

**INDEPENDENT EXAMINATION OF THE WEYMOUTH
NEIGHBOURHOOD DEVELOPMENT PLAN**

EXAMINER: Andrew Mead BSc (Hons) MRTPI MIQ

Examination Ref: 01/AM/WNP

CLlr David Northam
Chair of Weymouth Neighbourhood Plan Steering Group

Colin Marsh
Weymouth Neighbourhood Plan Steering Group

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Weymouth Neighbourhood Plan Project Support

Nick Cardnell
Senior Planning Policy Officer
Dorset Council

Via email

2 June 2025

Dear CLlr Northam, Mr Marsh, Ms Williams and Mr Cardnell

Following the submission of the Weymouth Neighbourhood Development Plan (the Plan) for examination, I would like to clarify several initial procedural matters. I also have a number of questions for Weymouth Town Council (WTC) and Dorset Council (DC), to which I would like to receive a written response(s) by **Monday 23 June 2025**, if possible.

1. Examination Documentation

I can confirm that I am satisfied that I have received the draft Plan and accompanying documentation, including the Basic Conditions Statement; the Consultation Statement; the Strategic Environmental Assessment: Environmental Report; the Habitats Regulations Assessment; and the Regulation 16 representations, to enable me to undertake the examination.

All references in this examination will read across to the December 2023 version of the National Planning Policy Framework (NPPF). Whilst a revised NPPF was published on 12 December 2024, Paragraph 239 of that document includes transitional arrangements for neighbourhood plans, stating that the new NPPF only applies to neighbourhood plans submitted to the Local Planning Authority after 12 March 2025. As the Plan was submitted to DC prior to this date, the NPPF (December 2023) will apply.

2. Site Visit

I will aim to carry out a site visit to the neighbourhood plan area during week commencing 2 June 2025. The site visit will assist in my assessment of the draft Plan, including the issues identified in the representations.

The visit will be undertaken unaccompanied. It is very important that I am not approached to discuss any aspects of the Plan or the neighbourhood area, as this may be perceived to prejudice my independence and risk compromising the fairness of the examination process.

I may have some additional questions, following my site visit, which I will set out in writing should I require any further clarification.

3. Written Representations

At this stage, I consider the examination can be conducted solely by the written representations procedure, without the need for a hearing. However, I will reserve the option to convene a hearing should a matter(s) come to light where I consider that a hearing is necessary to ensure the adequate examination of an issue, or to ensure that a person has a fair chance to put a case.

4. Further Clarification

From my initial assessment of the Plan and supporting documents, I have identified a number of matters where I require some additional information from WTC and DC.

I have 35 questions seeking further clarification, which I have set out in the Annex to this letter. I would be grateful if you can seek to provide a written response(s) by **Monday 23 June 2025**.

5. Examination Timetable

As you will be aware, the intention is to examine the Plan (including conduct of the site visit) with a view to providing a draft report (for 'fact checking') within around 6 – 8 weeks of submission of the draft Plan. However, as I have raised a number of questions, I must provide you with sufficient opportunity to reply. Consequentially, and dependent on when you are in a position to respond, the examination timetable may be extended. Please be assured that I will aim to mitigate any delay, should it arise, as far as is practicable. The IPe office team will seek to keep you updated on the anticipated delivery date of the draft report.

If you have any process questions related to the conduct of the examination, which you would like me to address, please do not hesitate to contact the office team in the first instance.

In the interests of transparency, may I prevail upon you to ensure that a copy of this letter is placed on the Town Council and Dorset Council websites.

Thank you in advance for your assistance.

Yours sincerely

Andy Mead

Examiner

ANNEX

From my initial reading of the Weymouth Neighbourhood Development Plan, the supporting evidence and the representations that have been made to the Plan, I have the following questions for WTC and/or DC. I have requested the submission of responses by **Monday 23 June 2025**, although an earlier response would be much appreciated. All of the points set out below flow from the requirement to satisfy the Basic Conditions.

Questions to Weymouth Town Council (WTC), Dorset Council (DC), or both (WTC and DC).

Specific questions of clarification to the Councils are listed below, but I am happy to receive comments from either Council on any of the questions which are not directed at them in the first instance.

Where relevant, when I make reference to points raised by specific parties in the Regulation 16 response, I shall merely refer to the party rather than repeat the Regulation.

1 The Neighbourhood Plan Area

Q to WTC. Given points 2 – 4 raised by DC, would it be more accurate to add the following phrase to the end of the final sentence of paragraph 1.7 of the Plan?

“... with the exception of the Littlemoor Urban extension and the top of Plaisters Lane, Sutton Poyntz as shown on Map 1a.”

2. Strategic Environmental Objectives (SEO) and Supporting Environmental Targets (SET)

Q to WTC and DC. Considering the DC points 36 – 37 commenting on the Strategic Environmental Objectives (SEO) and Supporting Environmental Targets (SET), numerous policies in the Plan include a Clause requiring: “Alignment with the environmental objectives and targets of the Neighbourhood Plan”, or similar. Examples are seen at Policies W12, W14, W20, W21, W22, W23A, W23C, W24, etc. Are the SEO those set out in Chapter 6 of the Plan which follow the various Aims? In addition, are the SET found on page 25 and at Appendix A of the Plan on pages 207 – 223? If so, the suggestion from DC seems sensible that, rather than repeat the Clause for many of the policies, a general overarching policy could be included. This could state, for example:

“Proposals for development should aim to meet the Relevant Environmental Objectives and aspire to achieve the Environmental Targets in Table X (p 25) and, where appropriate, Appendix A of the Plan.”

I would welcome comments from both Councils.

3. Viability

Q to WTC. Within the DC points 73 – 77, queries were made that Policies W05, W15 and W18 may not have been viability tested due to the final version of the Plan not being considered in the Viability Report. DC suggests that the viability evidence should be either updated, or the new requirements be deleted. DC also suggests, as an alternative, that the Plan states the new requirements do not need to be met if it is found during the consideration of a planning application that they would result in the development being unviable. I would welcome the comments of WTC.

4. Policy W02: Conservation of the Natural Environment

a) **Q to WTC.** Clause 3 supports the recognition of wildlife areas at Wey Valley Watermeadows. This land, shown on Map 7, is mostly within the Land at Redlands Farm allocation (Policy W21; Map 20) where it is identified in the site but not in the actual “development area”. What is the

aim of Policy W02 Clause 3, particularly as most of the site is also proposed as Local Green Space (See LGS5 and LGS6) and would be protected from inappropriate development under Policy W09?

- b) **Q to WTC.** Following points 47 and 48 made by DC, should the issue be dealt with in Policy W21?
- c) **Q to WTC.** In any event, should the land defined in Policy W03 coincide with the land outside the development area in Policy W21; Map20?

5. Policy W05: Ecological Impact of Development

Q to WTC and DC. Policy W05 Clause 2 indicates that, when considering development proposals, “a substantial Biodiversity Net Gain” is sought. Taking into account the comments from DC (point 54), and the contents of paragraph 8.41 of the Plan, I am considering recommending the final phrase of Clause 2 be modified to:

“... by providing for a Biodiversity Net Gain of at least 20%, subject to viability, judged on a case by case basis.”

I would be grateful for comments from both Councils on this suggestion.

6. Policy W08: Coastal Green Recreation Areas

- a) **Q to WTC.** Do Sites 2 or 3 in the Coastal Green Recreation Areas: Map 10 include the allocation under Local Plan Policy WEY9 Bincleaves Cove (See DC point 61)? If so, the Map should be amended to exclude it and please could an alternative Map be submitted?
- b) **Q to WTC.** Area 5 in the list of Coastal Green Recreation Areas is privately owned land, albeit with the South West Coast Path passing through it. What is the justification for the inclusion of this site in the list?

7. Policy W09: Green Gaps

- a) **Q to WTC.** Maps 11A and 11B show Green Gaps which include existing planning permissions at Sites 2 and 4. Shouldn't the areas of planning permission be removed from within the Green Gap?
- b) **Q to WTC.** Similarly, shouldn't the areas within the Neighbourhood Plan Site Development Boundary be removed from the Green Gaps (Sites 1 and 2)? If they are to remain, what is their purpose?
- c) **Q to WTC.** There also appears to be an ambiguous area of planning permission which may (or may not) be shaded as a Green Gap north of Site 1 which I would be pleased to have clarified.
- d) **Q to WTC.** I would also be grateful for the reason why “Land Transferred to a Public Body” is included on the Green Gaps Maps and which, in my assessment, adds confusion?

8. Policy W10: Local Green Space (LGS)

- a) **Q to WTC and DC.** DC has commented that LGS016, 017 and 021 should not be LGS because each site is designated as highways land and may be required for highways purposes in the future. However, when applying Green Belt guidance as correctly described in Policy W10 and

the National Planning Policy Framework (NPPF, December 2023)¹, it seems to me that an LGS designation does not necessarily preclude highways works. Do the Councils have any comments?

- b) **Q to WTC.** Does the Council have any comments on the objections by DC to LGS09 and LGS013?
- c) **Q to DC.** DC comments that LGS015 is already protected under the Broadwey Conservation Area, implying that no further protection is required. Yet the degree of protection from development in the Conservation Area regime is totally different to that in an LGS. Why should LGS015 not be designated as LGS?
- d) **Q to WTC.** Many representations have been received which support the designation of Greenhill Gardens as LGS. It would be helpful to explain why was the site not proposed as LGS in the Plan? I would also be pleased to receive a plan delineating the land to assist my understanding.

9. Policy W11: Incidental Open Space (IOS)

Q to WTC. What is the reasoning behind the identification of the IOS and LGS in Southill Garden Village in Figure 8 (LGS) on page 231 and Map C4 (IOS) on page 281. Most are the same areas of land. If the sites are to become LGS, is the IOS designation not superfluous?

10. Policy W11: Riversides

Q to DC. With reference to the DC point 69, please could the Council suggest a suitable rewording of Policy W11 to include the phrase:

“... unless other suitable mitigation measures can be put in place.”

11. Policy W13: Panoramas, Vistas and Views

Q to WTC and DC. To my mind, the second sentence of Clause 1 does not make sense. A suggested rewording of the policy is:

“Development proposals likely to have a significant impact on the important public panoramas, vistas and views identified on Maps 15A – F and defined in the accompanying Tables should demonstrate due regard to the local design guidance whenever available and should be accompanied by a Landscape and Visual Impact Assessment (LVIA).”

I would be pleased to have the comments of both Councils on this suggestion.

Development and Homes

- 12. **Q to WTC.** I assume that in paragraph 9.53, the final sentence should be:

“... Table B and Map 18”.

- 13. **Q to DC.** In point 72 of the representations, DC supports paragraph 9.8 of the Plan and the following table on page 76. Therefore, notwithstanding the reservations about the capacity of the allocations (See Dorset Council point 114), does the Council accept that the NP has fulfilled its obligation towards the provision of housing numbers as advised in paragraph 29 of NPPF?

¹ A revised version of the NPPF was published in December 2023. All references in this examination read across to the December 2023 version. Whilst the latest iteration of NPPF was published on 12 December 2024, Paragraph 239 of that document includes transitional arrangements for neighbourhood plans, stating that the new NPPF only applies to neighbourhood plans submitted after 12 March 2025. In this case of this Plan, it was submitted to Dorset Council prior to that date.

14. Policy W14: Development Boundaries

Q to WTC and DC. Clause 1 of Policy W14 states that: “Development on brownfield sites within the defined development boundaries shall be prioritised in the Development Plan.” How is this to be implemented? I would be grateful for comments from both Councils.

15. Policy W16: Major Housing Sites

Q to WTC and DC. Criterion i refers to Lifetime Home Standards. Has this not now been superseded by M4(2) of the Building Regulations?

16. Policy W19: Site Allocations

Q to WTC and DC. Paragraph 6.7 of the Report to inform the Habitats Regulations Assessment (AECOM, November 2024) suggested an addition to Policy W19 which I am minded to recommend. Do both Councils agree with this?

17. Policy W20: Land at Wyke Oliver Farm North

- a) **Q to WTC.** I assume the map reference should be to Map 19?
- b) **Q to DC.** The SEA appears to assess the site on the basis of 112-135 dwellings (p 52, paragraph 3; p 54, paragraph 1). Although the SEA later comments that, under Policy W20, the site is allocated for 250 homes, is DC satisfied with the adequacy of the assessment?
- c) **Q to DC.** Is DC satisfied with Clause 2 of Policy W20, or should the 50% affordable housing proportion be made subject to a viability assessment?
- d) **Q to DC.** Does Clause 4 iv satisfy the requirements for surface water management advised by the Dorset Council Flood Risk Management Team in the comments of 28 January 2025? If not, what should the criterion state?
- e) **Q to DC.** Is the Council satisfied that appropriate safe vehicular and pedestrian access can be gained to and from the site?
- f) **Q to WTC.** What is meant by “community focus” in criterion vi.
- g) **Q to WTC and DC.** Would development in W20 intrude into the Lorton Valley Wildlife Corridor and, if so, how could any harmful effects be mitigated? Comments from both Councils would be welcomed.

18. Policy W21: Land at Redlands Farm.

- a) **Q to DC.** Is DC satisfied with Clause 2, or should the 50% affordable housing proportion be made subject to a viability assessment?
- b) **Q to DC.** Does Clause 4 xii satisfy the requirements for surface water management advised by the Dorset Council Flood Risk Management Team in the comments of 28 January 2025? If not, what should the criterion state?
- c) **Q to WTC.** I refer to DC’s points 148 – 150 and would be pleased to have comments from WTC.

19. Policy W22: Land off Beverley Road, Littlemoor.

- a) **Q to DC.** Is DC satisfied with Clause 2 vii, or should the 50% affordable housing proportion be made subject to a viability assessment?
- b) **Q to WTC.** How can access be achieved to the site?

- c) **Q to DC.** Does DC consider the requirements for surface water management advised by the Dorset Council Flood Risk Management Team in the comments of 28 January 2025 should be added either as a criterion or a separate Clause and, if so, what should it say?

20. Policy W23A: Lodmoor Old Tip – North Section

Q to WTC and DC. DC owns the site and has stated it is not available for the proposed use (See DC point 164). Therefore, if that is the case, should Policy W23A be deleted? I would be grateful for comments from both Councils.

21. Policy W23B: Lodmoor Old Tip – Mid-Section

Q to WTC and DC. Does DC intend to retain the Household Recycling Centre on the site as indicated in DC point 180? Is the intention to develop the site for leisure uses side by side with the waste management operations? Comments from both Councils would be welcome.

22. Policy W23C: Lodmoor Old Tip – South Section

- a) **Q to WTC.** Clause 2 viii indicates that a “compliant level of affordable housing” should be included. What does this mean? Is the site being proposed as an allocation for residential use as well as leisure use?
- b) **Q to DC.** Given that Policy WEY8 of the Local Plan states that: “Land at Lodmoor will be permitted for tourism, low key recreation and ancillary uses, ...”, does the residential development which is proposed under Policy W23C viii mean that that the policy does not generally conform with the strategic policies of the Local Plan?
- c) **Q to DC.** In addition, is residential development on this site compatible with a high risk of flooding on adjoining land? Does the site satisfy the requirements of sequential testing advised in the NPPF before its allocation for residential use?

23. Policy W24: Land at Jubilee Sidings

- a) **Q to WTC.** Clause 2 i states that the development shall provide “residential particularly social housing”. This is too imprecise for a policy. Please could it be rephrased?
- b) **Q to DC.** Does DC wish to suggest any criterion which should be included so far as Flood Risk and Surface Water Management is concerned?

24. Policy W25: Land at Mount Pleasant Old Tip – Transport Interchange

Q to WTC. What does the acronym PEV stand for in Clause 4?

25. Policy W27: Community Housing Schemes

Q to WTC. DC raises some fundamental deficiencies with the policy in point 214. Please could WTC redraft the policy accommodating the issues raised and so enabling it to have regard to national policy?

26. Policy W30: Exception Site Development

- a) **Q to WTC.** DC suggests clarifying the policy by dividing it into two; First Home Exception Sites and Rural Exception Sites (See DC point 242). Please could WTC redraft the policy in that style.
- b) **Q to WTC.** Clause 5 states that “a small proportion of open market homes with a permanent residency condition” may be acceptable within an exception housing scheme. What is a permanent residency condition and what is the evidence to justify it?

27. Policy W31: Principal Residency Requirements

- a) **Q to WTC.** Paragraph 9.152 of the Plan indicates the concern "... that, unrestrained, further open market housing development may increase the number of second homes and increase the number of people moving into the area whose buying power will force up local prices disadvantaging local people." However, DC has commented (DC point 251) that there is limited evidence to suggest that second homes are the main issue, rather the data suggests it is vacant homes. This is illustrated by the DC Background Paper in support of the emerging Dorset Local Plan which found that Weymouth has one of the lowest percentages of second home ownership in Dorset, between 0.6% to 1.5% depending on the source of the evidence (DC point 253). Therefore, on that basis, would Policy W31 make a significant difference to enabling housing to be more affordable to local people?
- b) **Q to WTC.** Paragraph 9.157 states "... all new dwellings built during the Plan period." I assume this means in the area designated in Policy W31 and Map 26, not the whole Plan area?
- c) **Q to WTC.** DC (point 250) suggests that consideration should be given to the application of Policy W31 to MSOAs 044B; 044C and 044E where the percentage of vacant and second homes rises above 20%. Please could a map be submitted delineating those MSOAs?

28. Policy W34: Sustainable Development

Q to WTC. Clause 2 ii states: "energy conservation measures and renewable energy technology predominate." What does this mean in practice and how can the requirement be enforced through development management?

29. Policy W35: Loss of Business Premises

Q to WTC. DC lists some informative points in 276 to 282. Please could WTC consider redrafting Policy W35 to ensure that it generally conforms with Policy ECON3 of the Local Plan, including reducing the 18 months marketing period to 12 months?

30. Policy W36: New Business Development

- a) **Q to WTC and DC.** Clause 1 iv. Would expressing the requirement as follows satisfy DC point 284:

"in the case of retail use outside the town centre, not resulting in an over provision in the locality"?

I would be pleased to have comments from both Councils.

- b) **Q to WTC.** Should there be additional Assessments listed in Clause 4?

31. Policy W37: Mixed Use Employment Schemes

- a) **Q to WTC.** The strategic approach of Policy ECON2 of the Local Plan is explained in paragraph 4.3.4 in so far as, in considering proposals for mixed use redevelopment, the aim is to retain an equivalent amount of jobs on the site. This is in direct conflict with the intention stated in paragraph 10.31 of the Neighbourhood Plan for 30% of the previous number of jobs to be a reasonable target. Does the WTC have any comments?
- b) **Q to WTC.** How would criterion v be implemented? See DC point 292. If a redevelopment scheme is judged acceptable by passing all the tests set by the policies of the Development Plan, how can redevelopment be effectively prioritised ahead of conversion?

- c) **Q to WTC.** In view of Policy W18. Clause 2 i, shouldn't paragraph 10.31 read 35% affordable homes instead of 50%?

32. Policy W39: Weymouth Town Centre

- a) **Q to WTC and DC.** Would the following suggested rephrasing of Clause 2 iv meet the reservations of DC in point 299?

"Where appropriate, to provide housing to meet local needs including at least 35% of affordable homes;"

- b) **Q to WTC and DC.** In Clause 4, the phrase: "... make better use of the upper floors and underused floorspace ..." appears too subjective to be used for development management. Would "... more intensive use ..." more be effective? I would be pleased to have comments from both Councils.

33. Policy W40: Temporary Activities and Uses.

Q to WTC. The comments made by DC in points 304 and 305 about temporary planning permissions are quite accurate. The evidence in paragraphs 10.46 – 10.50 of the Plan suggests that the aim of the policy is to support seasonal uses subject to the criteria which are listed. Therefore, should the policy heading be **"Seasonal Activities and Uses"** and in Clause 1, the words "temporary" be replaced by "seasonal"?

34. Policy W43: Community Energy Schemes

Q to WTC. Paragraph 10.67 states that: "... community investment opportunities should be offered first to those residing in the area and at least 33% of a Community Energy project should be owned by residents of the Plan area". What is the basis for 33% and how will this be implemented?

35. Policy W57: New Burial Grounds

- a) **Q to DC.** DC comments (preceding DC point 337) that burial grounds are allowed in the countryside provided they meet need and accord with other policies of the (Local?) Plan. What is the basis of this statement?

- b) **Q to WTC and DC.** Assuming the above is correct, and taking into account the DC point to include local need, landscape and access considerations in the policy, I would be pleased to have comments on the following rephrasing of Policy W57:

"Proposals for new burial grounds will be supported in principle, subject to local need, the avoidance of significant harm to both residential amenity and the landscape and the provision of suitable access which would not cause severe danger to traffic."