 68m x 19m= 1292m<sup>2</sup>.
- 5.2 The site is surrounded on all sides apart from the north by the existing car park. To the north of the site, across North Quay, is Weymouth Marina within the Harbour

area. To the east side is part of the existing car park with older traditional houses 27, 28 and 28A Trinity Street beyond. To the south side is the elevated linear belt of trees/vegetation known as Chapelhay Gardens, retained by a mix of historic natural stone walling, buttresses and timber retaining sections. To the west is the historic High West Street area. Buildings close to the edge of the existing car park include the brick/slate historic Kingdom Hall of Jehovah's Witnesses (now apparently occupied by "Reach"), the Old Town Hall and the listed Boot Inn. North Quay House (residential) is also to this side.

- 5.3 The Application Site has an average depth of approximately 40 metres and its road frontage along North Quay extends to approximately 150 metres. Ground levels within the Application Site generally rise gently to the south and west but rise sharply beyond the southern boundary of the site through the Chapelhay Gardens. There are a number of medium sized mainly birch trees on the site.
- 5.4 Within the Application Site is a currently vacant, predominantly four-storey office building that is positioned centrally along the North Quay frontage close to the highway edge. Hard surfaced pay and display parking areas are present at either end of the Application Site and to the rear (south) of the office building. Along the North Quay frontage is a narrow strip of amenity grassland that contains six trees (3 x Silver Birch, 1 x Holly, 1 x Cherry, and 1 x Ash). Further trees are present within the parking areas at either end of the office building. Also present within the Application Site are small pockets of scrub.
- 5.5 The office building has a footprint of about 1,040m<sup>2</sup> and was opened in 1971 and served as the main headquarters of the former Weymouth and Portland Borough Council between 1974 and 2017. The building is of steel frame construction with much of the steel frame understood to be encased in reinforced concrete. External walls are finished in a mix of Portland Stone cladding, brickwork and concrete. Above the third floor of the office building are rooftop rooms containing plant, lift equipment and access to a water tower and telecommunications apparatus. At the rear of the building is an electricity sub-station. Vehicular and pedestrian access to the Application Site is available from North Quay and from New Road.
- 5.6 Regarding the surrounding area, the Gardens contain a number of established trees and remnant walls associated with development that historically stood on the southern side of a former roadway – Weymouth High Street also known as 'the old High Street' – that ran between Trinity Road and High Street West, but which were demolished in the wake of war damage and to accommodate the office building and associated car parking. Beyond the Gardens is a narrow strip of amenity grassland and Chapelhay Street, beyond which is residential development including a number of 4-storey apartment buildings comprising Chapelhay Heights. To the east of the Application Site is New Road and the junction of New Road and High Street West adjacent to which are the Boot Inn and the Old Town Hall (both Grade II listed buildings) and the former Weymouth Coffee Tavern (now a community services centre). Further east beyond New Road are residential properties at North Quay House and the redeveloped former fire station site (contemporary residential development (Harbour Lights Court).
- 5.7 To the west of the Application Site is a terrace of Grade II listed buildings fronting Trinity Road beyond which are Grade II listed retaining walls, railings and steps ('Chapelhay Steps'), the Grade II\* listed Church of the Holy Trinity and the Grade II listed Town Bridge which separates in the inner and outer harbour areas. The

Chapelhay Steps connect between Trinity Road and Chapelhay Street. The Application Site, the Chapelhay Gardens and all of the listed buildings are located within the designated Weymouth Town Centre Conservation Area. Chapelhay Heights is located beyond the boundary of the Conservation Area which runs through the amenity grassland on the northern side of Chapelhay Street, but includes adjoining areas of older residential development in Chapelhay.

## **6.0 Description of Development**

6.1 The application was submitted in March 2023 but subsequently amended through the submission of an amended schematic layout plan (WSP Drawing 70085295-WSP-00-DR-C-0001 Rev P05) and revised and supplementary supporting information.

6.2 The application proposal provides for the demolition of the office building and its replacement with an additional 45 surface level parking spaces. On-site parking provision within the Application Site would rise from approximately 129 spaces to approximately 174 spaces. The electricity sub-station present at the rear of the office building would be retained, as would the existing parking areas and all other trees within the Application Site. All six trees present within the strip of amenity grassland along the site frontage would be felled to facilitate the proposed demolition. The proposal includes filling the footprint void with crushed Portland Stone and brick from the building which would be to a standard which can be used as fill and a base surface for the proposed use as a temporary car park. It would be graded into the existing levels of the car park with a grass bank. The additional parking spaces would be surfaced in asphalt to match adjacent areas and the strip of amenity grassland along the North Quay frontage would be regraded, with the parking spaces fenced with a 1 metre high post and rail fence.

### **Background and context to the application-**

6.3 The applicant has a "Vision for North Quay" and this includes providing high quality apartments, commercial units that address the marina and surrounding landscaped spaces, and providing improved harbour facilities. It is intended to serve as a catalyst for much needed highway improvements, sea defences and pedestrian priority to this quarter.

6.4 They further comment on North Quay that:

*The office view to the north, however picturesque, is in shade for the majority of the day, with the southern facing side overlooking a car park and retaining wall. Not ideal for residential tenure or public realm with substantial shadow casting from the existing building towards the water's edge. Repurposing the structure, although well intended, will retain these limitations and any refurbishment will not improve the public realm or wider sense of place due to its aspect and position between swathes of tarmac and relationship to the sun path.*

6.5 Expanding on the context the applicant has provided the following statement to provide context to this planning application:

*As major landowners and economic enablers, local authorities have a vital role to play in supporting the government's levelling up agenda, which aims to reduce the imbalances between areas and social groups across the United Kingdom through multiple projects intended to improve transport, communication, education, skills, healthcare, urban regeneration, and more.*

*The Levelling Up Fund (LUF) funding that Dorset Council has secured for the North Quay site will enable improvements to the harbour walls, public realm, and traffic improvement measures to North Quay road by moving it away from the harbour wall, diverting utilities, and securing retaining sea wall defences. This will leave North Quay as a clear site for private development in line with the requirement of the government funding.*

*The LUF funds need to be spent by March 2025 on these critical infrastructure areas. As a result, there is a clear need to obtain the necessary approvals to advance the site preparation work, clear the site for future development, and ensure that highway and utility work can begin. The demolition of the building is the first step in this process.*

*The memorandum of understanding agreement between Dorset Council and the government states that the Weymouth LUF funds will be used to create additional residential units, increase commercial floor space, improve public spaces, and improve sea defence's. If the council deviates from these outcomes, it could lose funding. As a result, there is a clear need for the council to submit a plan in the near future.*

*This project presents an excellent opportunity for Weymouth. It will not only provide much-needed new homes, but it will also improve the harbour facilities and public spaces around the marina. The development of the North Quay site will help to change the perception of the town from one of underinvestment and stagnation to a place that demonstrates new investment, benefits the local community, and boosts the local economy.*

## **7.0 Relevant Planning History**

WP/15/00031/OUT: Demolition of the existing office buildings and redevelopment with approximately 72 dwellings and approximately 216 sq. m. of commercial space (Outline) on land at Council Offices, North Quay, Weymouth, DT4. Decision: Conditional planning permission (outline) granted.

The permission reserved approval of the details of the layout, scale and appearance of the building(s) and the access to, and landscaping of, the site for subsequent approval. The application included an illustrative site layout arrangement predicated on re-establishing the line of Weymouth High Street between Trinity Road and West High Street. No reserved matters were approved pursuant to the planning permission which lapsed in July 2019.

WP/16/00745/OFF: Conditional approval was granted on appeal (APP/P1235/W/16/3165092) allowed on 26 January 2018 under the provisions of Class O, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) for the change of use of the building from office (Use Class B1) use to a use falling within Use Class C3 (Dwellinghouse) at land at Former Council Offices, North Quay, Weymouth, Dorset DT4 8TA. The permission granted under the General Development Order has since lapsed.

WP/19/00445/FUL: Demolition of existing building and provision of car park on land at Council Offices, North Quay, Weymouth. DT4 8TA.

Dorset Council's Western and Southern Area Committee considered the application in September 2019 and resolved that planning permission should be refused on the basis that: "The demolition as proposed is unacceptable as it does not encourage the reuse of

existing resources, including the conversion of existing buildings; and as such is contrary to para. 148 of the National Planning Policy Framework 2019.”

The para 148 reference actually is a reference to para 152 of the NPPF. The application was withdrawn following the committee meeting and so not formally determined.

## 8.0 List of Constraints

Within Defined Development Boundary

Adopted Local Plan Policy WEY7

Flood risk

Land contamination

Setting of Grade II listed buildings (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)

LB - 28, TRINITY ROAD listed building grade G2. HE Reference: 1148098 - Distance: 0

LB - Grade: II Listed Building: THE BOOT INN List Entry: 1141924.0; - Distance: 5.9

LB - Grade: II Listed Building: OLD TOWN HALL WITH RAILINGS List Entry: 1141923.0; - Distance: 13.83

LB - Grade: II Listed Building: 28, TRINITY ROAD List Entry: 1148098.0; - Distance: 2.72

LB - Grade: II Listed Building: 26 AND 27, TRINITY ROAD List Entry: 1148097.0; - Distance: 7.66

LB - Grade: II Listed Building: 25, TRINITY ROAD List Entry: 1148096.0; - Distance: 21.97

Secondary Shopping Frontage; Trinity Street, Weymouth - Distance: 0

Town Centre Areas; Weymouth - Distance: 0

Area of Archaeological Potential; Town Centre South of Harbour, Weymouth - Distance: 0

Westwey Road and North Quay Area; Westwey Road and North Quay Area - Distance: 0

Weymouth Town Centre Strategy; Weymouth Town Centre - Distance: 0

Landscape Character; Urban Area; Weymouth Urban Area - Distance: 0

Neighbourhood Area; Name: Weymouth; Status Designated 18/05/2020; - Distance: 0

Risk of Surface Water Flooding Extent 1 in 100 - Distance: 0

Risk of Surface Water Flooding Extent 1 in 1000 - Distance: 0

Risk of Groundwater Emergence; Groundwater levels are between 0.5m and 5m below the ground surface.; There is a risk of flooding to subsurface assets but surface manifestation of groundwater is unlikely.; - Distance: 0

Risk of Groundwater Emergence; Groundwater levels are between 0.025m and 0.5m below the ground surface.; Within this zone there is a risk of groundwater flooding to both surface and subsurface assets. There is the possibility of groundwater emerging at the surface locally.; - Distance: 0

Natural England Designation - RAMSAR: Chesil Beach & the Fleet (UK11012); - Distance: 2483.11

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 2463.43

Main River Consultation Zone - Distance: 13.09

Flood Zone 3 - Distance: 0

Flood Zone 2 - Distance: 0

## 9.0 Consultations

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

Weymouth Town Council Noting that the Council supports this application subject to the trees on and around the site being protected during the demolition and seek a commitment from Dorset Council to work with Weymouth Town Council to develop a future vision and strategy for the town centre and harbour.

Environment Agency No objection but noting:

“The majority of the site falls within present day Flood Zone 1, but flood risk will increase over time with the impacts of climate change. Although the carpark may be temporary, we recommend that the Planning Authority ensures that a suitable Flood Plan is in place, in consultation with the Emergency Planners, as considered necessary.”

“This development site appears to have been the subject of past industrial activity which poses a risk of pollution to surface waters.”

Historic England no objection and commenting:

“The proposals are for the demolition of the empty office block at North Quay Weymouth, and temporary use of the site for car parking. The existing building is of no architectural or historic merit and makes a negative contribution to the character and appearance of the Weymouth Conservation Area. The conservation area is included on our register of Heritage at Risk due to its declining condition.

We understand that the site forms part of an area identified for investment through the Government's Levelling Up Fund. There is an opportunity to use the site to further the sensitive regeneration of Weymouth's Harbourside in future phases.

We have no objection to these proposals but would like to be involved in preapplication discussions for further phases of the site's development. This would enable us to consider how future phases of the development might address the factors that have led to the inclusion of Weymouth Conservation Area on our Heritage at Risk register."

Natural England No response received.

Dorset Fire and Rescue No response received.

Dorset Wildlife Trust No response received.

Poole Harbour Commissioners No response received.

Dorset Police Crime Prevention Design Adviser No response received.

Dorset Council Assets and Property No response received.

Dorset Council Building Control stated "No comments".

Dorset Council Conservation Officer no objection and commenting:

"The building is not Listed however there are various Listed buildings immediately to the east (Trinity Road) and west (Old Town Hall and Boot Inn) of the site. The site is located within the Weymouth Town Centre Conservation Area fronting onto North Quay.

"The proposal would see the demolition of the existing substantial 4 storey building which sits in a prominent position within the street scene.

"The existing building is of no architectural or historic merit and it is considered that the building does not enhance the Conservation Area.

"The proposed demolition would not have a detrimental impact on the significance and setting of the neighbouring Listed buildings nor on the character and appearance of the Conservation Area."



Dorset Council Economic Development and Tourism No response received.

Dorset Council Environmental Protection noted that land contamination reports should be reviewed as normal by the council's land contamination consultants.

Dorset Council Flood Risk Management no objection and stating that drainage related conditions are not required. Commented:

“There is no increase in impermeable area and therefore no increase in peak surface water runoff rates. We generally seek to explore opportunities to provide a betterment for brownfield sites to reduce the peak surface water discharge rate in order to reduce the loading on the downstream drainage network and to reduce the potential for flooding. However, in this location, the site discharges directly to Weymouth Harbour. Therefore, no betterment of peak surface water discharge rates is required (or would provide any benefit) for this development.”

“For brownfield sites we also encourage any measures to improve the quality of surface water runoff. Table 26.2 of the CIRIA (753) SuDS manual, details a pollution hazard level for commercial roof land use, of ‘Low’ and lists a value for Total Suspended Solids, Metals and Hydrocarbons. The table also details a pollution hazard level for non-residential carparking land use, of ‘Low’ and lists a value for Total Suspended Solids, Metals and Hydrocarbons. Although the existing land use of the building and the proposed land use both have a ‘Low’ pollution hazard level, the proposed use (car park) has slightly higher values for Total Suspended Solids, Metals and Hydrocarbons. There may be opportunity to improve the quality of surface water runoff by fitting an oil separator, or gross pollutant traps to remove rubbish and sediment. There may be opportunity to install these within the drainage network when the site works are undertaken. The benefit may be marginal however, and therefore, I am recommending this strategy as an advisory note.”

Dorset Council Highways Asset Manager No response received.

Dorset Council Senior Archaeologist Advised that archaeological evaluation undertaken in 2021 by Context One Heritage and Archaeology involved the excavation of trial trenches in the car park areas only and that this exercise demonstrated the presence of well-preserved remains of historic Weymouth.

Considers that these remains would need to be recorded to an appropriate professional standard in advance of any development on the site that would impact on them.

The evaluation indicates that the archaeological deposits are not particularly deep, so considers it highly unlikely that anything of archaeological significance survives beneath the building, which had a basement level and considers that demolition of

the existing building would not need archaeological mitigation, provided demolition works took place within the building footprint only.

Further comments that the evaluation showed that in some places the archaeological remains are surprisingly close to the present surface (when the car park was constructed 50 years or so ago, it looks like the builders just laid some surfacing on the ground beneath) and considers that it is a matter of degree – if grading works are just at the edges of the footprint and close to the surface, would not be concerned, but if it is more extensive, archaeological mitigation (a ‘watching brief’ or even excavation) would be appropriate.

#### Dorset Council Transport Development Management

The Outline Method Statement provides details of the proposed demolition works and the construction of the new car parking area. It is further supported by a Construction Environmental Management Plan (CEMP). The new parking spaces are to be accessed from the existing internal circulation routes within the car park. There are no changes proposed to the existing means of accessing the current car parking facilities. Hence, the Highway Authority has NO OBJECTION, subject to the following conditions:

Before the development is occupied or utilised the accesses, geometric highway layout, turning and parking areas shown on Drawing Number 70085295-WSP-00-XX-DR-C-00001 Rev P05 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

Before the development hereby approved commences the submitted a Construction Environmental Management Plan (CEMP) must be implemented and adhered to fully for the full length of the construction period.

Reason: to minimise the likely impact of construction traffic on the surrounding highway network.

#### Dorset Council Landscape Architect

Indicated that Landscape Team will not be providing a comment on application.

#### Dorset Council Natural Environment Team

Advised that a Biodiversity Plan (BP) for this site has been submitted and that a decision on the application should not be issued until the biodiversity issues have been confirmed as resolved and implementation in full of the approved BP should be conditioned to any permission.

Dorset Council Public Health No response received.

Dorset Council Public Transport

Requested consideration for onward bus travel from this development (Car Park) to promote sustainable travel around the town and commenting that:

“The existing bus stop/shelter at the location will need enlarging to cope with greater numbers continuing their journey, or getting about by bus. Ideally I'd like the shelter improvement to be incorporated in the development or maybe with s106.”

Dorset Council Rights of Way No response received.

Dorset Council Tree Officer

Noted that principle of demolition is fine but that car park has virtually no significant tree planting within its boundary and that with emphasis on climate change, it is felt that a fully considered tree planting scheme will be needed for shading of parked cars, for filling the openness of the car park, and to add to amenity of the area. Tree planting condition recommended.

Dorset Council Urban Design Officer

No comment to make on this application but believe it would be useful to consult Planning Policy.

WPA Consultants Ltd

WPA were consulted as they provide advice to the local planning authority on contaminated land matters. They noted that the Phase 1 Desk Study Report recommended further invasive site investigation and that the Construction Environment Management Plan (CEMP) notes that contamination and hazardous substances require specific control measures. Further notes:

“Such required measures have not been detailed sufficiently. WPA concludes that there is a requirement for further characterisation of site soils and materials that have potential issues with contamination. Further work is required to generate data to inform risk assessment and site material control procedures in more detail to the mention provided within the CEMP. Contaminated land conditions can only be agreed as having been met to the extent of the provision of a Phase 1 investigation and general provisions concerning the control of pollution.”

Representations from Local Ward Members -

Councillor Brian Heatley- (Summary-full comments on website)-

I wish to object to this application. I am not against re-development of this site. I broadly accept as the basis for determining the future of this site the policy laid out in paragraph WEY7 of the local plan. This is a key site in Weymouth. Comprehensive scheme needed. In particular there is no proposal before the Committee even hypothetically that incorporates the existing building while making more efficient use of land.

objecting, raising concerns over:

- climate implications
- heritage assessment
- uncertain structural state of the building
- parking proposal.

Notes that:

Presented carbon assessment is an entirely hypothetical exercise.

There is no certainty that the Ben Pentreath proposal, or something like it in carbon performance, will come forward.

Demolition of building will mean re-use is no longer an option.

Carbon cost of construction will arise in next few years, while hypothetical saving will arise over the remaining 55 years or so of use. It is the next 10 years or so that are crucial for avoiding serious climate damage.

There is no assessment in the Carbon Impact Review of any scheme incorporating existing building but also developing more of the site. An important option is ignored. The Dorset Council Conservation Officer says the existing building is of *no architectural or historic merit* (my emphasis) and it is considered that the building does not enhance the Conservation Area. That surely is too sweeping. Architectural merit is quite a subjective matter. It could with imagination be incorporated in a wider scheme. 'No architectural merit' simply goes too far.

'No historic merit' is surely just wrong. This was a prestige building when it was built, which represents well the style and techniques of the time. At that time, looking back over a similar period, many Victorian and Edwardian buildings were demolished that we might now seek to preserve. We should place some weight on avoiding that error with representative buildings of the sixties and seventies.

It is hard to comment on effect on the Conservation Area without seeing what would follow demolition. Hard to see that a large car park will enhance Conservation Area. Report before the Committee on structure of building points to some minor and other possible structural issues but does not go so far as to suggest that re-use is impossible at reasonable cost.

Demolition of building will be irreversible.

Lack of certainty that a comprehensive re-development will happen.

Already too much car parking around the harbour; better to use some of this for housing, shops, restaurants, tourist attractions.

Councillor Clare Sutton-

Redevelopment of this site is long overdue and I entirely agree that, with reference to para WEY7 of the local plan, a comprehensive scheme is required to enhance the waterfront and make more efficient use of land. However, there are strong arguments both for and against this particular application. I don't think it's necessary to repeat the points submitted by my Rodwell and Wyke Dorset Councillor colleague Brian Heatley on 8.6.23 but, on balance, I wish to register my agreement with his objections re. climate implications, the heritage assessment, the structural condition of the extant building, and parking issues. In short:

1. While the delivery of Dorset Council's Climate Emergency Strategy does not hinge on the future of a single building in Weymouth, the Council does need to carefully consider the climate impact of everything it does. The huge carbon cost of construction proposed herein will accrue in the next few years but the 'saving' will not accrue for 60 years, and even then only if it is assumed that Dorset Council will only sell to a developer who guarantees to build to high carbon performance standards.
2. Whilst many people do not like the extant building, many do, and the view of the Conservation Officer, that it has no architectural or historic merit, is surely subjective. How many times have buildings been levelled only for that to be regretted decades later? If the structural state of the extant building is so poor that demolition is the only viable option so be it but the report as it stands does not indicate that to be the case and neither does it explore whether or not a good architect could create a sympathetic redesign in the context of the wider site.

### **Representations:**

27 letters of objection/comment have been received (to 10 June). The main planning-related points include-

- Application should be refused because it fails to demonstrate a policy driven or structural need for demolition of the building and has failed to demonstrate any tangible benefits of demolition.
- There is no future development plan for this site (just a car park). Any environmental impact assessment for future development of the site is pure conjecture.
- No reasonable grounds presented for proposed demolition.
- Application does not deliver value for taxpayers.
- No consideration of or proposals for sustainable transport.
- Proposed action is a politically driven decision contrary to the National Planning Policy Framework, the emerging Dorset Council Local Plan, Dorset Council's Climate Emergency Plan, the emerging Weymouth Neighbourhood Plan and the current practice in the building industry of re-using buildings based on an assessment of the whole of life carbon emissions.
- The applicant has conducted a campaign of misinformation, concealment and lies to support this appalling proposal.
- Supporting documents used to justify demolition contain errors and where corrected they do not support demolition.

- Proposal is for an unsustainable form of development.
- Applicant has failed to supply an Environmental Impact Assessment (EIA) as required by The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- Lack of realistic Carbon Impact Assessment.
- Ecological surveys have been redacted without explanation.
- Submitted asbestos survey is only a walk through survey, not a full survey which is required.
- Construction Environmental Management Plan should have been submitted after full asbestos survey.
- Proposal represents a wilful act of environmental and architectural vandalism, it does not represent sustainable development, it ignores national planning policy guidance and should be withdrawn.
- Demolition to provide a car park is contrary to planning policy.
- Proposal is contrary to National Planning Policy Framework which requires the planning system to "support the transition to a low carbon future in a changing climate" and to "encourage the reuse of existing resources, including the conversion of existing buildings".
- Proposal is contrary to Policy WEY7 of the Adopted Local Plan which states that a comprehensive scheme is required for North Quay which will complement the scale, rhythm and rich texture of the buildings in Trinity Road to the East and High West Street to the South so as to present an attractive frontage to the harbour and to respect the historic buildings of the old High Street.
- Proposal is contrary to policy ECON2, ECON3 and/or ECON4 of the Adopted Local Plan – loss of potential employment, harm to vitality and viability of town centre, and no provision for ongoing employment use on the Application Site.
- Proposal is contrary to policy ENV4 and paragraphs 2.3.13 and 2.5.3 of the Adopted Local Plan:
  - creating an unsightly gap in the street scene where there are no suitable arrangements in place to provide an approved replacement development in keeping with the character of the conservation area; and
  - the proposals is for a poor design that fails to take opportunities available for improving the character and quality of area and way it functions.
- Proposal is contrary to policy ENV13 of the Adopted Local Plan – it would not achieve high levels of environmental performance.
- Proposal is contrary to policy ENV15 of the Adopted Local Plan – it would not make efficient and appropriate use of land.
- Proposal is contrary to policy ENV16 of Adopted Local Plan which states that development proposals will only be permitted provided they do not generate unacceptable pollution, vibration or detrimental emissions unless it can be

demonstrated that the effects on amenity and living conditions, health and the natural environment can be mitigated to the appropriate standard.

- The North Quay Municipal building is of excellent design, materials and build quality.
- The building is structurally sound and is of local distinctiveness – the three principal facades being of local Portland stone. It is built to last and is ripe for repurposing.
- The building is an architecturally strong, enduring and dramatic piece that will improve as time goes by. It is well-made, fine structure.
- The building has potential to be used as housing, business, tourist accommodation and for community purposes.
- Existing assets should be preserved.
- National planning policy encourages the reuse of buildings. Proposal is for unnecessary and wasteful destruction of a sound and iconic building.
- Building is historically and architecturally important.
- Presence of building enhances character and appearance of area.
- The building represents Weymouth's diverse architectural heritage.
- Town has already lost too many iconic buildings.
- The building is beautiful and fills the space well .
- There are developers willing to re-purpose the building.
- Good building that has potential to be re-used.
- Building should be repurposed to conserve materials and energy.
- All developers interested in this site have wanted to repurpose this building because it is so very obviously the right thing to do on every level.
- The applicant has deliberately blocked any possibility of the building being reused.
- The application also does not prove that it is not economic to retain the building.
- Significant resources are tied up in the building. Demolition followed by reconstruction would be a wasteful use of resources.
- The idea that this substantial, useful, and valuable publicly owned asset should be wasted at vast taxpayer expense to make a car park is obscene.
- Having been built with tax payers money, the building should be returned to use by people across the social spectrum. The building has the space, longevity, location and infrastructure to support housing, community and business all at the same time.
- We cannot risk wasting this significant asset and the enormous quantities of resources and captured carbon that it embodies, when there is *no alternative plan at all* (least of all a viable, ethically sound, and sustainable one) for this site (other than a car park).
- The applicant has declared a climate emergency but wilfully chooses to disregard national planning policy which clearly encourages the reuse of existing resources, including the conversion of existing buildings.

- The short-sighted removal of previous buildings on the same land has become a matter of regret and this mistake should not be repeated.
- This is a prime commercial or residential site which should command a high value. Complaints about an "eyesore" principally relate to its dilapidation, vandalism and unloved look.
- Demolition of a functional building has an enormous and unnecessary carbon footprint.
- This building has a particularly high embedded carbon count because of its brutalist construction of steel and concrete.
- No viable scheme for alternative use of the site has been proposed, so it will become a poor quality parking space.
- Already too much car parking in town centre.
- Proposed car parking will detract from character and appearance of area.
- Existing building should be used to address housing shortage.
- The proposed funding for this proposal is a shocking misappropriation and misuse of very significant sums of public money.
- Council should consider bigger picture in making planning decisions. Priority should be contributing to 'net zero'.
- Additional car parking will encourage car use adding to emissions and congestion.
- Waste of a public asset and resources.
- Alternative use should be found for site (e.g. park; skate park; cycle park)
- The carbon impact assessment commissioned by Dorset Council was proven unfit for purpose and the Applicant was forced to re visit it several times at great public expense), presumably in an attempt to achieve a favourable result. It did not.
- The recently revised (version six) of the Architype report clearly shows that the (fictional) proposed new build re-development would increase the Total Lifecycle Carbon Impact of the site by 9038 tons of CO2.
- The carbon impact of demolition and replacement with (a fictional/ theoretical) new development significantly outweighs that of retention and repurposing of the existing building, even over a period of 60 years, at (highly unlikely) best-case scenario, according to this document, commissioned by the applicant.
- To date the environmental impact of the "interim" car park has not been considered at all regarding this proposal and would increase the carbon impact further if realised.
- There is no guarantee that this site will not remain a car park for years to come. This is in direct contradiction of a covenant that the applicant had placed on the sales particulars of this very site in 2015.
- This site has been lain to waste for too long because the applicant refuses to do the logical, environmental, and commercial right thing. This is of detriment to Weymouth. This is a disgraceful mark of shame upon the applicant.
- There is a shortage of 'affordable' and 'social' housing in Weymouth and re-using the building immediately would go some way to resolving this.



### Other Comments:

- Application should be subject to screening under the Environmental Impact Assessment Regulations.
- Archaeology should be investigated prior to redevelopment.
- Please bring back the old high street.
- Use as car park should be stopgap.
- Chapelhay Gardens should be protected.
- Whole saga has been an embarrassment.
- Site should be redeveloped to blend in with the old Fire Station redevelopment.
- Site contain 14 mature large growing trees which are of considerable important to the environment and landscape of Weymouth. It is very important that these trees are protected and retained. If removal is necessary, a planning condition should be placed that requires their replacement with equivalent large-growing trees or other suitable tree type.
- If there is a compelling reason to grant planning permission for demolition before comprehensive plans have been agreed, the permission should prevent demolition until a replacement has been granted planning approval.
- Previous application was rejected/withdrawn because of potential carbon implications of demolition. Carbon implications of demolition cannot properly be assessed without knowledge of proposed replacement.
- Existing building should be listed in honour of the Tudor house that was destroyed to allow its construction.

11 letters of support have been received. The main planning-related points include:

- Building has been abandoned and derelict for many years.
- Building is an eyesore, out of place and a blot on townscape.
- Building is unoccupied and decaying.
- Building has little or no architectural merit.
- Building detracts from character and appearance of the Weymouth Town Centre Conservation Area.
- Support demolition so that something more aesthetically pleasing and economically supportive can be built there, something to increase the tourist trade by capitalising on our history.
- The building should never have been built.
- The local council is woefully inept. Please - be decisive, proactive and diligent, and give us something that we can all be proud of.
- Application documents say that a new build can be carbon neutral overall, and it will make better use of the site with the current building removed.
- If this application is refused then the ongoing costs of keeping this building in its current state, approximately 100K per year, paid out of taxes, and the

carbon used to generate that money, will outweigh any savings that could be gained by reusing the current buildings frame and footings.

## **10.0 Duties**

s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

The Planning (Listed Buildings and Conservation Areas) Act 1990- section 66 includes a general duty 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.

Section 72 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

Government planning policy set out in the National Planning Policy Framework ('the NPPF') makes clear that the purpose of the planning system is to contribute to the achievement of sustainable development (NPPF, paragraph 7) and that achieving sustainable development means that the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways, so that opportunities can be taken to secure net gains across each of the different objectives (NPPF, paragraph 8).

## **11.0 Relevant Policies**

### **Development Plan:**

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

- INT1. Presumption in Favour of Sustainable Development
- ENV1. Landscape, Seascape and Sites of Geological Interest
- ENV2. Wildlife and Habitats
- ENV4. Heritage Assets
- ENV5. Flood Risk
- ENV9. Pollution and Contaminated Land
- ENV10. The Landscape and Townscape Setting
- ENV11. The Pattern of Streets and Spaces
- ENV12. The Design and Positioning of Buildings
- ENV15. Efficient and Appropriate Use of Land
- ENV16. Amenity
- ECON3 Protection of other employment sites
- SUS1. The Level of Economic and Housing Growth
- SUS2. Distribution of Development

- COM7. Creating A Safe and Efficient Transport Network
- COM9. Parking Standards in New Development  
WEY1 Weymouth Town Centre Strategy
- WEY7 Westwey Road and North Quay Area

The most relevant policy of the Adopted Waste Plan is:  
Policy 22 – Waste from new developments.

### **Material Considerations:**

#### **Neighbourhood Plan**

The Application Site is located within the civil parish of Weymouth for which there is currently no made and no post-examination draft neighbourhood development plan.

#### **National Planning Policy Framework 2021:**

2. Achieving sustainable development
3. Plan-making
4. Decision-making
6. building a strong, competitive economy
7. Ensuring the vitality of town centres
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

#### **Other material considerations**

Weymouth Town Centre Conservation Area Character Appraisal

Weymouth Town Centre Masterplan SPD 2015

Dorset Council Parking Standards

Dorset Council Natural Environment, Climate and Ecology Strategy 2023-25

## **12.0 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.

### **13.0 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 increased availability of car parking in close proximity to shops and facilities would benefit elderly or less able persons in terms of facilitating access.

### **14.0 Financial benefits**

#### Material considerations

Increased revenue from 45 additional parking spaces  
Savings on maintenance costs of building  
Employment during demolition/construction phase

#### Non material considerations

None.

### **15.0 Environmental Implications**

15.1 Use of powered machinery releasing CO2 and carbon monoxide during demolition phase. Loss of embodied energy in the building materials, etc. Maximising re-use of existing on-site materials will minimise off-site transport of these and any consequent emissions. Potential increased emissions from those vehicles powered by fossil fuels making use of the larger car park area. However, this must be balanced against the merits of advancing the site towards a condition more prepared for a potential redevelopment.

### **16.0 Planning Assessment**

#### **Principle of development:**

16.1 The site lies within the defined development boundary of the town where development is normally permitted subject to relevant material planning considerations. The adopted West Dorset, Weymouth and Portland Local Plan 2015 includes policy WEY1 (Weymouth Town Centre Strategy). This includes reference to preparation of a masterplan as supplementary planning guidance to guide town centre development generally and including more detailed guidance on several areas including the Westwey Road and North Quay area. In this context the Local

Plan also includes Policy WEY7 (Westway Road and North Quay Area). This policy states:

- i) *The Westway Road and North Quay area will be redeveloped for mixed uses which may include residential, hotel, commercial and small scale retail development so as to create an active street and waterfront.*
- ii) *A comprehensive scheme is required for North Quay which will complement the scale, rhythm and rich texture of the buildings in Trinity Road to the East and High West Street to the South so as to present an attractive frontage to the harbour and to respect the historic buildings of the old High Street. Redevelopment can proceed in phases provided it does not compromise the above objectives.*

The principle of extending the car park over the footprint of the removed building would not compromise the above policy objective.

16.2 Furthermore, approved outline planning application WP/15/00031/OUT in 2016 accepted the principle of removal of the existing building to allow for the redevelopment of the site for up to 72 dwellings and up to 216m<sup>2</sup> of commercial floor space.

16.3 This application represents an interim step in preparing the site for potential redevelopment in the future, whilst ensuring the site continues in an appropriate use in the meantime. The wider site and the former Fire Station site (now re-developed) fall within the area covered by Local Plan policy WEY7. The Weymouth Town Centre Masterplan Supplementary Planning Document also includes reference to this Harbourside area indicating that “the existing development along the whole of the site frontage is unattractive” (now accepting that the Old Fire Station element of street scene is now sympathetically redeveloped). Hence, the longer-term objective of a comprehensive redevelopment of this site would not be prejudiced by this current application.

16.4 However, the principle of this development also requires consideration of the loss of the former office building which constitutes an undesignated heritage asset. This aspect is therefore explored below.

### **Heritage-related Considerations:**

16.5 The site occupies a prominent site in the Weymouth Town Centre Conservation Area. A Heritage Statement was provided with the application. Historically the site supported characterful buildings which were lost as a result of WW2 bombing. The building subject of this application resulted from a post-war redevelopment of the site. The building is 4 storey with a small top pavilion and crown feature, and was the former civic offices of Weymouth and Portland Borough Council opening in 1971. It has a slab and frame construction with the front and side elevations mainly in Portland Stone, with brick to the rear. The elevations have alternating stone and window panels.

16.6 The Weymouth Town Centre Conservation Appraisal (2012) includes the building in its category of “Detrimental characteristics”. It states: “While the building

may have architectural merit its imposition on the earlier historic street pattern of Weymouth, including the clearing of High Street is to the detriment of the area". This is a building which is highly prominent and visible from a variety of viewpoints in the locality. It also lies in the vicinity of historic buildings, including 28 Trinity Road, the listed Boot Inn to the west, the Old Town Hall, the terraced houses of High West Street, the listed Town Bridge and the grade II\* Trinity Church. However, there is a separation of about 45m between the east side of the building and the west elevation of 28 Trinity Street, the closest listed building to the east. Similarly, there is a separation distance of c 40m to the Boot Inn, the nearest listed building to the west.

16.7 Historic England have no objection to the proposed development and nor does the Councils Conservation officer (their comments are set out above in section 9).

16.8 Although it can be said the building has a distinctive design and appearance it is not considered this is of sufficient architectural or historic merit to warrant its retention. Furthermore, it is significant that the Weymouth Town Centre Conservation Appraisal includes this building in its category of "Detrimental characteristics". In visual terms the removal of this building would (temporarily) "open up" the site substantially in a way which would allow some increased public views of the rear historic walling, listed and/or historic buildings and the rear vegetated planting area below Chapelhay Gardens. The interim use as extra parking spaces would be visually similar to the existing surrounding parking area and the tarmac surface would be similar to the existing.

In these circumstances it is considered that the scheme would, in that sense, preserve the character of the conservation area.

16.9 In these circumstances it is considered that there would be no harm to the character of the conservation area, nor to the setting of the listed buildings in the locality. The scheme is considered to preserve the conservation area.

16.10 It is considered that the proposal will not adversely affect the setting of the listed buildings nearby. This conclusion has been reached having regard to: (1) section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the setting of Listed Buildings; and (2) Local Plan policy. The proposal is considered to preserve the character of the conservation area. This conclusion has been reached having regard to: (1) section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 that requires special regard to be paid to the desirability of preserving or enhancing the character or appearance of a conservation area; and (2) Local Plan policy.

### **Archaeology:**

16.11 The site has been subject to an archaeological evaluation in June 2021. The site is located over the former Old High Street which occupies part of Weymouth's historic core from the Medieval period to development in the 1960's. Evidence of the historic layout of properties was found, together with a range of artifacts associated with domestic and commercial activities.

16.12 The Senior Archaeologist comments that:

*the archaeological evaluation undertaken in 2021 by Context One Heritage and Archaeology involved the excavation of trial trenches in the car park areas only and that this exercise demonstrated the presence of well-preserved remains of historic Weymouth.*

He considers that these remains would need to be recorded to an appropriate professional standard in advance of any development on the site that would impact on them. The evaluation indicates that the archaeological deposits are not particularly deep, so considers it highly unlikely that anything of archaeological significance survives beneath the building, which had a basement level and considers that demolition of the existing building would not need archaeological mitigation, provided demolition works took place within the building footprint only.

16.13 The archaeologist further comments that the evaluation showed that in some places the archaeological remains are surprisingly close to the present surface (when the car park was constructed 50 years or so ago, it looks like the builders just laid some surfacing on the ground beneath) and considers that it is a matter of degree – if grading works are just at the edges of the footprint and close to the surface, he would not be concerned, but if it is more extensive, archaeological mitigation (a ‘watching brief’ or even excavation) would be appropriate. This aspect can be conditioned.

#### **Condition of the building:**

16.14 This building was designed in the 1960’s and completed in the early 1970’s and has not been occupied since mid 2017. An Existing Building Study and Structural Report (compiled by GAP) has been submitted. Whilst it appears structural defects are relatively minor, there are nevertheless signs of developing significant problems including water ingress through the third floor roof slab and potentially through the ground floor. The interior has suffered from vandalism/trespass and water damage and the exterior suffered broken windows/necessary boarding-up. Whilst the superstructure and substructure appear to be of relatively robust construction there are notable defects such as structural elements at roof level showing excessive carbonation within the concrete encasement, suggesting potential corrosion of the underlying steelwork. The application does not include information on the relative costs of re-use versus demolition/re-development. However, it would be reasonable to say it is a building which would require significant work and expenditure if it was to be retained for a beneficial use.

#### **Residential amenity:**

16.15 Regarding the demolition/construction phase a Demolition Works - Outline Method Statement and a Construction Environmental Management Plan (CEMP) have been submitted. These explain the sequence of events in terms of demolition/construction and procedures. A wide range of issues including measures

to mitigate noise, dust and disturbance are included during the demolition phase. As such this would be beneficial to minimising any residential amenity effects relative to residential properties in the locality of the site. These documents form the basis for a planning condition with additional detail including appropriate CEMP appendices, to be conditioned.

16.16 Regarding the actual car park extension, the wider site is already in use as a pay and display car park and as such the normal activities of starting, driving and headlamps at night are established in this area. It is considered the scheme is acceptable in residential amenity terms.

### **Employment Considerations:**

16.17 Whilst the last use was for employment, the site has been vacant for 6 years, and policy WEY7 does not preclude commercial use as part of a mixed use development. The employment that occurred at the site has not been lost since those who worked at the offices now work elsewhere for the Council.

### **Arboricultural Considerations:**

16.18 Along the North Quay frontage is a narrow strip of amenity grassland that contains six trees (3 x Silver Birch, 1 x Holly, 1 x Cherry, and 1 x Ash -varying around 6-8m height). Seven further birch trees (circa 8-11m high) are present within the parking areas at either end of the office building. Also present within the site are areas of scrub/shrubs.

The Tree Officer responded that:

*the principle of demolition is fine but that the car park has virtually no significant tree planting within its boundary and that with emphasis on climate change, it is felt that a fully considered tree planting scheme will be needed for shading of parked cars, for filling the openness of the car park, and to add to amenity of the area. Tree planting condition recommended.*

16.19 The Case Officer would comment that the retained trees, due to their distribution to the east and west of the building, do actually provide a useful visual “softening” of the existing car park area. Secondly, given that the proposed use is temporary it is not considered “conventional” tree planting of a site allocated for redevelopment is appropriate. However, additional trees in pots/planters are proposed (see section below).

### **Ecological Considerations:**

16.20 A revised biodiversity mitigation plan (BMP) has been submitted which includes compensatory measures for the loss of the 6 frontage trees. This includes 10 replacement trees in pots/planters on the site along the northern frontage. The species would include apple, flowering dogwood and maples. This BMP was certified



acceptable by the Natural Environment Team on 16/5/23. The submitted biodiversity net gain assessment indicates this would exceed the 10% figure sought.

16.21 The application has been assessed under the Habitats Regulations regarding an Appropriate Assessment by the Councils Senior Environmental Assessment Officer, with the following comments:

*The site lies within 5km of the Chesil Beach and Fleet Special Area of Conservation and the Chesil and the Fleet Ramsar. 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.*

*The proposed development will result in the provision of an extra 45 car parking spaces approximately 2.5km to the north of the Chesil and Fleet European Site. It is considered likely that the vast majority of those using the additional car parking will do so to use the services and facilities within Weymouth rather than access Chesil and the Fleet for recreational purposes, given the proximity of the car park from the European site and the provision of other more convenient car parking significantly closer to the European Site.*

*Therefore, in the absence of a viable pathway between the proposed development and the increase in recreational pressure at Chesil and the Fleet, the proposed development will not result in a likely significant effect upon the European site.*

16.22 Natural England have seen this conclusion and have no objection to it. As such it is considered that there would be no adverse impact on protected sites.

### **Sustainability Aspects:**

16.23 A Sustainability Assessment has been provided. Demolition would provide c 2000m<sup>3</sup> of stone/brick. This would be crushed on-site to a coarse base material. Firstly, this would infill the basal ground area on-site. The remaining material would be removed from site but used for highways projects within the Dorset Council area. Hence, this approach would minimise any transport of the material, and would reduce any need of the Council to “buy-in” material from further afield. This would result in less emissions and pollution due to the reduced transportation needed with environmental benefits. The approach to demolition outlined would be consistent with Waste Plan Policy 22.

16.24 A Construction and Environmental Management Plan (by Hanson) has been submitted. This includes a demolition “soft-strip” whereby non-structural items such as doors, windows, partitions, plasterboard, etc will be sorted such that these can be placed in separate skips for re-cycling/re-use before removal from site. This approach therefore helps to minimise any waste to landfill.

16.25 A Carbon Impact Review prepared by Aecom (dated 20/3/23) has also been submitted which includes exploring the option of refurbishment of the existing building versus a new build scheme.

16.26 The review was intended to demonstrate that it would be possible to end up with a reduced carbon development as a result of a new build scheme rather than refurbishing and converting the existing building. There are however inherent limitations with the review in that it was considering a new build scheme which does not currently have planning permission and may not be the scheme that the Council chooses to seek planning permission for in the future and as such the review is therefore somewhat hypothetical.

16.27 Perhaps more pertinent is that whilst the NPPF does encourage the re-use of existing resources, it does not require them to be re-used. The Council's Natural Environment, Climate and Ecology Strategy 2023 to 25 Refresh has the objective: "Develop to high standards that cuts operational and embodied carbon, energy, water, and materials use, protects and enhances nature, and ensures climate resilience". There are then a series of actions set out, the second being:

2. Promote sustainable materials use and waste management: Promote sustainable construction (using the BREEAM tool) and waste management to drive waste up the waste hierarchy. For infrastructure, cut natural resource use, waste, pollution, and primary aggregate use in favour of reused or recycled materials. And prioritise reuse, remodelling, maintenance and improvement of existing assets.

The Strategy is a material consideration but again like the NPPF it doesn't require reuse of existing assets.

Demolition of existing resources is to be considered on a case by case basis having regard to the policies of the development plan, the NPPF and all relevant considerations. Why the demolition of the existing building is considered acceptable is set out in the conclusion of this report.

### **Flood-risk:**

16.28 A Flood Risk Assessment was submitted as part of the application. Most of the site lies within Flood Zone 1 with a smaller part to the north-east side of the site in Zones 2 and 3. A car park is a less vulnerable use than the former use and is compatible with these zones. The application is accompanied by a Surface Water Management Statement and a Drainage Maintenance Plan (each prepared by WSP). The existing drainage systems would be modified to accommodate surface run-off. There would be no increase in impermeable area, and the existing drainage system retained with modification of the network with discharge continuing to the harbour.

16.29 The Flood Risk Management Team have no objection and the Environment Agency responded similarly, although they did advise a Flood Evacuation Plan be included. This can be conditioned. (The comments of these consultees are in Section 9).

## **Land contamination:**

16.30 This application is supported by a Contaminated Land Desk Study Phase 1 Reports (7/1/15). Other reports submitted include: Ground Investigation report, Unexploded Ordnance Study, Existing Building Study and Structural Report by GAP and an Asbestos Re-inspection report by Airsafe Surveys Ltd.

16.31 The Land contamination Reports identified historic potentially contaminating activities occurring on the site. These were related to the presence of a timber yard, garages with associated fuel tanks and commercial uses.

16.32 The Council's Environmental Protection Officer responded that land contamination reports should be reviewed as normal by the Council's land contamination consultants. Accordingly, WPA Land Contamination Consultants responded noting that the Phase 1 Desk Study Report recommended further invasive site investigation and that the Construction Environment Management Plan (CEMP) notes that contamination and hazardous substances require specific control measures. In light of this appropriate land contamination conditions would be recommended.

## **Highways:**

16.33 The new parking spaces are to be accessed from the existing internal circulation routes within the car park. There are no changes proposed to the existing means of accessing the current car parking facilities via North Quay and New Road. The Highway Authority have been consulted and raise no objection subject to conditions including internal layout, turning and parking as shown on the submitted site layout plan (70085295-WSP-00-XX-DR-C-00001 Rev P05), and to the submitted Construction Environmental Management Plan.

16.34 The Council's Public Transport Section requested consideration for onward bus travel from this development (Car Park) to promote sustainable travel around the town commenting that: *The existing bus stop/shelter at the location will need enlarging to cope with greater numbers continuing their journey, or getting about by bus. Ideally I'd like the shelter improvement to be incorporated in the development or maybe with s106.*

16.35 The Case Officer note this request but does not consider this particular proposal justifies the enlargement of the bus shelter because the car park location is likely to be primarily for visitors who would then enter the town on foot given the short distance, and bearing in mind the proposed car park is proposed as a temporary measure.

## 17.0 Conclusion

17.1 The current application represents an opportunity to move forward the development potential of this site in a way which does not prejudice the comprehensive development objectives within the adopted Local Plan policy WEY7. The applicant views this proposal as an “interim” position in that it wishes to make appropriate temporary use of the site until circumstances allow progression towards its re-development. The removal of the building and the temporary use as a car park can be viewed as “phase 1” of the longer-term redevelopment objective, as WEY7 states; *redevelopment can proceed in phases provided it does not compromise the above objectives.*

17.2 The existing building, whilst distinctive, is not regarded as of sufficient architectural or historic quality as to justify its retention. The Conservation Appraisal regards the building as being detrimental. Policy WEY7 makes no reference to retaining the existing building -thus implying its removal is expected. Indeed, the principle of the removal of the building was accepted by the 2016 outline permission. The interim use as a car park (given that all the surrounding land is already car park) would not compromise the stated planning policy objective. The car park is applied for as “temporary” reflecting the intention to redevelop the site. It is considered appropriate to limit the use of the land for parking to a 3 year temporary period, via a planning condition, thus reflecting the intention for a redevelopment in due course.

17.3 An additional 45 spaces is potentially useful because it would add to the capacity of car parks on this side of the town, so providing convenient parking in close proximity to the many facilities in this important seaside town, and particularly to the Brewers Quay/Hope Square side of the town.

17.4 In the context of the NPPF and achieving sustainable development, in terms of the economic thread the scheme would provide employment during the demolition and construction phase. From a social perspective the proposal would facilitate local people and tourists reaching the social and cultural facilities in the town, by providing additional parking in easy access to the harbour and town centre. Regarding the environmental perspective a building which is judged in the Conservation Area Appraisal as detrimental would be removed resulting in no harm to the conservation area and no harm to the setting of listed buildings. Furthermore, an acceptable biodiversity mitigation plan has also been approved.

17.5 Accordingly, it is considered that the scheme is acceptable in the context of policy WEY7 of the local plan and that it would have an acceptable effect in relation to heritage assets. The scheme would be acceptable in residential amenity terms and in relation to highway safety. It is considered in accordance with the content and/or spirit of policies INT1, ENV1, ENV2, ENV4, ENV5, ENV9, ENV10, ENV16, COM7, COM9, WEY1 and WEY7 of the adopted West Dorset, Weymouth and Portland Local Plan 2015, and in relation to the NPPF. The proposal would enable a comprehensive redevelopment scheme to come forward in the future which fully utilises the wider sites’ maximum developable area.

## 18.0 Recommendation

Grant subject to conditions:

1.The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan received 30/3/2023

Proposed Car Park Schematic Layout 70085295-WSP-00-XX-DR-C-0001 P05

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

2.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).

3.This permission for use as an additional car parking area shall be limited to the period ending 31 July 2026. At the end of this period the use of the additional car parking area shall cease, and the land restored in accordance with a scheme which shall first have been submitted to and approved in writing by the local planning authority. The agreed restoration scheme shall be completed by 31<sup>st</sup> October 2026.

Reason: To exercise control over the temporary use and to enable review of the potential redevelopment of the site.

4. No development approved by this permission shall be commenced until a Demolition/Construction Management Plan (based on the already submitted CEMP) has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and within an agreed timetable.

The plan shall include pollution prevention measures, (including details of any crusher equipment to be used), arrangements for the protection of local residents from noise, vibration and dust from the development and proposals to ensure that-

Hours of works are limited to-

08.00- 17.00 Monday-Friday

08.00-16.00 Saturday

No working on Sundays or Bank Holidays

The start up of vehicles and machinery is only carried out in a designated area, as far way from residential/sensitive areas as practicable.

The start up of vehicles/equipment etc. is limited to 30 minutes prior to the hours of demolition/construction only.

Details of the construction traffic shall be provided.

Reason: To protect residential amenity, to minimise the likely impact of construction traffic on the surrounding highway network, prevent pollution of the water environment and to protect water quality interests.

5. The surfacing of the additional car park area shall be similar to the existing car park in materials, finish and colour.

Reason: To protect the character of the conservation area

6. The car park extension hereby approved shall not be first brought into use until the surface water drainage scheme shall have been fully installed in accordance with for Surface Water Management Statement, by WSP, version 2, and dated 21 February 2023. The scheme shall thereafter be maintained in accordance with the Drainage Maintenance and Management Plan Report by WSP, ref DR001, rev 1 and dated 24 February 2023.

Reason: To ensure appropriate site drainage and its maintenance.

7. The detailed biodiversity mitigation, compensation and enhancement set out within the approved Biodiversity Plan dated 10/5/23 certified by the Dorset Council Natural Environment Team on 16/5/23 must be implemented in accordance with any specified timetable and completed in full (including photographic evidence of compliance being submitted to the Local Planning Authority in accordance with section J of the Biodiversity Plan prior to the substantial completion, or the first bringing into use of the development hereby approved, whichever is the sooner. The development shall subsequently be implemented entirely in accordance with the approved details and the mitigation, compensation and enhancement/net gain measures shall be permanently maintained and retained.

Reason: To mitigate, compensate and enhance/provide net gain for impacts on biodiversity.

8. Prior to the commencement of any development hereby permitted, a scheme detailing arrangements for archaeological observation and recording that shall take place during any excavations (beyond the footprint of the building to be demolished) within the application site shall be submitted to the local planning authority for approval. The development shall thereafter be carried out in accordance with the approved scheme of observation and recording.

Reason: To ensure any archaeology is correctly and adequately recorded.

9. Prior to the commencement of the development hereby approved the following information shall be submitted to and agreed in writing by the Local Planning Authority: 1) a 'desk study' report documenting the site history. 2) a site investigation report detailing ground conditions, a 'conceptual model' of all potential pollutant linkages, and incorporating risk assessment. 3) a detailed scheme for remedial works and measures to be taken to avoid risk from contaminants/or gases when the site is developed. 4) a detailed phasing scheme for the development and remedial works (including a time scale). 5) a monitoring and maintenance scheme to include monitoring the long-term effectiveness of the proposed remediation over a period of time. The Remediation Scheme, as agreed in writing by the Local Planning Authority, shall be fully implemented before the development hereby permitted first comes in to use. On

completion of the development written confirmation that all works were completed in accordance with the agreed details shall be submitted to the Local Planning Authority.

Reason: To ensure potential land contamination is addressed.

10. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority and an investigation and risk assessment must be undertaken in accordance with requirements of BS10175 (as amended). Should any contamination be found requiring remediation, a remediation scheme, including a time scale, shall be submitted to and approved in writing by the Local Planning Authority. The approved remediation scheme shall be carried out and once completed a verification report shall be submitted within two weeks of completion and submitted to the Local Planning Authority.

Reason: To ensure risks from contamination are minimised.

11. Prior to the commencement of any development hereby approved, all existing trees and hedges shown on approved plan 70085295-WSP-00-XX-DR-C-0001 P05 to be retained, shall be fully safeguarded in accordance with BS 5837:2005 (Trees in relation to construction - recommendations) or any other Standard that may be in force at the time that development commences and these safeguarding measures shall be retained for the duration of construction works and building operations. No unauthorised access or placement of goods, fuels or chemicals, soil or other material shall take place within the tree protection zone(s).

Reason: To ensure that trees and hedges to be retained are adequately protected from damage to health and stability throughout the construction period and in the interests of amenity

12. Before the development is utilised the accesses, geometric highway layout, turning and parking areas shown on Drawing Number 70085295-WSP-00-XX-DR-C-00001 Rev P05 must be constructed, unless otherwise agreed in writing by the Planning Authority. Thereafter, these must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

13. The car park hereby approved shall not be first brought into use until a Flood Warning Plan and means of its implementation shall first have been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out and maintained in accordance with the agreed details.

Reason: In the interests of minimising risk to public safety.

**Informatives:**

NPPF Approval.

For brownfield sites the Environment Agency also encourage any measures to improve the quality of surface water runoff. Table 26.2 of the CIRIA (753) SuDS manual, details a pollution hazard level for commercial roof land use, of 'Low' and lists a value for Total Suspended Solids, Metals and Hydrocarbons. The table also details a pollution hazard level for non-residential carparking land use, of 'Low' and lists a value for Total Suspended Solids, Metals and Hydrocarbons. Although the existing land use of the building and the proposed land use both have a 'Low' pollution hazard level, the proposed use (car park) has slightly higher values for Total Suspended Solids, Metals and Hydrocarbons. There may be opportunity to improve the quality of surface water runoff by fitting an oil separator, or gross pollutant traps to remove rubbish and sediment. There may be opportunity to install these within the drainage network when the site works are undertaken.