

**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

Michele Williams
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.”

WTC Response: Agree.

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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.

WTC Response:

The ‘SEO’ referred to are the four cross cutting objectives as outlined in the table at the top of page 19 in Chapter 6 and as restated at the beginning of Appendix A. The SET are found on page 25 and at Appendix A as stated.

We chose not to use a general overarching policy in order that the environmental objectives and targets were not overlooked and in recognition of the fact that they only related to certain policies. We are willing to be guided by you on this matter.

Typographical error to be corrected. Please note that Objective 3 on page 25 table should state “Biodiversity Enhancement” as opposed to Biodiversity Net Gain’ for consistency throughout the Plan.

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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.

WTC Response:

The Pre-Submission Plan reduced the number of allocated sites and made minor changes to Plan Policies. The Viability Report addressed the Pre-Submission Draft that was released for the Reg 14 Consultation. This Viability Report was delivered to the Steering Group in September 2024. Copies were provided to Dorset Council. Comments were made by both WTC and DC and the document was updated in the final release of the report in Nov 2024. It is this report which was used to support the Submission Plan. Annex 9 of the Viability Report lists all the Policies that were in the Pre-Submission Plan and summarises the implications, records the Impact on overall viability of the development plan and records whether or not the policy has been tested in the viability study. Subsequent changes to the Policy were not significant, do not affect viability and are recorded on the website as [Errata Two: Changes to Submission Draft post 06.12.2024.](#)

Policy W05: Ecological Impact of Developments was Policy WNP05 and is recorded as having been tested. No significant change was made to WNP05 Policy wording. New text was added in Para 8.41 of the Submission Plan. 'The policy calls for a substantial biodiversity gain of 20% wherever possible in alignment with the SETs'. The viability treats the SETs as advisory and not as mandatory and models 10% BNG. Note that an increase of 10% - 20% BNG does not double the BNG requirement.

Policy W15: Extensions and Alterations was WNP18 and is listed as not being relevant to new build viability testing. No significant changes were made to WNP18.

Policy W18: Affordable Housing was WNP22 and is listed as being modelled and impacting viability. The significant change to this Policy is the addition of Clause 5 relating to developments of between 2 and 9 units commencing a sum for Affordable Housing. This does not affect the viability of the sites tested in the Viability Report.

Due to the size and complexity of the Weymouth Neighbourhood Plan is large and complex. As such, WTC received the maximum financial and technical support from Locality to fund the HNA, SEA, HRA, Viability Testing, and maps. Locality have now confirmed that further funding for Technical support such as updating reports will not be made available.

The Viability Testing Report covers all sites considered in the Neighbourhood Plan process including those that were not incorporated in the Submission Version and as such provides a record of that process relative to a specific point in time. Updating the Report to reflect the final Submission Plan would move this point in time resulting in considerable recalculation and delay. This would seem disproportionate given that the changes from the Pre-Submission Plan are clear and the impact on Viability is as stated in the supporting text to policy W18. In consequence, WTC consider the Viability Testing Report accurately reflects the viability assessment undertaken as part of the development of the Weymouth Neighbourhood Plan and do not see a necessity to update the report.

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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?

WTC Response:

The policy intent is that the area would be considered for local identification as a conservation area for wildlife accessible to the public which defines a specific purpose consistent with the protection afforded by LGS. If both LGS5 and LGS 6 designation are supported then the need for this policy is reduced and the reference in W02 could be removed.

This area is two adjacent fields from two separate land holdings – W21 is only one of these.

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- b) **Q to WTC.** Following points 47 and 48 made by DC, should the issue be dealt with in Policy W21?

WTC Response: No see Q18 on W21.

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- 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?

WTC Response: They are not coincident. See 4(a) response

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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.

WTC Response:

Suggest “... by providing for a Biodiversity Net Gain of at least 20%, subject to ecological assessment and judged on a case-by-case basis.”

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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?

WTC Response:

The sites are not contiguous. Site 2 includes the Bincleaves Open Space (Fig 20) – this land sits high above the Bincleaves Cove development site (Site 9 on Map 28) – they share a boundary the top of the cliff. Site 2 also includes the underbarn walk (Closed PROW) and this runs along the cliff and not the foreshore to the SW of the Bincleaves Cove development site. DC Point 61 suggests that Sites 2 or 3 include WEY9 – this is not the case. This can be clarified in an addition to 8.63. Individual site maps can be produced to provide clarity as they are captured in GIS files and will go into a new appendix.

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- 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?

WTC Response:

The ownership of this site was not clear – it is not farmed. It has public access from 3 points along the King Charles III Coastal Path PROW S1/25, from Bowleaze Cove way PROW S1/28 and from the north PROW S1/26 which cross the area. Access to the land is not constrained and there are additional paths criss-crossing it as the area is in regular use as a viewpoint over the channel, Weymouth Bay, and into Preston and Weymouth. The cliff is eroding – the footpaths are being rolled back and the landslip is of both geological and habitat interest being within the WHS and a SSSI.

Please note that based upon past experience coastal erosion of the soft cliffs will very likely require re-routing of the coastal path (and possibly other PROW) within Area 5 during the lifetime of the Plan hence inclusion of this specific area.

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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?

WTC Response:

The Green Gaps are derived from the WDW&P LP Policy ENV3: Important Open Gaps. These are Strategic Policies – we therefore identify them and record their erosion by marking the developments which are already approved and progressing. Their inclusion highlights the Gaps which have already been lost. Modifying these may take time but DC may provide support to this. The intention of the shading is to show that these are no longer Important Open Gaps or Green Gaps. **However we can remove these development areas from the boundary of the Green Gaps should the Examiner feel this is necessary for clarity.**

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- 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?

WTC Response:

These areas show two purposes; firstly land transferred to public ownership re-enforcing the Green Gaps and that this is greater in area than the land formerly in an Important Open Gap

which is to be developed for 50% Affordable Housing. However we can remove the red development boundary areas from the Green Gap shading and refer in the supporting text to the land transfer contingent on the developments.

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- 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.

WTC Response:

This area is not a green gap but has existing planning permission in the extant Local Plan. We would be prepared to remove it if the examiner considers this would provide greater clarity.

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- 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?

WTC Response:

It is included as under policy W20 and W21 these areas would be retained as an integral part of the green gap which would then be under public ownership. This can be removed from the Green Gaps map should it be required.

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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?

WTC Response:

We agree that LGS does not preclude highways works. WTC has attempted to overcome this in discussion with DC by suggesting inclusion of a caveat regarding highways works and remain prepared to include such an amendment if the examiner considers that this is appropriate and would enable DC to support designation of these areas.

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- b) **Q to WTC.** Does the Council have any comments on the objections by DC to LGS09 and LGS013?

WTC Response:

WTCLGS09 – this area as defined on the map has recreational use which extends beyond the play park referred to and is also important for its wildlife buffer zone/stepping stone given the openness of the immediate area, proximity to residential dwellings and a busy highway. The level of protection under existing legislation (DC have not identified the specific statute that provides

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.

such protection although we note the duty to consult Sport England). The intent of the UK Government is clear in this respect following the issue of the 2024 revision of the NPPF namely Section 8: Promoting Healthy and Safe Communities, specifically Paragraph 104 - "Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless an assessment has been undertaken, which has clearly shown the space to be surplus to requirements (or that it will be replaced by equivalent or better provision) is considered to be inferior to that provided by LGS designation and does not cover the entire area or the use and value to the local community. WTC as the land owner of the play park area support LGS designation.

The revision infers that Sport England may take responsibility for protecting formal play spaces in their statutory consultee role – which it already does for playing fields for sport.

WTCLGS013 As noted by DC WEY15 is a non-strategic policy – it is therefore considered that WTCLGS013 designation as LGS aligns this area of land with development of Tumbledown as a land area with growing and food preparation facilities where vulnerable adults and children can learn new skills in an outdoor environment. When the Local Government changes were being discussed it has been Weymouth Town's desire that this plot of land should be retained by Weymouth Town Council but when the land transfer was finalised this plot was removed from the Tumbledown area. As the Local Planning Authority have not brought this area forward for future use and there is no indication of plans to do so this site is considered to meet the requirements of the NPPF for designation. The value to the local community aligns with the development and use of Tumbledown Farm.

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- c) **Q to DC.** DC comments that LGS015 is already protected under the Broadway 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?

WTC Comment:

We concur with the examiners view, particularly given the wildlife importance (as a stepping stone /buffer zone) in an urbanised area.

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- 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.

WTC Response:

We strongly support the inclusion of Greenhill Gardens. For integrity of process WTC adopted a bottom-up approach to the identification of proposed areas for LGS designation on the basis that recognition of the importance of these areas to local communities was best expressed by submissions from within those communities. Many submissions were received but none in respect of Greenhill Gardens. When this was highlighted by the Friends of Greenhill Gardens during the Regulation 16 consultation WTC co-operated in facilitating an application and is fully supportive of that now received. We note that a plan delineating the area proposed for designation at Greenhill Gardens is included in the Reg 16 responses (ref – Friends of Greenhill Gardens, Timothy Spooner) and suggest that this form the basis of consideration by the examiner as this is representative of the wishes of the Friends Group. WTC have no specific objections to the area stated.

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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?

WTC Response:

Yes. WTC consider that designation as Local Green Space is the stronger designation and support this application by residents and councillors. It is our considered opinion that these combined parcels of land taken as a whole (as opposed to a single larger area) meet the NPPF criteria and are suitable for designation as LGS under policy W10. However, should the examiner disagree it is considered that these areas also meet the stated intent of policy W11 and merit protection under this policy. Should the areas of land at Southill Garden Village be included in policy W10 following examination WTC would have no objection to Southill Garden Village being deleted from policy W11 and Map C4.

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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.”

WTC Comment:

Given the scope of sub-section 88 we consider that inclusion of such a generic phrase would undermine the intent and clarity of this policy and is considered unnecessary given the framework within which the Environment Agency operates as a statutory consultee.

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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.

WTC Response:

We acknowledge the examiners comments and support the suggested rewording which we consider to align with the policy intent.

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Development and Homes

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

“... Table B and Map 18”.

WTC Response:

Yes also Policy W18 should refer to Map 18.

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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?
WTC Note: Our plan increases the housing numbers by inclusion of additional allocated sites.
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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.

WTC Response:

This statement reflects the feedback from residents in the public engagements where the clear desire is for the long-term vacant brownfield sites to be developed rather than being left vacant or used as car parks and that these should be developed before greenfield sites are developed. However, the plan recognises that in itself development of brownfield sites will not meet the affordable housing numbers required see Para (**need to insert**) and the HNA which indicates in para (**need to insert**) that meeting the housing requirement of 3,118 will not deliver the required number of affordable homes even including green field sites identified in the current LP or the draft LP of 2021) check year).

The key brownfield sites identified in the extant LP are Strategic Sites, as such Dorset Council were clear that the NP could not address these. WTC believe that under the regeneration for Weymouth which features development on brownfield sites, DC should consider these sites as critical to delivering homes and jobs ahead of greenfield sites. It is hoped that the in-work LP and the update to the Supplementary Planning Document for Weymouth Town Centre Masterplan will reflect this desire and need and include the necessary mechanism for delivery. **Discuss with DC.**

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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?

WTC Response:

Understood – suggest reference is made to M4(2) of the Building Regulations.

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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?

WTC Response:

This is an oversight and WTC have no objection to this inclusion in policy W18. For clarity the phrase to be inserted is “Developments are carefully designed and planned to ensure that no adverse effects on the integrity of Habitats sites occur as a result of water pollution stemming from site run-off or dust emissions during construction or the operational stage of each of the developments.”

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17. Policy W20: Land at Wyke Oliver Farm North

- a) **Q to WTC.** I assume the map reference should be to Map 19?

WTC Response: Yes

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- 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?
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- 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?

WTC Comment:

WTC have conducted a viability assessment and the landowner has supported 50% affordable homes. It is expected that when a development is formally proposed a further viability will be included. The reference to DC in this clause is in terms of ‘the mix of sizes, types and tenures’ that should be agreed with DC.

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- 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?

WTC Response: We prefer Dorset Councils response to be shorter in text.

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- e) **Q to DC.** Is the Council satisfied that appropriate safe vehicular and pedestrian access can be gained to and from the site?

WTC Comment:

Note advice was provided by [REDACTED], Highways Officer in August 2024 over a series of emails resulting in additions of clause 4 ix. These guiding emails can be provided on request.

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- f) **Q to WTC.** What is meant by “community focus” in criterion vi.

WTC Response:

Community Focus refers to the need for an aspect of the development to provide a focal point or a community facility which will give the residents opportunity to meet together to interact and become a community – this is referred to in Para 9.64. As part of the master planning clause 3 we would want the developer to research, at the time of development, what community focal point would be most suited to enhance the development. Children’s Play areas are already a LP requirement but this could be enhanced. Community Focus could be through provision of a covered meeting place for the community potentially over the gas pipe area, or a provision for a local business, or doctors/dentist or a bus turning point or an e-bike parking area.

This can be set out in an expanded Para 9.64 or in Clause 4 vi.

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- 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.

WTC response:

The transfer of 23ha of land to public ownership, as part of the expanded LVNP provides an opportunity to enhance the habitat as part of the BNG. The corridor whilst of reduced width is thereby protected between the Littlemoor and Preston settlements.

Development could potentially intrude into the corridor and would need to be addressed at the planning stage by inclusion of suitable mitigatory proposals.

In this location, the target species for a wildlife corridor are passerine birds, small mammals, reptiles, amphibians and invertebrates. Their needs are best served by the enhancement of the linear hedgerows with trees to support both their presence and movement along the corridor (Clause 4i and Clause 5 also could specify habitat enrichment with attenuation ponds as per W21 Clause 4 xiii). It will link the diverse habitats of Lorton Meadows to the local nature reserve pond adjacent to the A353 on its south side and thence via back gardens and the garden centre, to the fields on the north of the A353.

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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?

WTC Comment:

WTC have conducted a viability assessment, but the landowner has not supported 50% affordable homes as the draft LP 2021 suggested 35% AH. It is expected that when a development is formally proposed a further viability assessment will be included. The reference to DC in this clause is in terms of ‘the mix of sizes, types and tenures’ that should be agreed with DC.

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- 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?

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c) **Q to WTC.** I refer to DC's points 148 – 150 and would be pleased to have comments from WTC.

WTC response:

DC Point 148 is noted. In the response to the Call for Sites the Developers, acting as agent to the owner, indicated that the land outside the development area would be made available for habitat enrichment, compensating ponds and be open to public enhancement [**email from CG Fry to Weymouth Neighbourhood Plan can be provided**]. Hence Criterion 6 which addresses 4 fields shown in Map 20. Policy W02 addresses two fields in the river valley shown in Map 7. One is the westernmost of those shown in Map 20 and the other is under separate ownership. So Policy W21 and W02 have one field in common – W02 seeks for this field to be recognised and protected as a valuable wildlife site with public access via extant PRow.

DC Point 149 fails to recognise that these areas are not contiguous. W18 is a planning policy affecting the landowners whilst W02 relates to watermeadow habitat and determines how one part of the transferred area can be linked with a second field to achieve a wildlife area. It is therefore suggested that Policy W18 should reference Policy W02 in relation to the one field.

DC Point 150 WTC believe that the transfer statement is important policy and should remain in the Policy Text. It is to be decided who a suitable public body is. No specific conversations have taken place with Dorset Council ref this transfer – but a more general conversation has taken place reference the desirability of delivering BNG and SANG within the Weymouth boundary has taken place with the Conservation Team (Bridget Betts, ref Dorset Nature Recovery Strategy – check title). It could be Dorset Wildlife Trust, The River Wey Trust (Society), Weymouth Town Council or a new body formed for this purpose.

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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?

WTC Comment:

Discuss with DC – WTC have conducted a viability assessment of larger greenfields sites and have also evaluated this site. This identified the need to relax some of the conditions to enable the site to be viable. The landowner has supported 50% affordable homes. It is expected that when a development is formally proposed a further viability will be included. The reference to DC in this clause is in terms of 'the mix of sizes, types and tenures' that should be agreed with DC.

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b) **Q to WTC.** How can access be achieved to the site?

WTC response:

Discussions with the landowner and their planning agent have indicated that access will be through the adjacent car park to the flats in Beverley Road. This the landowner/agent has agreed with the Housing Association responsible for the existing flats. This access point is indicated on Map 21 by the purple circle and is referenced in Para 9.78. This access leads to additional car parking within the development area. (See attached letter from developer regarding access).

- 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?

WTC Comment:

Discuss with DC – WTC Para 9.80 refers to the need for SUDS and proximity of the stream and culvert to the north of the development area – this can be added to the Policy Text if required.

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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.

WTC response:

There is a shortage of land in Weymouth for business use particularly for small light industrial units or workshops. In the Pre-Submission Draft a larger area was proposed, the submission draft is a significantly reduced area and excludes the former liquid waste disposal site where the risk of groundwater contamination was considered too high. Site W23A does not contain the household / waste recycling centre. It is unclear why DC do not wish to proceed but as the landowner we must respect their decision and hope that they can find alternate sites in Weymouth. WTC accept the removal of W23A from the site allocations.

=====

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.

WTC Response:

Currently the HRC is close to the former tip which is accessible to the public for recreation such as walking, dog exercising and bird-watching, we propose these recreational uses are retained.

=====

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?

WTC response:

This was an error in the final edit of the Submission Plan. Clause 1 states allocation for leisure use. Clause 2viii should be removed. In addition, Para 9.95 should be amended to remove reference to ‘mixed use’ and ‘local housing’.

- =====
- 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?

WTC Comment:

See response to 22(a) above.

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- 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?

WTC Comment:

See response to 22(a) above.

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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?

WTC Response:

Suggest ‘2 i residential development in accordance with other Plan policies.

=====

- 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?

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

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

WTC Response: PEV - Personal Electric Vehicle (it can be spelt out)

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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?

WTC Response:

WTC propose to change community housing (and community-owned housing) to Community-led Development in the policy to align with NPPF. WTC do not believe that community-led development needs to be confined to exception sites but where it does then the NPPF shall apply as specified in 9.130.

=====

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.

WTC response: WTC are content that HOUS2 in the extant LP identifies suitable controls for Rural Exception Sites refer to this in para 9.147. We suggest retitling and focusing the Policy statement to First Homes exception sites. As follows:

“Policy W30: First Homes Exception Site Development

1. *Development proposals for affordable housing schemes outside the DDBs, where housing would not normally be permitted by other policies in the development plan, will be supported if the scheme:-*
 - i. *is a First Homes exception site (as defined by the Government);*
 - ii. *is adjacent to existing settlements and in character and scale appropriate to its location;*
 - iii. *does not compromise the protection given to such areas by the NPPF; and*
 - iv. *complies with the design and sustainable development policies and standards in the development plan.*
2. *Exception site housing schemes should normally comprise 100% affordable housing, intended only for local people including a minimum proportion of 25% First Homes. First Home schemes can include a small quantity of other affordable housing products. A small proportion of market homes may be allowed on the site at the local authority’s discretion, or if there is clear evidence of local need, or if this is required to make the site viable.*
3. *The application of a local occupancy clause on all affordable homes will be expected in perpetuity, without the requirement for further justification.*

9.147 *The defined development boundaries for the area have been purposely drawn precisely, in accordance with an agreed set of criteria, to protect our open areas, wildlife habitats and agricultural land. Those areas that are deemed most precious and most important are protected by policies in the Neighbourhood Plan. The Local Plan policy HOUS2 adequately sets out policy for exceptions to development constraints outside the DDBs in rural areas. This Policy seeks to identify how the First Homes Exception Sites, introduced in the Ministerial Statement on 24th May 2021, shall apply in the Weymouth Neighbourhood Plan Area. Unlike Rural Exception Sites, First Home Exceptions sites are not automatically limited to no more than 1ha.*

- 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?

WTC response:

The permanent residency condition was intended to limit the sale of homes on exception sites for use as 2nd homes. This concern is addressed by clause 3 which requires local occupancy on affordable homes.

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?

WTC Response:

The referenced report indicating 0.6% to 1.5% contains a fundamental error – this has previously been highlighted to DC. The number of second homes (786 electoral roll and 341 council tax) is divided not by the number of households (24,633) but by the population (53,068) this gives the figure of 1.5% and 0.6%. But dividing by the number of households increases this to 3.2% and 1.4%. More recent data is referenced in Para 9.152 which gives for October 2023 857 2nd homes and 403 holiday let dwellings. This as a combined % is 1260/24,623 i.e. 5.1%.

However, this figure was still considered too low to justify a Principal Residency policy across the whole of Weymouth. Further evidence was sought for the town centre relating to the 2021 Census and was provided by Dorset Council and used by AECOM in the HNA 2024 Update and reported in Para 9.155. This showed a high number of properties ‘vacant’ – the ONS definition of ‘vacant’ potentially covers a number of census responses e.g. 2nd homes not occupied, unoccupied homes under repair, unoccupied homes in probate and unoccupied homes for sale. The impact of this is visible in the town centre (Table C and Map 26 MSOA E022004284) with properties which are occasionally occupied and therefore not contributing to the housing supply. This shows 21.9% of properties in this category. The figures are further broken down into the contributing LSOAs and include three LSOAs with even higher proportions of 35.0%, 27.9% and 20.1%. Dorset Council is tightening up its policies (2025) on empty houses and 2nd homes which may lead to some of these premises being brought back into greater use.

Nevertheless, the SG felt, para 9.157, that given the massive undersupply of affordable housing, building holiday lets or 2nd homes was not good for the residents. This was supported by the Town Council, and in our public engagements, hence Policy 31 that building new homes in the town centre should be for principal residency and that such a policy would enable housing to be more affordable and accessible for local people.

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- 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?

WTC Response:

Correct only new building in the Principal Residency Area shown on Map 26.

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- 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?

WTC response:

A formal map can be provided showing the 6 LSOAs comprising the MSOA when the final plan is published for Referendum. Attached is a map showing the 6 LSOAs. We also supply a map showing the 3 LSOAs with the highest levels of vacant homes. – **Map to be replaced.**

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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?

WTC Response:

That energy conservation and renewable energy generation on site are primary considerations with regard to sustainability of future development . Enforcement could be through viability testing on a site by site basis at the planning application stage. Possible wording "energy conservation measures and renewable energy technology provision are viability tested against the Supporting Environmental Targets"

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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?

WTC Response:

WTC would be concerned to reduce the marketing period to 12 months, considering that there is little basis to do so as WDWPLP Policy ECON3 does not set a minimum marketing period, with para.4.3.5 point 3 only requiring “Details of how the property has been marketed, over what period and for what price (and how the asking price was calculated), what use/s it was marketed for, where it was advertised, and whether or not there have been any offers received” to be provided. This similarly applies to NP Policy W53 regarding the loss of Public Houses, which also require continued marketing over an 18-month period.

Comment 276: suggests including conditions of ECON3 in W35.

So renumber Policy Text 1 and add new Condition 2 as follows:

- 2 The redevelopment of employment land and premises for non-employment uses that are in accordance with other planning policies will be permitted where it will not prejudice the efficient and effective use of the remainder of the employment area and:
 - the present or previous (where vacant or derelict) use causes significant harm to the character or amenities of the surrounding area and it has been demonstrated that no other appropriate viable alternative employment uses could be attracted to the site; or
 - a substantial over-supply of suitable alternative employment sites is locally available; or
 - redevelopment of the site would offer important community benefits or no significant loss of jobs / potential jobs.

Comment 277: WTC can add the definition of employment land to the glossary or para 10.14 ‘Employment Land for the purposes of this plan, employment development includes uses within Class E(g) (offices, R&D, light industrial), B2 (general industrial), B8 (storage and distribution), and

relevant sui generis uses typically found on industrial estates. It also covers non-B-class uses that provide direct, ongoing local employment, such as retail and tourism. It excludes development that only indirectly supports the economy, such as housing, and sectors like farming, care homes, and tourist accommodation, which are addressed elsewhere in the plan’.

Comment 278: WTC felt that 18 months was not a sufficient time to market sites given the economic slump. Para 10.17 can be extended to add after the 2nd sentence additional words describing the marketing approach. ‘As a minimum marketing the site will include signage on the building/site indicating it is for sale or lease for employment use, placement of adverts over a 10 month period, in local press and trade magazines, notification of the Dorset Chamber of Commerce and Weymouth & Portland Chamber of Commerce – evidence of this marketing and correspondence will be required.’

Comment 279: see above.

Comment 280, 281: relate to 12 months rather than 18 months

Comment 282: Paragraph 10.15 should refer to Map 27 on Page 140. The figures in Paragraph 10.15 and 9.58 come from the Dorset & BCP Employment Land Study, published March 2024 on page 19 and 158. The figure of 0.7 is shown on Page 158 as the land remaining.

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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.

WTC Response: Yes

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

WTC response:

The assessments are listed in the Clause.

We are open to inclusion of those additional assessments considered desirable in such a policy.

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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?

WTC Response:

WTC is willing to change this to “equivalent number of jobs” but considers this may be impractical given the shift in town centre usage. We suggest in the region of 30%. We accept 30% does not provide needed latitude. It was suggested by discussion within the Jobs Theme Group as a more practical ambition than no reduction. The clarification is provided that “there are a high number of vacant and deteriorating properties”. Our concern was allowing residential

without a contribution of affordable homes effectively surrendered land for jobs without adequate compensation - see 31(c) below.

=====

- 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?

WTC Response:

The intent is to encourage conversion/retrofit over demolishing and rebuilding. Perhaps this should be in terms of demonstrating low carbon development which is within the Dorset Council planning advice for planning in a climate emergency.

Suggest reword clause v to read:

"Where development proposal involves demolition, a Whole Life Carbon Assessment should be completed justifying that this provides is a lower carbon cost to conversion."

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

WTC Response: Yes

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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;"

WTC Response:

This would be acceptable to WTC and is in line with Policy W18 Clause 2i relating to Brownfield Sites.

=====

- 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.

WTC Response:

Yes - This complies with the LP Policy ECON4 and comments within WEY1 and WEY2 at 7.3.8 'The main objective for this area is to promote a competitive and attractive retail sector of the town centre through sensitive, expansion, redevelopment and intensification of uses such as the more effective use of upper floors.' As ECON4 and WEY policies are Strategic Policies we defer to DC for wording improvement. More intensive use might imply less space per person.

=====

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”?

WTC Response:

We are concerned that the word “seasonal” may be interpreted as meaning the peak tourist season when our intention is that this policy applies all the year round for the benefit of both visitors and residents businesses.

We respectfully ask that the examiner consider use of ‘Transitory’ to replace the word ‘temporary’ wherever it is used in the policy or supporting text. This would overcome the objections of DC regarding the word temporary having specific meaning in planning terms’.

We acknowledge comment from DC regarding the 6 months period and perhaps this can be addressed in 10.50 by rewording it slightly to reflect the fact that it is the size of the event that is the primary cause for concern and not necessarily the extended time period.

We suggest: “10.50 Transitory uses that attract large numbers of attendees (over 500 persons), have the potential to cause nuisance and disturbance to neighbours and neighbouring uses. Those applying for such use of buildings and open spaces for organised events and activities should provide evidence, at the time of application, of meaningful consultation with the host community; and the development proposal should include measures to mitigate satisfactorily any concerns the community may have. “

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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?

WTC Response:

The government has recently launched a consultation [Community benefits and shared ownership for low carbon energy infrastructure: working paper \(accessible webpage\)](#) - GOV.UK.

Suggest amend to ‘and a proportion of the Community Energy project should be offered for ownership by residents of the Neighbourhood Plan area in accordance with the government’s guideline ref above paper. ‘

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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?

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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.”

WTC Response: Agree

Community-led developments: A development instigated and taken forward by a not-for-profit organisation set up and run primarily for the purpose of meeting the housing needs of its members and the wider local community, rather than being a primarily commercial enterprise. The organisation is created, managed and democratically controlled by its members. It may take any one of various legal forms including a community land trust, housing co-operative and community benefit society. Membership of the organisation is open to all beneficiaries and prospective beneficiaries of that organisation. The organisation should own, manage or steward the homes in a manner consistent with its purpose, for example through a mutually supported arrangement with a Registered Provider of Social Housing. The benefits of the development to the specified community should be clearly defined and consideration given to how these benefits can be protected over time, including in the event of the organisation being wound up.

Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.