

# Seafront Attractions

## The Esplanade Weymouth



### **BACKGROUND**

Planning Permission ref. WP/18/00010/VOC was granted on 11<sup>th</sup> April 2018 for: -  
*Arrangement and design of beach attractions and kiosks (variation of condition 2 of planning permission 10/00118/FUL3 regarding size and location details of facilities).*

This was a variation of an earlier permission ref. 10/00118/FUL3 for: -  
*Arrangement and design of beach attractions and kiosks*

The approved plans for the 2018 permission are listed in condition 1 of the decision notice and these indicate the location of catering (SC) and retail (R) kiosks and attractions (A) along the beach.

Condition 2 on the decision notice includes a table with various size and height limits for each location as below.

<b>Type</b>	<b>Location</b>	<b>Dimension</b>
SC1	Opposite 114 The Esplanade Kiosk & Decking	9.0m frontage x 9.5m depth site
SC2	Opposite Gloucester Lodge/PH, adjacent steps Kiosk & Decking:	9.0m frontage x 9.5m depth site
SC3	Opposite 76 The Esplanade, adjacent steps Kiosk & Decking	9.0m frontage x 9.5m depth site
SC4	Opposite M&S, adjacent steps/slipway Kiosk & Decking	9.0m frontage x 9.5m depth site
R1	Opposite south end of former TIC	8.0m frontage x 6.0m depth site

R2	Opposite 72/73 The Esplanade	8.0m frontage x 6.0m depth site
R4	Opposite 44/45 The Esplanade	8.0m frontage x 6.0m depth site
A2	Opposite Tea Cabin	20m x 10m Height restriction 3m
A3	Opposite 58 The Esplanade	20m x15m Height restriction 6m
A4	Opposite M&S	10m x 15m Height restriction 6m unless open structure up to 8m
A5	Opposite Bond Street 30m x 23m	Height restriction 8m plus one attraction up to 11m <b>and one attraction up to 15m</b>
A6	Opposite Sir Henry Edwards statue	18m x 18m Height restriction 6m

Weymouth Town Council wish to make further amendments to the beach attractions at sites A3, A4, A5 and A6. The sites are managed by the Town Council with an approach to retain traditional seaside attractions and do not encourage large noisy fairground type rides on the beach. In addition, public announcement and music equipment is not allowed at the attractions.

### **PROPOSAL**

It is proposed to relocate the attraction sites A3 and A4 and combine these with site A5 to be tendered as one site. The new site would be 60m x 25m giving a total area of 1500m. The site would include similar height limits to the existing sites ie. 6m and 8m if open structures, plus one attraction up to 11m and one attraction up to 15m. This site would be seasonal as the existing sites.

These changes aim to achieve less clutter spread across the beach, which is an issues that has been raised in the Town Council's seafront strategy consultation. The revised arrangement of the attractions would also provide a more themed approach on one site recognising the seafront tradition and heritage; and easier management for the Council and operator.

It is also proposed to provide an Observation Wheel on the current A6 site, the details of which would be: -

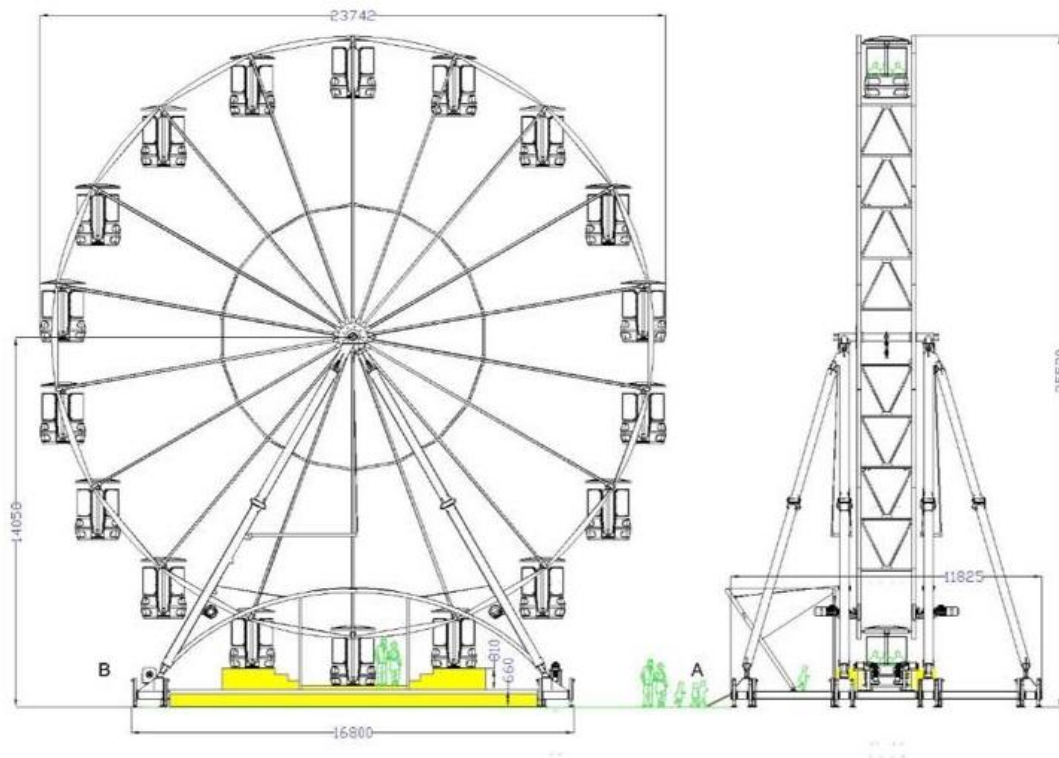
- No higher than 33m
- At least one accessible gondola
- Target market families/older people
- Similar to wheel at Skegness (see below photo)
- White in colour
- No concrete foundations required, just matting underneath (similar to the helter skelter)

The Observation Wheel may be seasonal but could potentially be on site all year round.



*Skegness Observation Wheel*

The detail of the proposed wheel would be similar to those below, although the exact dimensions would vary dependent on the supplier.



## **PRE-APPLICATION ADVICE**

Pre-application advice was sought from Dorset Council -reference P/PAP/2024/00418. The officer's response was generally supportive but suggested further consultation with Historic England. The officer also agreed that a section 73 application could be made to alter the arrangement, areas and design of the beach attractions from that approved under the previous application WP/18/00010/VOC, provided that the description of the development stays the same.

Further comment has been sought from Historic England since the pre application response from Dorset Council but despite a considerable wait and chasing up this is not yet available. It is therefore hoped that comments from Historic England will be available during the proves of this application and if necessary, amendments could be made to the detail of the application.

## **Section 73**

Planning legislation recognises that new issues may arise after a planning permission has been granted which require modification. Fundamental or substantial modifications require a new planning application, but if less substantial changes are to be made there is provision to make non-material amendments and minor material amendments. Minor material amendments can be made through the variation of conditions attached to a planning permission.

Section 73 of the Town and Country Planning Act 1990 (as amended) allows an application to be made to amend or remove conditions of an existing Planning permission.

*Section 73 – Determination of applications to develop land without compliance with conditions previously attached:*

- (1) This section applies, subject to subsection (4), to applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted.*
- (2) On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and—*
  - (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and*
  - (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*
- (4) This section does not apply if the previous planning permission was granted subject to a condition as to the time within which the development to which it related was to be begun and that time has expired without the development having been begun.*
- (5) Planning permission must not be granted under this section for the development of land in England to the extent that it has effect to change a condition subject to which a previous planning permission was granted by extending the time within which—*
  - (a) a development must be started;*

*(b) an application for approval of reserved matters (within the meaning of section 92) must be made.*

This application is therefore made to amend conditions 1 and 2 of the previous planning permission WP/18/00010/VOC to allow a revised arrangement of the attractions A3, A4, A5 and A6 on the beach. The other kiosks on the beach would remain as existing.

Condition 1 would require amendment with the substitution of the revised site plan as submitted - Drawing 1566-02 Proposed plan.

Condition 2 would require amendment with a revision to the attached table with regard to the details of attraction sites A3, A4, A5 and A6.

## **CONCLUSION**

The proposed minor amendments to the previous planning permission are considered to be acceptable within the Conservation Area and setting of nearby Listed Buildings. The level of harm is likely to be considered to be “less than substantial” which would be outweighed by the public benefits of the proposal in providing facilities for local residents and visitors and supporting the local economy. The relocation of sites A3 and A4 would be beneficial in reducing the spread of attractions along the beach. Sites A3 and A4 would be deleted and A5 amended to be enlarged and include the previous height restrictions. Site A6 would remain the same size with the provision and limitations of the Observation Wheel added.

It is therefore requested that planning permission should be granted under Section 73 of the Town and Country Planning Act 1990 (as amended) and conditions 1 and 2 varied as follows: -

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

*Proposed plan - Drawing number 1566-02*

*Refreshment Kiosk - drawing number 2010. 27. 01 A;*

*Retail kiosk - drawing number 2010. 27. 02 A;*

*Details - drawing number 2010. 7. 04*

2. *The facilities hereby approved shall be in accordance with the detail in the attached table and shall not exceed the size limits stated.*

<b>Type</b>	<b>Location</b>	<b>Dimension</b>
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SC3	<i>Opposite 76 The Esplanade, adjacent steps Kiosk &amp; Decking</i>	<i>9.0m frontage x 9.5m depth site</i>
SC4	<i>Opposite M&amp;S, adjacent steps/slipway Kiosk &amp; Decking</i>	<i>9.0m frontage x 9.5m depth site</i>

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A4	Opposite M&S	10m x 15m Height restriction 6m unless open structure up to 8m
A5	Opposite Bond Street 60m x 25m	Height restriction 6m or open structure up to 8m, plus - one attraction up to 11m and one attraction up to 15m
A6	Opposite Sir Henry Edwards statue 18m x 18m	Observation Wheel - no higher than 33m, with at least one accessible gondola, white in colour, with no concrete foundations.

*DJAR Planning*

November 2024