

Application Number:	P/LBC/2026/01598
Webpage:	https://planning.dorsetcouncil.gov.uk/plandisp.aspx?recno=427492
Site address:	142 The Esplanade Weymouth DT4 7PB
Proposal:	Replacement of the rear dormer casement-style windows at roof level
Applicant name:	Mr James Lee
Case Officer:	Nicola Yeates
Ward Member(s):	Cllr Orrell

1. This application has been brought to committee as the building to which the application relates is owned by Dorset Council.
2. **Summary of recommendation:** Grant subject to conditions.
3. **Key planning issues**

Issue	Conclusion
Impact on Heritage Asset, Setting and Conservation Area.	No adverse impact.

4. Description of site

- 4.1 No.142 Esplanade, Marina Court Hotel, is Grade II Listed, a group listing with No.123-138 known as Victoria Terrace. No.142 is a mid-terrace 3 storey property with a lower ground floor and attic space. The property fronts onto the Esplanade with views towards the beach and Weymouth Bay. To the rear of the property there are various extensions and parking spaces which can be accessed from Victoria Street. The rear elevation of the main element of the property is the subject of this application with the dormer being located at attic level.
- 4.2 No.142 forms part of a prominent group of buildings located within the Weymouth Town Centre Conservation Area. The significance of this terrace of properties is derived from their architectural, historic and group value and are considered to make a positive contribution to the Conservation Area.

5. Description of development

Replacement of the rear dormer casement-style windows at roof level.

6. Background and relevant planning history

88/00852/LBC - Decision: GRA - Decision Date: 23/11/1988

Extension to basement and ground floor and provision of en-suite shower rooms and bathrooms to guest bedrooms.

88/00851/FUL - Decision: GRA - Decision Date: 23/11/1988

Extension to basement and ground floor and provision of en-suite shower rooms and bathrooms to guest bedrooms.

WP/14/00381/LBC - Decision: GRA - Decision Date: 25/10/2016

Re-roofing of existing flat roof to rear.

WP/16/00534/LBC - Decision: GRA - Decision Date: 14/09/2016

Roof repairs (new battens and felt).

7. List of constraints

Grade II Listed VICTORIA TERRACE, 123-138, ESPLANADE HE Reference: 1365870 (*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*).

8. Consultations

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

Consultees

- 1. Weymouth Town Council** - The Council supports this application and raises no objection.
- 2. Melcombe Regis Ward Member** – No comment received.

Representations received – None.

9. Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990 - 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 when considering whether to grant listed building consent.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

The following policies are considered to be relevant to this proposal:

West Dorset, Weymouth and Portland Local Plan (2015)

ENV4 Heritage Assets

Made Neighbourhood Plan

Weymouth Neighbourhood Plan - 2021-2039 - (made 29/01/2026)

W45 - Heritage assets

Material considerations

Emerging local plans:

Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 31 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. Proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date then permission should be granted unless specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that 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. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

11. 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. 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 proposal will not impact on people with protected characteristics.

13. Assessment

Impact on Heritage Asset, Setting and Conservation Area

- 13.1 The proposal seeks to replace the existing casement-style window arrangement located at attic level (rear elevation) within the existing flat roof dormer. The proposal benefitted from pre-application advice which has informed this application.
- 13.2 The replacement window arrangement would be of a 'like for like' style and design comprising of 2no. sections each with 4no. opening casements (2no. side opening and 2no. top opening).

- 13.3 As stated within the submitted documentation, the proposal is required as the existing windows are in poor condition, ill-fitting and with significant wet rot deterioration present behind the current paint coating.
- 13.4 The existing is a softwood timber casement-style dormer window arrangement with single glazing, glazing bars and painted white.
- 13.5 The existing casement-style dormer window arrangement is considered a modern addition and therefore the proposal would not see a loss of historic fabric.
- 13.6 The proposed replacement would be to match the existing; softwood timber casement-style dormer window arrangement with glazing bars and painted white. However, there would be the introduction of double glazing to improve the thermal performance. The submitted detail drawings show 14mm Slimlite double glazing with traditional glazing bars (rather than applied bars) which is supported.
- 13.7 The proposal would preserve this listed building addressing draft and water ingress issues whilst not altering the character and appearance of the host building nor the neighbouring Listed buildings.
- 13.8 The location of the dormer means it is clearly visible from outside of the site and the wider Conservation Area. However, as the proposal would not see the buildings character and appearance altered, the proposal would not impact the street scene nor the encompassing Conservation Area.

14. Conclusion

- 14.1 It is concluded that the proposal would preserve the special architectural and historic interest of this heritage asset and therefore would not result in harm to the significance of the Listed building. The proposal would not result in harm to the neighbouring Listed buildings nor the Weymouth Town Centre Conservation Area.
- 14.2 In reaching this conclusion the proposal has been assessed with regard to the duties under section 16 of the NPPF (as amended 2025) and applying Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. Recommendation: Grant listed building consent subject to the following conditions:

- 1. The work to which this listed building consent relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.

Reason: This condition is required to be imposed by reason of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

- 2. The works hereby permitted shall be carried out in accordance with the following approved plans:

AC0000830671 Location plan
3586 Heritage glass casement window elevation
3585 Heritage glass casement window sections

Reason: To preserve the architectural and historical qualities of the building.

3. All new and replacement windows shall have a white finish colour to the external paintwork.

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

Informative Notes:

1. Informative: National Planning Policy Framework Statement

In accordance with paragraph 39 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 applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant was provided with pre-application advice.
- The application was acceptable as submitted and no further assistance was required.