

Appeal Decision

Site visit made on 9 March 2020

by S Edwards MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 April 2020

Appeal Ref: APP/D1265/W/19/3241819

Colvell Shopping Centre, School Street, Weymouth DT4 8NJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission for relevant demolition of an unlisted building in a conservation area.
 - The appeal is made by Mr P Pressland of 10 Ant Group against the decision of Dorset Council.
 - The application Ref WP/19/00284/FUL, dated 25 March 2019, was refused by notice dated 30 May 2019.
 - The development proposed is demolition of existing building.
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Procedural Matters

1. On 1 April 2019, Weymouth and Portland Borough Council ceased to exist and became part of a new Unitary Authority known as Dorset Council. The development plans for the merged Local Planning Authorities will remain in place for the area within the new Unitary Authority they relate to until such time as they are revoked or replaced. I shall therefore determine the appeal having regard to the policies set out within the West Dorset, Weymouth and Portland Local Plan (LP), which was adopted in 2015.
2. The Colvell Shopping Centre adjoins no 3 School Street, a Grade II Listed Building. Should this appeal be successful, the appellant would therefore need to obtain listed building consent separately, as the scheme before me solely relates to a refusal to grant planning permission.

Decision

3. The appeal is dismissed.

Main Issues

4. The main issues are whether the development would preserve or enhance the character or appearance of Weymouth Town Centre Conservation Area and the effect of the development on the integrity of the adjoining Grade II Listed Building.

Reasons

5. Located within Weymouth Town Centre Conservation Area (CA), the appeal site comprises a two-storey commercial building of no particular architectural merit, which has a red brick and rendered façade fronting School Street, whilst the side elevations are largely clad with metal. As detailed within the Conservation Area Character Appraisal adopted by the Council in December 2012, this part of the CA is notably characterised by narrow streets which provide a pleasant sense of enclosure, in stark contrast with the wider views

along the Esplanade. As noted above, the appeal building adjoins no 3 School Street, a Grade II Listed Building. Although I have not been provided with details of the listing, I consider that the significance of this designated heritage asset relates primarily to the historic fabric of the building, which includes features of special interest.

6. Outline planning permission was granted in 2015 for the demolition of the existing building and the erection of 2 shop units and 23 apartments, with parking, bin store and cycle stores. No reserved matters application was subsequently submitted to the Council, and the outline consent has therefore now lapsed. The Council does not oppose the loss of the appeal building, but is concerned about the lasting effects on the CA, in the absence of an agreed redevelopment scheme.
7. Limited information has been submitted in respect of the redevelopment of the site or other temporary uses referred to by the appellant. Consequently, the proposal could leave the site undeveloped and unsightly for a long period of time, which would detract from the ability to appreciate the CA and adversely affect how this designated heritage asset is experienced. The harm caused by the development would be exacerbated by the installation of protection measures mentioned by the appellant which would be required to keep the site secure.
8. Additionally, I have not been provided with substantive details to demonstrate that the integrity of the adjoining heritage asset would not be adversely affected by the demolition of the Colvell Shopping Centre. Having regard to the evidence before me, I am unable to conclude that the development would preserve or enhance the character or appearance of Weymouth Town Centre CA, or preserve the integrity of the adjoining Grade II Listed Building. I ascribe significant weight to the harm which has been identified.
9. The harm caused by the proposed development would, in this instance, be less than substantial. In accordance with paragraph 196 of the National Planning Policy Framework (the Framework), it therefore needs to be weighed against the public benefits of the proposal. The appellant explains that the demolition of the appeal building is required for security reasons, by reason of the crime and anti-social behaviour issues which have affected the appeal premises. However, having regard to the available evidence, I am not certain that the safety of the site could not be secured by other means. The modest benefits associated with the development would therefore be clearly outweighed by the harm which the appeal scheme would cause to the designated heritage assets.
10. As the site could remain undeveloped for an indefinite period of time following the demolition of the appeal building, I conclude that the proposal would fail to preserve or enhance the character or appearance of Weymouth Town Centre CA. In the absence of detailed method statement for the demolition process, the harm which the development could cause to the integrity of the adjoining Grade II Listed Building cannot be excluded. Accordingly, it would fail to accord with LP Policy ENV4 and the Framework, which seek to protect heritage assets.

Conclusion

11. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

S Edwards

INSPECTOR