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Report on Portland Neighbourhood Plan 2017 - 2031

**An Examination undertaken for Dorset Council with the support of the
Portland Town Council on the June 2019 submission version of the Plan.**

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Contents

	Page
Main Findings - Executive Summary	4
1. Introduction and Background	4
• Portland Neighbourhood Plan 2017–2031	4
• The Independent Examiner	5
• The Scope of the Examination	5
• The Basic Conditions	6
2. Approach to the Examination	7
• Planning Policy Context	7
• Submitted Documents	8
• Site Visit	9
• Written Representations with or without Public Hearing	9
• Modifications	9
3. Procedural Compliance and Human Rights	9
• Qualifying Body and Neighbourhood Plan Area	9
• Plan Period	9
• Neighbourhood Plan Preparation and Consultation	10
• Development and Use of Land	11
• Excluded Development	11
• Human Rights	11
4. Compliance with the Basic Conditions	12
• EU Obligations	12
• Main Issues	13
• Introduction	13
• Issue 1: The Natural Environment and Heritage	15
- Protection of European Sites	15
- Flood Risk	16
- Renewable Energy	16
- Portland Quarries Nature Park	17
- Heritage Assets	18
- Design and Character	19
• Issue 2: Development Boundaries, Business, Housing and Tourism	20
- Development Boundaries	20
- Business and Employment	22
- Housing	24
- Tourism	29
• Issue 3: Transport, Shopping and Community Recreation	31
- Transport	31
- Shopping	32
- Community Recreation	33

5. Conclusions	35
• Summary	35
• The Referendum and its Area	35
• Overview	36
Appendix: Modifications	37

Main Findings - Executive Summary

From my examination of the Portland Neighbourhood Plan (the Plan/PNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – the Portland Town Council;
- The Plan has been prepared for an area properly designated – the area of Portland shown on Map 1;
- The Plan specifies the period to which it is to take effect – 2017 to 2031; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Portland Neighbourhood Plan 2017-2031

- 1.1 The island parish of Portland is on the south coast and is located directly south of Weymouth. The island is in a unique position at the eastern end of Chesil Beach, at the centre of the Dorset and East Devon Coast World Heritage Site (also known as the Jurassic Coast). From Ferrybridge, where the A354 leaves the mainland and crosses Hamm Beach to the island, to Portland Bill at the southern end is a distance of some 8 kilometres (km) and to the north west the Plan area stretches another 2.5 km along Chesil Beach. The island itself is a tilted table of limestone, rising sharply to over 150 metres (m) before gently sloping south to Portland Bill, and a large area of the island is dominated by quarries, some of which continue to be worked. In addition to its World Heritage status, much of the island's natural environment is designated as special and subject to international and national nature conservation designations.
- 1.2 In 2011, some 12,884 people in 5,175 households lived on the island. The Plan describes the local economy as still adjusting to the withdrawal of the Royal Navy in the 1990s, with many of the island's residents dependent on the Weymouth area for employment, shops, services and

education. Whilst Portland Harbour is one of the largest deep-water man-made harbours in the world, the Port is described as currently operating below its potential capacity.

- 1.3 Work on the Neighbourhood Plan began in 2012, following community led work on the then draft Weymouth and Portland Local Plan. Application for designation as a neighbourhood area was made by Portland Town Council to the then Weymouth and Portland Borough Council in October 2012 and following consultation, formal approval was given in November 2013¹. A community-based Working Group was established by the Town Council to work on the Neighbourhood Plan with residents and stakeholders regularly consulted. The Consultation Statement details the stages in the Plan's preparation and the results of consultations with residents, landowners, interest groups, businesses and statutory bodies. Weymouth and Portland have been the subject of recent local government re-organisation with the creation of Dorset Council as a unitary authority, replacing the former Weymouth and Portland Borough Council.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the PNP by Dorset Council (DC), with the agreement of Portland Town Council (PTC).
- 1.5 I am a chartered town planner and former government Planning Inspector, with some 40 years of experience in the public and private sector, latterly determining major planning appeals and examining development plans and national infrastructure projects. I have recent previous experience of examining neighbourhood plans. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or

¹ DC's response of 5 December 2019 to question 5 in my letter of 22 November 2019. View at: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/west-dorset-and-weymouth-portland/neighbourhood-planning/neighbourhood-plans/portland-neighbourhood-plan.aspx>

(c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the Plan meets the Basic Conditions;
- Whether the Plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';
 - it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the Plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;

- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the Plan does not breach the requirements of Chapter 8 Part 6 of the Conservation of Habitats and Species Regulations 2017 (the 2017 Regulations)².

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of DC, not including documents relating to excluded minerals and waste development, is the West Dorset, Weymouth and Portland Local Plan 2015, which guides development in the area to 2031 (the Local Plan). There is an accompanying Background Document on the Local Plan's Policies Map, prepared in 2015, which states that it *'provides background information on local designations such as Conservation Areas, Land of Local Landscape Importance and Important Local Gaps. Where appropriate it also includes reasons for designation to aid in the interpretation of the Local Plan and Policies Maps. All the designations mentioned in this background information are shown on the Policies Maps'*.
- 2.2 On 25 June 2019, the Dorset Council Cabinet agreed to stop progressing works on reviews of the Local Plans of the former District Councils³, and to begin work on a new Dorset-wide Local Plan. This is at a very early stage in the plan preparation process with the Local Development Scheme indicating that it will not be submitted for examination until early 2022, with adoption in 2023.
- 2.3 Portland is known for the quarrying of its high-quality Portland stone, used to build London's St Paul's Cathedral as well as cladding on the United Nations' building in New York. Neighbourhood plans should not include

² This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species (Various Amendments) (England and Wales) Regulations 2018.

³ With the exception of the Purbeck Local Plan 2019-2034, which at that time was at examination.

provisions for excluded development. Nonetheless, it is relevant to note here that other than those areas with defined settlement boundaries, almost the whole of Portland is designated as a Mineral Safeguarding Area, under policy SG1 of the Bournemouth, Dorset and Poole Minerals Strategy 2014. Along with policy SG2, which identifies Portland as a Mineral Consultation Area⁴, and policy SG3 which safeguards operational and permitted mineral sites, these policies of the Minerals Strategy seek to protect important mineral resources on Portland from unnecessary sterilisation. The Minerals Strategy also includes a specific policy PD1, relating to underground mining and high wall extraction of Portland Stone. Work has progressed on the Minerals Sites Plan, which DC has advised will be formally adopted on 31 December 2019⁵.

- 2.4 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The NPPF of July 2018, and later revision of February 2019, replaces the first NPPF published in March 2012. It is clear from paragraph 214 that this Neighbourhood Plan is to be tested against the revised NPPF. Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented.

Submitted Documents

- 2.5 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:
- the draft Portland Neighbourhood Plan 2017 - 2031, June 2019;
 - Map 1 of the Plan, which identifies the area to which the proposed neighbourhood development plan relates;
 - the Consultation Statement, June 2019;
 - the Basic Conditions Statement, June 2019;
 - all the representations that have been made in accordance with the Regulation 16 consultation; and
 - the Strategic Environmental Assessment (SEA), prepared by AECOM for the PNP Steering Group (dated May 2019).
 - The Habitats Regulations Assessment (HRA) (including Appropriate Assessment) and Addendum prepared by DC (dated June and July 2019).

⁴ The Mineral Safeguarding Area (MSA) and the Mineral Consultation Area (MCA) are the same. The latter only applied to the area of the former Dorset County Council where, prior to local government reorganisation on 1 April 2019, the former district/borough councils were required to consult the County Council as the Mineral Planning Authority over planning applications in the MCA with potential mineral safeguarding implications. The new Dorset Council, as a unitary authority, makes all mineral and non-mineral determinations on applications.

⁵ DC's response of 5 December 2019 to question 2 of my letter of 22 November 2019.

2.6 I have also had regard to the responses from DC and from PTC to my questions, set out in my letter of 22 November 2019⁶.

Site Visit

2.7 I made an unaccompanied site visit to Portland on 20 November 2019 to familiarise myself with it, and visit relevant sites and areas referenced in the Plan and evidential documents. On that day, I was also able to visit the secure area of the Port.

Written Representations with or without Public Hearing

2.8 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the Plan, and presented arguments for and against the Plan's suitability to proceed to a referendum.

Modifications

2.9 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The PNP has been prepared and submitted for examination by PTC which is a qualifying body for an area that was designated by the former Weymouth and Portland Borough Council on 5 November 2013⁷.

3.2 It is the only Neighbourhood Plan for the Plan Area, and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

3.3 The PNP specifies clearly the period to which it is to take effect, which is from 2017 to 2031.

⁶ View at: <https://www.dorsetcouncil.gov.uk/planning-buildings-land/planning-policy/west-dorset-and-weymouth-portland/neighbourhood-planning/neighbourhood-plans/portland-neighbourhood-plan.aspx>

⁷ Subsequent transitional arrangements ensure that this designation operates as if made by DC.

Neighbourhood Plan Preparation and Consultation

- 3.4 The decision to prepare a Neighbourhood Plan for Portland was taken by PTC in 2012, following community led work to inform the Local Plan process. Following designation as a neighbourhood area, a community-based working group was established which reported regularly to a Management Group of the Town Council as well as to the Town Council's Planning and Highways Advisory Committee. Early on the Management and Working Groups agreed an outline Community Engagement Strategy so as to properly plan for each consultation stage and to ensure that the community at large knew when and why they were being consulted. Aside from programmed and organised consultation 'events', a range of methods were used to engage with the local community. These included social media; press releases; updates in the monthly Free Portland News; drop in events; media broadcasts; banners, flyers and posters; regular updates at Town Council meetings; attendance at various public events and a dedicated website. In addition, particular efforts were made to engage with local businesses on Portland and with landowners, interest groups, and other stakeholders. The Consultation Statement sets out a timeline of specific consultation events and the principles underpinning the Community Engagement Strategy.
- 3.5 In January 2013, two launch events were held to raise awareness and inform the community about the preparation of a Neighbourhood Plan which were attended by more than 150 people who produced nearly 500 response cards identifying what were seen as key planning and development issues. Subsequently, a main consultation was held in the summer of 2014. Around 5,000 questionnaires were delivered with the Free Portland News to households across the island, and made available at various locations, as well as being on the website. Flyers were also distributed to tell people about the consultation and it was reported in the Dorset Evening Echo. The 408 questionnaires completed provided feedback on the key issues previously identified and identified key themes and priorities for the Plan to address. In addition, there were parallel consultation exercises with local groups and organisations and with local businesses. Whilst disappointing, the Consultation Statement notes that the 10% response rate was not unusual for a neighbourhood plan business survey and the feedback provided some confidence with regard to key issues. Efforts were also made to engage with the young people living on Portland and feedback from the secondary and junior schools and from youth leaders and groups is set out in appendices to the Consultation Statement.
- 3.6 Further consultation on the vision, aims and objectives of the Plan was held in December 2014 and January 2015, and through 2015 and 2016 a number of public meetings were promoted to involve the community with regular updates provided both online and distributed via the local free paper. Throughout 2016 and 2017, the Working Group continued to work up the Plan and engaged in discussions with statutory and strategic consultees. An informal consultation on the first full draft of the Plan was

held from November 2017 – January 2018 with 25 drop-in sessions held at 10 venues. Information on the draft Plan was made available on the website; through press releases; local radio; flyers distributed to local businesses; banners and reference material left at local clubs and pubs. In response to the 30 replies received generating 168 comments, amendments were proposed to several draft policies.

- 3.7 Public consultation on Regulation 14 Pre-Submission Plan took place in June and July 2018. It was widely publicised in the area through a notice in the free local paper, on the website and social media, by press releases and display banners, and emails to local bodies and groups. Some 79 responses were made, as well as 7 from statutory consultees. The Consultation Statement, at Appendix 37 and Appendix I, sets out these Regulation 14 responses.
- 3.8 The consultation responses were taken into account, where considered appropriate, in revising the submitted Plan. The submitted Plan was subject to a further 8-week consultation from 15 August to 9 October 2019 under Regulation 16, and I have taken account of the 24 responses received in writing this report, as well as the earlier Consultation Statement. I am satisfied that a transparent, fair and inclusive consultation process has been followed for this Neighbourhood Plan, having due regard to the advice in the PPG on plan preparation and in procedural compliance with the legal requirements.

Development and Use of Land

- 3.9 The Plan sets out policies in relation to the development and use of land in accordance with section 38A of the 2004 Act.

Excluded Development

- 3.10 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.11 I have to consider whether the PNP has had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human rights and complies with the Human Rights Act 1998. PTC has assessed⁸ that the Plan including its preparation does not breach, and would not otherwise be incompatible with, any EU obligation⁹ or any of the Convention rights (within the meaning of the Human Rights Act 1998). I have considered this matter independently and I have found no reason to disagree with that position.

⁸ Basic Conditions Statement page 24.

⁹ Note: EU obligations are entirely separate to the European Convention on Human Rights, which is derived from the Council of Europe.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The PNP has been screened for SEA and the submitted Plan was accompanied by an Environmental Report prepared by AECOM Ltd, dated May 2019. This is a legal requirement¹⁰ and accords with Regulation 15(e)(1) of the 2012 Regulations. The Environmental Report was the culmination of plan making/SEA work undertaken since 2013. It concluded that the PNP is likely to lead to significant positive effects in relation to the SEA themes of population and community, health and wellbeing, biodiversity, and landscape and historic environment and would initiate beneficial approaches in respect of climate change, land, soil and water resources and transportation. Having read the Environmental Report and considered the matter independently, I support these conclusions.
- 4.2 The PNP was screened for HRA by DC¹¹. The Assessment notes that there are two European (Natura 2000) sites within the Plan area; the Chesil and Fleet Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar site and the Isle of Portland to Studland Cliffs SAC. In addition, the Lyme Bay to Torbay SAC (marine) is around 9km to the north west. However, the HRA identified no pathways to the Studland to Portland SAC (marine) or to the Crookhill Brick Pit SAC. The HRA screening exercise concluded that there were likely significant effects as a result of the PNP on Chesil and Fleet, Isle of Portland to Studland Cliffs, and Lyme Bay to Torbay European sites as a result of the following pathways: direct land take, construction related activities, recreational pressure, water resources and water quality, and air quality.
- 4.3 An Appropriate Assessment was therefore carried out by DC, as the competent authority, which concluded that subject to certain recommended policy wording changes being made, the Plan would not have an adverse effect on the integrity of a European site. Following statutory consultation with Natural England¹², the July 2019 Addendum updates the HRA, and sets out recommendations for amendments to the wording of the PNP policies EN5 (Historic Piers), EN8 (The Verne), BE6 (The Northern Arc) and policy ST1 (Sustainable Tourism). In addition, at the suggestion of Natural England, a further overarching wildlife policy is recommended to be included in the PNP, largely reflecting that of policy ENV2 of the adopted Local Plan.

¹⁰ European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

¹¹ HRA June 2019.

¹² The appropriate nature conservation body.

4.4 DC has concluded that it is necessary for these recommended changes to be made to the PNP in order to achieve compliance with the Habitats Directive (Council Directive 92/43/EEC on the Conservation of natural habitats and of wild fauna and flora) which is transposed into UK law through the Conservation of Habitats and Species Regulations 2017 (as amended). I am satisfied that the HRA and Appropriate Assessment procedures have been correctly followed by DC as the competent authority. On the basis of the information provided and my independent consideration, I agree with the conclusion of DC. In respect of the details of the recommended wording of the PNP's policies, I address these in my assessment set out below.

Main Issues

4.5 Having regard for the PNP, the consultation responses and other evidence, and the site visit, I consider that there are three main issues relating to the Basic Conditions for this examination. These are:

- Whether the PNP policies for the environment will secure high standards of design and protect natural environment and heritage assets in line with national policy, and are in general conformity with the strategic policies in the Local Plan;
- Whether the defined development boundaries, business and employment, housing, and tourism policies provide an appropriate framework to shape and direct sustainable development, having regard to national policy and guidance and are in general conformity with the strategic policies in the Local Plan; and
- Whether the transport, shopping, and community recreation policies in the Plan meet the Basic Conditions, particularly in relation to accord with national policy and guidance and in contributing to the achievement of sustainable development.

Introduction

4.6 The PNP begins with an introduction to the island and the particular challenges that the local community and the Town Council face, before setting out the strategic planning context for the Neighbourhood Plan, including the Economic Plan for Portland¹³. This includes the designation of almost all of the Plan area as a Mineral Safeguarding Area in the Bournemouth, Dorset and Poole Minerals Strategy 2014, as well as a Mineral Consultation Area. Whilst these designations seek to protect the important mineral resources on the island from unnecessary sterilisation,

¹³ Future Portland, Portland Economic Vision and Plan (2015-2030) Portland Community Partnership 2015.

the Plan clarifies that they do not mean that development cannot take place. Map 3 shows the Portland Mineral Consultation Area. In the interests of clarity and completeness, additional text should be included in the Plan after paragraph 3.18 to explain that: i) the Mineral Safeguarding Area is the same as the Mineral Consultation Area; ii) within this area non-minerals development will be resisted if it appears likely to sterilise mineral resources, or hinder future mineral development; and iii) the Mineral Planning Authority will be consulted over any non-mineral development within the Mineral Safeguarding Area (**PM1**).

- 4.7 In its position statement at paragraph 3.21 and onward, PTC describes the opportunity to prepare its own Neighbourhood Plan as '*both liberating and energising*', but that it had not been easy because whilst Portland is rich in both natural and man-made assets, there are many inter-related issues and opportunities with many diverse interests to reconcile. Chapter 6 sets out the Plan's Vision, Aims and Objectives for Portland. The Vision for the area to 2031 is expressed as seven topic-based aims, which cover the environment, business and employment, housing, transport, shopping and services, community recreation and sustainable tourism. Objectives based on these aims were set following consultation and from which the policies under the same seven aims have been developed. These introductory chapters set out a clear and robust structure for the planning of the area over the next 12 years, based on consultation with the local communities, and have regard to national and local policy.
- 4.8 The Plan includes 16 policy maps which are spread through the document. In addition, PTC has produced, as an appendix to the Plan, a separate set of Policy Maps, some of which are at a larger scale thus giving more definition and detail. A number of representators have noted '*typos*' in the Plan. It is not my intention to identify and note them all as specific modifications but I ask PTC to double-check the text and make any necessary corrections before the final version of the Plan goes to referendum. However, I am proposing modifications to the PNP at paragraph 3.2 to refer to the latest February 2019 version of the NPPF (**PM2**); at paragraph 3.10 to delete the reference to the Local Plan Review, which is no longer being taken forward, and to note that DC is to progress a Dorset Council Local Plan with the aim of adoption by 2024 (**PM3**); and at paragraph 3.17 to note the adoption of the Waste Plan and of the Minerals Sites Plan¹⁴ (**PM4**). Also, policy ST1 should be added to the list of policies referred to in paragraph 5.14 which the HRA required to be amended and reference should be made in the same paragraph to the Water Resources Management Plan August 2019 (**PM5**).

¹⁴ Both plans have been jointly prepared by DC and Bournemouth, Christchurch and Poole Council. DC's response of 5 December 2019 to my questions has clarified that DC has adopted both plans, that they are going to Bournemouth, Christchurch and Poole Council on 17 December 2019, with formal adoption planned on 31 December 2019.

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4.9 There are 35 policies in the PNP that fall to be considered against the Basic Conditions. Throughout this report, for ease I have referred to them by their individual number (for example policy EN1 rather than Port/EN1). When made, the PNP will form part of the Development Plan and the PPG advises that a neighbourhood plan policy should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence, and should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared¹⁵. Policies should relate to the development or use of land¹⁶. With this in mind, I now turn, in the following paragraphs, to address each of my three main issues.

Issue 1: The Natural Environment and Heritage

4.10 The Local Plan sets out a Vision for Portland that in 2031, amongst other aims, it will have maintained and enhanced the unique character of the island in terms of its built and natural assets, whilst thriving economically and socially for the benefits of its residents. The aim for the environment in the PNP aligns with this Vision in seeking to protect the special and unique character of Portland's natural and built environment and use its natural resources carefully. The island's future is seen in the Plan as balancing the maintenance and improvement of the environment whilst, at the same time, providing opportunities for economic-related development. The special quality of Portland's environment is confirmed in the wealth of international, national and local environmental designations shown on Map 4, including as the World Heritage Site, SACs, Ramsar site, SSSIs¹⁷, Heritage Coast and SNCIs¹⁸.

Protection of European Sites

4.11 In accord with the HRA recommendation, an overarching policy EN0 has been included in the Plan for the protection of the European sites. However, subsequent to the submission of the PNP, Natural England came back to DC with a different recommended form of wording for policy EN0, which uses the term set out in the Regulations¹⁹. This has been agreed as being acceptable to PTC²⁰. The recommended new wording makes the policy specific to proposals in the Portland area, in particularly in respect of the Northern Arc and enhancement of the historic piers, and thus has

¹⁵ PPG Reference ID: 41-041-20140306.

¹⁶ Section 38A(2) of the 2004 Act.

¹⁷ Nationally designated Sites of Special Scientific Interest.

¹⁸ Locally designated Sites of Nature Conservation Interest.

¹⁹ The term 'adversely affect the integrity of' is derived from Regulation 63(5) of the Conservation of Habitats and Species Regulations 2017.

²⁰ See the email trail placed online on the Portland Neighbourhood Plan webpage on DC's website.

regard to advice in the PPG that policies should be distinct to reflect and respond to the unique characteristics of the local area. I am modifying policy EN0 accordingly (**PM6**).

Flood Risk

4.12 It is national policy in the NPPF on meeting the challenge of climate change, flooding and coastal change that the planning system should help to shape places that, amongst other things, minimise vulnerability and improve resilience²¹. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Local Plan policy ENV5 addresses flood risk and sets out the sequential and exception tests. Parts of Portland are prone to flooding or surface water accumulation with the low-lying areas of Chiswell and Osprey Quay, together with Beach Road, being most at risk. The PNP acknowledges the island's resistance and resilience to flooding is an on-going process. Policy EN1 is supportive of development that is needed to ensure that local property and businesses are protected and people are kept safe. It supports flood defence works specifically designed to protect local property and businesses. Subject to the deletion of the word '*usually*' from the policy, which is not explained or qualified in any way in the supporting text, and the addition of the words '*South Devon and Dorset*' before Shoreline Management Plan in the policy (this will also require an amendment to footnote 23), I am satisfied that policy EN1 has regard to national policy and is in general conformity with strategic Local Plan policy ENV5. Paragraph 7.17 will also require updating to be consistent with the location references and policy recommendations in the Shoreline Management Plan (SMP2) (**PM7**).

Renewable Energy

4.13 The PNP refers at paragraph 7.23 to the 2015 Economic Strategy which saw Portland as an ideal environment for renewable energy to thrive. Policy EN2 of the Plan addresses renewable energy development and, in accord with national policy²², supports proposals for energy generating infrastructure using renewable or low carbon energy sources, including wind and tidal power. The penultimate part of the policy refers to wind farms and wind turbines being supported that are of an appropriate scale and '*in accordance with the policies of the Development Plan*'. However, no areas are identified in the Local Plan as being suitable for wind farms or wind turbines. Whilst there had been an intention to include a new wind energy development policy in the emerging Local Plan Review, the Preferred Options consultation document did not identify any suitable

²¹ NPPF paragraph 148.

²² NPPF paragraph 151.

sites. In any event, the Review has now been abandoned in favour of a single local plan for Dorset.

- 4.14 Advice in the NPPF is that a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan. With no suitable areas identified in the extant Local Plan and none proposed in the PNP, I am deleting this part of the policy and redrafting paragraphs 7.26 and 7.27 along the lines suggested by DC. That is to clarify that PTC will work with DC as it prepares the Dorset Local Plan to consider whether there are suitable locations for wind energy development on Portland (**PM8** and **PM9**).
- 4.15 Representations have been made by Powerfuel Portland Ltd that the scope of policy EN2 should be extended to cover proposals for energy recovery from waste and waste to fuel. However, such proposals for the recovery/use of waste would be '*excluded development*'²³ which cannot be addressed in neighbourhood plans. Furthermore, in the absence of a consistent and reliable definition of Cleantech energy development, I am not satisfied that the inclusion of these words in policy EN2, as proposed by Portland Port, would provide the necessary precision advocated by the PPG. However, I am recommending a modification to the Plan to refer in paragraph 7.24 to the declarations made by PTC in May and June 2019 of a climate and ecological emergency, which is indicative of the community's continuing interest in renewable energy and growing local concern about climate change and carbon neutrality (**PM10**).
- 4.16 The development plan has to be read as a whole. Furthermore, all applications have to comply with statutory requirements set out in Regulations, including the Habitats Regulations. Therefore, there is no need in policy EN2 to refer to proposals not affecting the integrity of European sites or to the Conservation of Habitats and Species Regulations 2017 (**PM8**). Provided these modifications are made, policy EN2 would have regard to national policy, be in general conformity with the strategic policies of the Local Plan and would contribute towards the achievement of sustainable development, thus meeting the Basic Conditions.

Portland Quarries Nature Park

- 4.17 The Portland Quarries Nature Park (PQNP) is a long-term project for the remediation of unused and worked quarries on the island. In its first phase, it includes over 60 hectares (ha) of land, linking together five sites with the clear intention to add additional areas as opportunities arise. Whilst paragraph 7.29 refers to the PQNP first being brought forward as

²³ See Article 2 of the Town and Country Planning (Prescription of County Matters) (England) Regulations 2003 and section 61K of the 1990 Act.

an Olympic Legacy Project, the Portland Sculpture and Quarry Trust has referred to its 36-year track record of achievements, including interpretation work on Tout Quarry, and that the idea of a Quarry Park was first put forward in 1999. I agree that it would be useful to describe this long gestation period in the Plan (**PM11**).

- 4.18 Through the creation and expansion of the PQNP, policy EN3 supports the sensitive re-use of neglected and worked out quarries to stimulate tourism, create jobs and contribute to economic growth. It accords with paragraph 204 h). of the NPPF, that land worked for its minerals should be reclaimed at the earliest opportunity, and with policy PORT3 of the Local Plan which allocates land as part of the PQNP. Policy EN3 relates to both allocated areas as well as to aspirational areas, which are clearly shown on Map 7. In that respect, I saw on my site visit that the southern part of Tout Quarry, although shown as aspirational, has public access and there is an interpretation board by a small car park. The Wessex Water reservoir at Yeates is already shown as an aspirational area on the Local Plan Policies Map and I am not persuaded to make any change to its notation or to remove it from Map 7.
- 4.19 Policy EN3 is supportive of proposals that further the creation of the PQNP subject to meeting certain criteria. In respect of criterion v., I do not consider that the second part adds anything to the Plan. The Development Plan, which will comprise the Local Plan and the Neighbourhood Plan if/when made, has to be read as a whole and there is no need to cross reference Local Plan policies within the PNP policy. Local Plan policy ENV2 does not refer to the need for '*compensation*' to be put in place and PNP policy EN0 deals with European sites. Criterion vi. accords with the Minerals Strategy, in providing that safeguarded Portland Stone reserves are not compromised, but the supporting text at paragraph 7.33 could usefully clarify that the remaining resource at Broadcroft should not be unnecessarily sterilised. Minor corrections are also needed to paragraphs 7.35 and 7.36 (**PM12, PM13** and **PM14**). Subject to these modifications being made, policy EN3 would meet the Basic Conditions.

Heritage Assets

- 4.20 In consultation responses, local residents expressed a strong concern to respect their local heritage. In addition to designated heritage assets, which include four Conservation Areas, 191 listed buildings as well as eight ancient monuments, the PNP identifies that there are also many other buildings and places that help define Portland as a distinct location and warrant recognition and protection. In a recent Government announcement, encouragement was given to communities to '*nominate heritage assets which make their community what it is*', and the July 2019

amendment to the PPG²⁴ clarifies that neighbourhood plans may identify non-designated heritage assets.

- 4.21 Most of Portland is shown on the Local Plan Policies Map as an Area of Archaeological Potential with a significant number of smaller areas of Archaeological Importance. Whilst there is no current Local Heritage List, the supporting text sets out the intention of PTC to compile its own schedule of assets of local heritage value and policy EN4 provides support for proposals that maintain or enhance the character and setting of any designated or non-designated asset. However, as drafted, the Plan is unclear as to what is meant in the policy by an asset being used '*in an appropriate manner*'. I am therefore proposing a modification to replace those words with those used in paragraph 7.38, which refer to uses being commensurate with the building's heritage. Subject to that modification and a minor correction to the policy number in paragraph 7.39 (**PM15** and **PM16**), I consider that policy EN4 would be in general conformity with the strategic policy of the Local Plan and have regard to national policy and guidance, thus meeting the Basic Conditions.
- 4.22 There are several historic jetties or piers off the east coast of Portland within the ownership of the Port which date back to the seventeenth century and which PTC considers to be worthy of protection. The Plan acknowledges that bringing the piers back into use will be a challenge. However, PTC has hopes that, with careful restoration, they could yet have an economic or social use. I am satisfied that policy EN5 as drafted, whilst providing support for their renovation or alteration, also safeguards against any harmful impacts that work might have on the World Heritage Site and on the Isle of Portland to Studland Cliffs SAC. The policy relates to the use and development of land and I am satisfied that it fulfils the Basic Conditions.

Design and Character

- 4.23 It is national policy that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development²⁵. The 2017 Portland Heritage and Character Assessment identifies the different qualities of the various distinct areas of the island and sets out a design vision and expectations for development. PNP policy EN7 deals with design and character and requires development proposals to demonstrate that they have taken local character and the location's distinctiveness fully into account. There are also design policies in the Local Plan which

²⁴ PPG Reference ID: 18a-040-20190723.

²⁵ NPPF paragraphs 124 and 125.

address issues that are not covered in policy EN5, more particularly the retention of trees and other features that enhance local character (Local Plan policy ENV10 (ii) and (iv)) and layout and permeability issues (policy ENV11). Whilst it is not necessary for the PNP to repeat matters already covered in Local Plan policies²⁶, it would be helpful for there to be a cross-reference in the supporting text to these Local Plan policies. I am modifying the Plan accordingly (**PM17**).

- 4.24 The 2017 Portland Heritage and Character Assessment also looked at the quality of the public realm across Portland and found many areas looking rundown or neglected. I agree with the Plan that Portland deserves better and policy EN9 supports proposals to improve the public realm. Paragraph 7.62 notes PTC's intention to develop guidelines on a common palette of materials, street furniture and signage which will help implement this policy. I am satisfied that policy EN9 accords with national policy to achieve well-designed places and with Local Plan policies ENV10 and ENV11, thus meeting the Basic Conditions.
- 4.25 There is a specific policy EN8 in the PNP for The Verne, which is an area within the Citadel with buildings, now neglected, which are of local heritage value and were formerly in residential use. The policy supports their sensitive restoration, subject to there being no adverse effects on the integrity of the nearby European site. The accompanying text refers to possible enterprise or tourism schemes. Whilst re-use for residential purposes is not ruled out, the site does not have a public water supply and is in an isolated position at the top of the hill. I am satisfied that policy EN8 is locally distinctive, supported by appropriate evidence and meets the tests of the Basic Conditions.
- 4.26 Providing that the modifications set out above are made, I conclude that the environment policies in the PNP²⁷ will secure high standards of design and protect natural environment and heritage assets in line with national policy and are in general conformity with the strategic policies in the Local Plan. Accordingly, the Basic Conditions will be met.

Issue 2: Development Boundaries, Business, Housing and Tourism

Development Boundaries

- 4.27 Successive Local Plans have defined development boundaries (DDBs) for the villages on Portland. The current Local Plan identifies DDBs for Fortuneswell, Grove, Easton, Weston and Southwell within which Local Plan policy SUS2 provides that residential, employment and other development to meet the needs of the local area will normally be

²⁶ NPPF paragraph 16 f).

²⁷ Excluding policy EN6 on defined development boundaries, which I deal with below.

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permitted. Paragraph 7.49 of the PNP explains that as part of its preparation, the opportunity was taken to review their boundaries, as provided for in the Local Plan, subject to not undermining the Local Plan's strategic objectives and approach²⁸. Policy EN6 provides for the revised DDBs for the 5 settlements, many of which are unchanged from those in the Local Plan.

- 4.28 Three main changes compared to the Local Plan DDBs are proposed in the PNP. I consider that the DDBs shown on Map 8 provide an appropriate framework for development management. Having regard to the character of the landscape around the Old Coastguard Cottages at Portland Bill, it is appropriate for these cottages to be included within the countryside rather than being defined as a built-up area within a DDB. Although the landscape between Fortuneswell and Easton has been considerably modified by quarrying, much of it now lies within the PQNP, which seeks the restoration of the area. In removing the DDBs around the employment sites between Fortuneswell and Easton, the PNP provides a more appropriate and consistent policy framework whereby these sites are treated under PNP policy BE1 as employment sites in the countryside, identified on Map 10 in the PNP as Key Employment Areas, and subject to Local Plan policy ECON2.
- 4.29 In respect of changes to the DDBs within the Port, representations have been made by Portland Port that the site should be treated as one entity and that the Local Plan's DDBs should be reinstated for the key employment site in its entirety. The DDB in the NP remains around the main port area where there are the port buildings, jetties, piers and wharves. To the south of this area, there are 7 discrete areas that were developed when part of the former Admiralty occupation of the land. The Local Plan showed DDBs around these employment areas. However, the NP now proposes, following its boundary review, that these DDBs should be removed and that these areas should be shown as Key Employment Areas PORT 1-7 on Map 10, and subject to Local Plan policy ECON2, as 'key employment sites' in the countryside.
- 4.30 Having visited the Port and the identified Key Employment Areas PORT1-7, I consider the approach taken in the NP is reasonable and appropriate and one that DC has confirmed has been applied elsewhere in the Local Plan area. By identifying in the NP these areas for employment uses, I am satisfied that there would be no detriment to the future long-term growth of the Port. Further, in my view it is an approach that is consistent with the national and international nature conservation interests of this part of Portland, where employment uses could be more compatible than other urban uses that may be permitted within DDBs. I conclude that policy EN6, by defining development boundaries, provides

²⁸ Local Plan paragraph 3.3.27.

an appropriate framework that will help shape and direct sustainable development on Portland, having regard to national policy, and which is in general conformity with the strategic policies of the Local Plan, thus meeting the Basic Conditions.

Business and Employment

- 4.31 It is national planning policy to encourage sustainable economic growth and to help create the conditions in which businesses can invest, expand and adapt²⁹. In the Business and Employment chapter, the PNP refers to the impact on Portland of the closure of the main Ministry of Defence and Royal Navy establishments in the 1990s. There has been new industrial and commercial development at Osprey Quay, Southwell Business Park, and Portland Port, but still far more people commute out of Portland daily to work than travel in, and barriers to growth identified in the Portland Economic Plan include the limitations of the road network and the lack of suitable premises and high speed internet connections. Economic underperformance continues to be an issue and areas on Portland suffer from high levels of multiple deprivation. As it is an aim of the PNP to strengthen the island's business function, with land suitable for modern business development in relatively short supply because of the island's topography and environmental constraints, it is important to retain established employment sites.
- 4.32 The Local Plan, through policy ECON2, protects key employment sites on Portland and through its policy PORT1, allocates land at Osprey Quay for mixed use including employment. These Local Plan sites are identified on Map 10 of the PNP as Key Employment Areas along with the Albion (Stone Works) area. As the main occupier of the latter is the Albion Stone Factory, I consider it more appropriate to identify it as an employment site, rather than as a DDB (which is how it is currently identified in the Local Plan). This would also be compatible with proposals for the PQNP on adjoining land. In the interests of accuracy, the area identified as PORT7 should be extended to include the former Parade Ground (**PM18**).
- 4.33 Policy BE1 of the PNP seeks to ensure that, outside of these key employment areas, when other employment sites or premises are vacated that every effort is made to secure a viable alternative employment use or a community use. As the Development Plan, which includes the Local Plan and the PNP if/when made, should be read as a whole the reference in policy BE1 i. to Local Plan policy ECON3 should be moved to the supporting text (**PM19**). Subject to some minor rewording to clarify the application of the policy (**PM20**), I am satisfied that policy BE1 is locally distinctive and supported by appropriate evidence, and meets the Basic Conditions.

²⁹ NPPF paragraphs 81-82.

- 4.34 In support of the economic aim of the PNP, policies BE2, BE3 and BE4 support the upgrading of existing employment sites and premises and the provision of new employment premises and new business centres. Policy BE5 supports development that would facilitate home working and mirrors that in the made Fontwell Magna Neighbourhood Plan. I am satisfied that these four employment policies have regard to the NPPF, are in general conformity with the economic policies of the Local Plan and would contribute towards the achievement of sustainable economic development.
- 4.35 The PNP proposes a comprehensive strategic planning approach to realise the economic and employment potential of Portland's Northern Arc, identified on Map 11 as including Osprey Quay and extending through Castletown to include the Port and along the eastern cliffs as far south as Grove. The HRA recognised the potential of policy BE6 to have impacts on internationally important wildlife sites and additional wording recommended in the HRA has been included in the submitted PNP policy. In addition to specific mention of development ensuring that it can be implemented without any adverse effect upon the integrity of the European sites, the policy is explicit in stating that in addition to realising the economic and employment potential of the area, it also aims to improve the area's environmental quality. The supporting text at paragraph 8.21 makes reference to policy BE6 having the support of key landowners, including the Port.
- 4.36 I am satisfied that, as drafted, policy BE6 is sufficiently flexible to allow for different approaches to the strategic planning and future development of this area, which may not necessarily be by way of a masterplan, and to provide for the broad range of uses envisaged in the Local Plan policies that cover different parts of the Northern Arc. These are cross referenced in paragraph 8.23 of the PNP and include policy PORT1 which allocates land at Osprey Quay for mixed uses and policy PORT2 for housing at the Former Hardy Complex. The Northern Arc is an ambitious project. It has the potential to develop the area as an important employment area for the benefit of local people and the future economic wellbeing of the island, whilst ensuring that other appropriate uses can flourish and the important heritage and nature conservation sites are appropriately respected. Policy BE6 accords with the NPPF in setting out a clear economic vision which positively and proactively encourages sustainable economic growth. It complements the strategic allocations and policies in the Local Plan for Portland and I consider that it would help provide an appropriate framework to shape and direct sustainable development on the island, thus fulfilling the Basic Conditions.

Housing

- 4.37 The early paragraphs of chapter 9 of the Plan describe the Portland housing stock and market, with much of the housing being over 60 years old, nearly half the stock being terraced houses, almost one third of residents renting their homes and with new house building constrained by the amount of suitable development land available. Affordability is also an issue on Portland for local people, as well as increasing concern that the island will get '*discovered*' as tourism grows and there will be pressure on the existing housing stock from those buying second homes. The four PNP housing policies are described as being '*aimed at ensuring that local needs and demands are recognised and have primacy when development takes place*'.
- 4.38 It is an objective of Government to significantly boost the supply of homes and that '*it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay*'³⁰. Within the context of strategic local housing need assessment, paragraph 61 of the NPPF advises that '*the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies*'. In that regard, policy HOUS3 of the Local Plan requires that open market housing should include a mix in the size, type and affordability of dwellings. Paragraph 5.3.1 of the supporting text notes that the Strategic Housing Market Assessment (SHMA) indicated a greater need for 2 and 3-bedroom homes. Local Plan policy HOUS1 on affordable housing also requires at v) that the type, size and mix of affordable housing will be expected to address the identified and prioritised housing needs of the area and should be proportionate to the scale and mix of market housing.
- 4.39 PNP policy HS1 addresses housing mix and requires that new residential development should favour small dwellings, requiring that major housing sites³¹ '*must contain an appropriate mixture of house types and sizes*'. It further requires a judgement to be made on whether the mix proposed in a scheme on a specific site shows '*how they contribute to meeting the current housing needs of the neighbourhood area*'. The supporting text at paragraph 9.10 indicates that this would be done by the developer referring to an '*up to date assessment of the local housing market*', carried out no more than 12 months prior to the application being submitted, to demonstrate how the proposed mix of sizes and house types is locally relevant and takes account of the aspirations and re-housing needs of local residents.

³⁰ NPPF paragraph 59.

³¹ These are defined in policy HS1 as 10 or more dwellings or 0.5ha or more.

- 4.40 I share the local planning authority's concern as to how this part of the policy would be applied. PTC has referred to the last overall housing need assessment as being conducted as part of the Local Plan review³². However, I note that DC's reference is to the SHMA, undertaken to inform the currently adopted West Dorset, Weymouth and Portland Local Plan, which was in 2014. It looked at future housing requirement and mix across the district and borough and did not give a breakdown for Portland. It is now 5 years old. I would expect the new single Local Plan for DC to also take a strategic overview of the size and type of housing required and not look separately at the housing needs of Portland³³.
- 4.41 Paragraph 9.10 refers to the Town Council endeavouring '*to maintain up to date intelligence on local housing need to help guide developers*'. However, the Plan lacks clarity as to how this would be done. Nor does it offer any guidance on how the appropriateness of a housing mix for a specific site would be judged in the absence of an up to date assessment of local need, or if the assessment was more than a year old. Advice in the PPG on the drafting of neighbourhood plan policies is that they should be clear and unambiguous and drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. I do not consider that policy HS1 has the necessary clarity.
- 4.42 I note that PTC has accepted DC's suggestion of '*introducing a degree of flexibility into the policy framework*' and I propose to do this by deleting the requirement in policy HS1 for developers to refer to an up to date assessment of housing need on Portland, and replacing the third and last sentences of paragraph 9.10 with new wording along the lines of that suggested by DC (**PM21** and **PM22**). Subject to these modifications set out in the Appendix, policy HS1 would have regard to national policy and guidance, including the need to make efficient use of land³⁴, and would be in general conformity with the Local Plan's strategic housing policies.
- 4.43 The title of policy HS2 is community housing assets. However, there is nothing in the supporting text to explain this term, nor why it is used when the policy itself refers to community housing schemes on affordable housing exception sites. In response to my query, PTC described community housing assets as covering both the building and housing aspects of the policy, but no further explanation has been provided on what that actually means. The supporting text refers to affordable housing in terms of self-build and custom-built homes; various models of community housing, such as co-housing; and community-led housing projects. But it is clear from the Glossary at Annex 2 to the NPPF that

³² PTC response of 5 December to my question 11.

³³ Nonetheless, noting the requirement of NPPF paragraph 65.

³⁴ NPPF paragraph 122.

affordable housing can also take a number of other forms, for example starter homes or discounted market sales housing, and can be provided by a number of different agents. In the interests of clarity, I consider that the policy title should be modified to simply refer to affordable housing (as recommended in PM24).

- 4.44 The PPG advises that neighbourhood plans can vary the types of affordable housing that will be expected where this would better meet the needs of the neighbourhood area, depending on the content of the relevant strategic policies in the Local Plan³⁵. Policy HOUS2 of the Local Plan deals with affordable housing exception sites and permits small scale sites for affordable housing adjoining settlements, subject to meeting various criteria including secure arrangements being in place to ensure that the benefits of affordable housing will be enjoyed by subsequent, as well as initial, occupiers. It is consistent with paragraph 71 of the NPPF on entry level exception sites, suitable for first time buyers (or those looking to rent their first home). In line with the NPPF at paragraph 77, the supporting text to Local Plan policy HOUS2 enables local communities to allow *'market housing cross subsidy'* on exception sites where this is brought forward through neighbourhood planning.
- 4.45 The PNP at paragraph 9.16 states that *'a small proportion of open market housing may be permissible on the development, but only to a number appropriate to make the overall development viable and sustainable'*. This approach is consistent with the Local Plan. However, if paragraph 9.16 is meant as a test against which the acceptability of a proposal will be assessed, then I agree with DC that it should be included as policy rather than in supporting text. However, to do so would require there to be much more clarity as to how such a policy would be applied and supporting evidence to explain what would constitute *'a small proportion'* of open market homes, and how a proposal should be determined if it could only be made viable with a large proportion of market homes. Moreover, it is difficult to see how a dwelling subject to the local occupancy/principal residency restriction required under policy HS2 iii. f. could reasonably be considered as open market housing, or how any open market element could meet the requirement of criterion iii. h. to remain affordable. As I am not satisfied that there is the evidence to justify the approach taken in paragraph 9.16, I am deleting it from the Plan (**PM23**).
- 4.46 Turning then to consider the detail of policy HS2, concern has been raised by Homes England that the approach taken in policy HS2 is too restrictive and the effect of criteria iii. g. and h., which require in perpetuity that land is held in trust as a community asset and that the dwellings remain affordable, could place an undue restriction on exception sites being delivered. In particular, they could dissuade or exclude registered

³⁵ PPG reference ID: 41-100-20190509.

providers of social housing, or those funding opportunities to support affordable home ownership, for example shared ownership, from being involved. If this were to be the case, it would have the adverse effect of reducing the potential for new affordable homes on the island, contrary to the support in the NPPF and the Local Plan for bringing forward exception sites for affordable housing.

- 4.47 I understand that PTC sees community housing as a way forward to provide decent and affordable homes for local people. However, there is a lack of any convincing case in the Plan to justify the requirement in policy HS2 iii. g. and h. that for all affordable housing *'in perpetuity'*, the land is held in trust as a community asset and the dwellings remain affordable. Nor is there any discussion of the mechanism that might be able to be used to secure this. Accordingly, in the interests of clarity and precision, I am deleting criteria iii. g. and h. from policy HS2. For reasons set out at paragraphs 4.48 to 4.52 below, the reference in criterion iii. f. to a principal residency clause being in place should also be deleted. Criterion iii. d. should refer to design policy Port/EN7. Subject to these modifications to the policy and the change to its title (**PM24**), policy HS2 would have regard to the NPPF and would be in general conformity with the strategic affordable housing policy of the Local Plan, thus meeting the Basic Conditions.
- 4.48 The Plan at paragraph 9.18 refers to concern expressed in the 2014 Community Survey about the number of second homes on Portland and to local community support for a policy giving priority to people that wish to live permanently on the island. As drafted, policy HS3 on second homes proposes to restrict new open market housing to occupancy as a Principal Residence *'whenever it is deemed appropriate by the local planning authority, after consultation with the Town Council'*, and requires a guarantee to be given of the restriction *'through the imposition of a planning condition or legal agreement'*. I have serious concerns not only about the evidence that is put forward to justify this policy but also how it would be applied.
- 4.49 Evidence from the 2011 Census, the latest 'hard' data available on household occupancy and residency, is that 3.9% of properties in the former Borough of Weymouth and Portland were second homes, and 6.7% in West Dorset. Paragraph 9.17 of the Plan indicates that in 2011 the proportion was even less in Portland with only 3.4% of properties second homes, which does not suggest any strong or particular imbalance in the housing market that would indicate a second homes policy is needed or justified. Since 2000, paragraph 9.19 notes that there has been a 30% increase in the UK in those owning multiple properties. But not all would have been second homes as this coincided with a period of boom in 'buy to let' mortgages, when many people became private landlords. Reference is made in the PNP at paragraph 9.20 to the principal residence

policy of the St Ives Neighbourhood Plan, which was subject to legal challenge but found to be lawful, and on which policy HS3 appears to be based. I accept that, in principle, a second home policy can be included in a neighbourhood plan. However, the circumstances in St Ives justifying their policy are very different to those currently pertaining on Portland. In 2011, 25% of dwellings in the St Ives Neighbourhood Plan Area were second homes, compared to just 3.4% on Portland. It was also shown in St Ives that despite a 16% increase in housing stock between 2001 and 2011, the number of resident households grew by less than 6%. There is no evidence of similar pressure on Portland.

- 4.50 The supporting text to policy HS3 refers to current pressures with prime redevelopment sites with sea views being marketed as second homes, electoral roll analysis indicating 'hotspots' of second home ownership on Portland, and fears that this is likely to become more of a problem in the future as the supply in Cornwall is restricted and people wanting second homes looking to Dorset. However, I share the view of DC that this is not sufficient justification in itself for policy HS3 and, despite my request, no further evidence has been provided by PTC. More particularly, I am concerned at the lack of evidence of any assessment of the potential impacts of the principal residence restriction on the local housing market, for example on house prices, demand and viability, especially as the Portland housing market is known to be vulnerable³⁶. Nor is there any assessment of how the restriction might impact on tourism, when many second homes are often also hired out to holidaymakers. Thus, I cannot be satisfied that the policy would contribute to the achievement of sustainable development.
- 4.51 As drafted, the policy proposes that the principal residence restriction would only be applied when '*deemed appropriate*' by the local planning authority, after consultation with the Town Council. Whilst I appreciate that this is an attempt to allow for some flexibility, it provides no certainty to an individual developer as to whether such a restriction would, or would not, be applied with consequential impacts on a scheme's viability. Also, in order for DC as the local planning authority to be able to take a view in each individual case as to whether the application of a principal residence condition would be justified, there would need to be near constant updating of evidence on the level of second homes and holiday lets. I consider that this would be an unduly onerous burden for DC for which there is insufficient justification at this time. However, I note that it is proposed in Chapter 14 that PTC will monitor the operation of the Plan and, if circumstances in respect of second home ownership change, there

³⁶ Paragraph 5.2.4 of the Local Plan notes this in respect of policy HOUS1 setting a lower minimum target for affordable housing for Portland 'due to the financial viability of development in that area'.

will be the opportunity for a policy to be reconsidered as part of the Plan's review.

- 4.52 In view of these concerns about both the background and the application of policy HS3 on second homes, I do not find that it has sufficient regard to the advice contained in the PPG that neighbourhood plan policies should be clear and unambiguous and supported by appropriate evidence. For these reasons, I am not satisfied that policy HS3 provides an appropriate framework to shape and direct sustainable development and therefore I am recommending that the policy and its supporting text are deleted from the Plan (**PM25**).
- 4.53 DC has objected to policy HS4, which supports proposals that would reduce the mass and visual impact of the Hardy block. Formerly naval accommodation, the block was stripped back to its shell in 2006. Whilst its neighbour was refurbished to provide accommodation for the Olympics, the Hardy block remains in a derelict state and is a dominant feature on rising ground overlooking Castletown. The Plan notes that there is no lingering fondness in the community for the block and that the community would be content to see it go. Nevertheless, it is the subject of Local Plan policy PORT2 which allocates it for housing development and it remains part of the housing supply with extant permission for potentially up to 384 dwellings. Although the supporting text is sceptical as to its potential to meet local needs and suggests that any shortfall as a result of reducing its height could be made up elsewhere, policy HS4 has the potential to significantly reduce the amount of housing that could be delivered on the site, undermining the strategic policy of the Local Plan, contrary to paragraph 29 of the NPPF. As such, the Plan would not be in general conformity with the strategic policies of the Local Plan and would fail to comply with the Basic Conditions. Accordingly, I am modifying the Plan to delete policy HS4 and its supporting text (**PM26**).

Tourism

- 4.54 Portland has the potential for tourism growth, subject to addressing current constraints which include a lack of visitor accommodation and not enough tourist attractions and visitor destinations to extend the duration of tourist stays on the island. The Local Plan at paragraph 8.2.7 discusses Portland's potential to capitalise on its assets and diversify its tourist offer and whilst making no specific allocations, encourages tourist-based activities where they are consistent with other policies in the Local Plan. In 2015, PTC agreed the Portland Tourism and Visitor Management Strategy and has recently formed a Tourism Action Group. The PNP identifies Portland's natural focus as being for activity adventure holidays and activities, promoting the opportunities the island has to offer, alongside major tourist attractions like the proposed Eden Portland project which continues to be progressed.

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- 4.55 Paragraph 13.7 of the Plan defines sustainable tourism as '*an ethos that underpins all tourism activities*' and policy ST1 supports sustainable tourism development proposals, subject to them being proportionate in scale and type to their location. Where proposals relate to land outside settlements, they must demonstrate that the uses proposed meet various criteria, including the HRA requirement that development does not adversely affect any European site. Policy ST1 accords with paragraph 83 of the NPPF, which encourages sustainable rural tourism and leisure developments which respect the character of the countryside and is in general conformity with the tourism policies ECON5 and ECON6 of the Local Plan. However, a minor modification is needed to policy ST1 to refer to '*settlements*' rather than to '*the settlement boundary*', as these are not identified in the Plan and could be confused with the defined development boundaries which are (**PM27**).
- 4.56 The beach huts at Portland Bill, Church Ope and West Weares are long established and well-known features in the local landscape which have been used for many years for recreational purposes. Policy ST2 provides for their replacement or minor extension, subject to meeting detailed design criteria so as to protect the sensitive landscape from damage. It generally echoes the approach taken in the 2006 Supplementary Planning Guidance on Portland Beach Huts and is locally distinctive.
- 4.57 Portland is criss-crossed by a network of designated rights of way, is circumnavigated by the South West Coastal Path National Trail, and has many other well-used informal paths. Policy ST3 supports proposals that further the creation of a network of tourist and leisure trails, subject, amongst other criteria, to avoiding sensitive ecological areas and habitats. Paragraph 13.23 refers to opportunities to establish legacy or themed trails, such as the Merchants Railway, and PTC has confirmed that most of these would use rights of way or well-used connecting paths. The creation of new routes would attract visitors to walk and cycle and enjoy more of the island and accords with Local Plan policy COM7 v). and with national policy to support sustainable rural tourism and leisure, and enable and support healthy lifestyles³⁷.
- 4.58 Paragraph 13.26 refers to the marine environment being as much of a potential tourist draw as other parts of the island, especially following the Olympic Games of 2012 which supported the development of Osprey Quay and the National Sailing Academy on Portland. Subject to being of a scale that protects the environment and does not jeopardise security and commercial operations, policy ST4 supports the provision of more marine berths and facilities at Osprey Quay, Castletown and Portland Port, to encourage marine based tourism. By increasing the number of visitors, it is also hoped that this would help revitalise the Castletown area. The Port

³⁷ NPPF paragraphs 83c), 91c). and 98.

has suggested that the policy should specifically recognise the need for multi-functional berths as berth improvements cannot be financially justified based on tourism alone. However, I am satisfied that policy ST4, as drafted, would not preclude the provision of berths that could be used for a number of purposes, including those relating to tourism, and complements PNP policy BE6 on the Northern Arc.

- 4.59 Providing that the modifications set out above are made, I conclude that the defined development boundaries, business and employment, housing, and sustainable tourism policies of the Plan provide an appropriate framework to shape and direct sustainable development, having regard to national policy and guidance and are in general conformity with the strategic policies in the Local Plan. Accordingly, the Basic Conditions will be met.

Issue 3: Transport, Shopping and Community Recreation

Transport

- 4.60 The island of Portland is served by the A354, which finishes in Easton, the other roads on the island being unclassified. The dependency of the islanders on Beach Road, which is the only road link to the mainland, was highlighted in the storms of 2014. The quality and capacity of the road network have limited Portland's development and are a significant constraint on the growth and status of the Port. With below average car ownership levels, many residents are reliant on public transport but the single bus route does not serve all parts of the island.
- 4.61 The Plan includes policies TR1, TR2 and TR4 which support improvements to public transport links, the transport infrastructure and network, and improved accessibility to the island's network of footpaths, bridleways and cycle routes. These policies accord with national policy in the NPPF at section 9, which promotes sustainable transport, and paragraph 98 which provides for the protection and enhancement of public rights of way and access, and with the Local Plan strategic policies on community needs and infrastructure.
- 4.62 Community consultation in 2014 identified parking as an issue on Portland with a need for more off-street parking and the safeguarding of existing car parks. The lack of overnight parking provision is also a discouragement to tourists to stay longer on the island. Policy TR3 provides for all development proposals to make adequate provision for off-street parking, supports proposals for additional public car parking spaces, and safeguards existing public car parks. Subject to deletion of the reference to the former Weymouth and Portland Borough Council parking standards (**PM28**), I am satisfied that policy TR3 has regard to national policy at paragraphs 105 and 106 of the NPPF, conforms with [Intelligent Plans and Examinations \(IPE\) Ltd, 29 Monmouth Street, Bath BA1 2DL](#)

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Local Plan policy COM9, and would contribute towards the achievement of sustainable development.

Shopping

- 4.63 It is national policy set out in the NPPF that planning policies should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation³⁸. Town centres and local centres are recognised in the Local Plan as places where people can access a range of local services and facilities but also as places that people identify with strongly, as a place to meet and socialise. Easton and Fortuneswell are identified in paragraph 4.4.4 of the Local Plan as local centres where policy ECON4 ii). permits small scale development of shops, financial and professional services, food and drink, office, leisure and community uses and where a sequential approach is taken to new (or major extensions to) retail and town centre uses.
- 4.64 The PNP through policy SS1 seeks to reinforce local and neighbourhood centres, identifying Easton and Fortuneswell as local centres, and therefore subject to Local Plan policy ECON4, and Castletown and Chiswell as neighbourhood centres. These neighbourhood centres are subject to a more locally based policy that is supportive of development proposals that add to the diversity of facilities and services and enhance their vitality and viability. To clarify this distinction, as it would not be appropriate for the neighbourhood centres to be protected in the same way as the local centres, I am recommending a modification to identify by letter the separate parts of the policy. As policy TR3 safeguards existing public car parking spaces, there is no need to repeat it again in policy SS1. Nor am I persuaded that the part relating to shop fronts is needed, as it adds nothing locally distinctive that is not already in Local Plan policy ENV14 (**PM29**).
- 4.65 There is also a disconnect between the policy and its supporting text, which has not been updated to refer to the distinction between local and neighbourhood centres. Paragraph 11.5 unhelpfully and inaccurately refers to Easton as a district centre, despite it being described in the Local Plan as a local centre and this definition being reconfirmed in the March 2018 joint retail and commercial leisure study. As the Local Plan Review is no longer being progressed, I am proposing modifications to paragraph 11.5 to delete most of the text which refers to the Review. The first two sentences of paragraph 11.6 are also confusing and should be deleted (**PM30**).

³⁸ NPPF paragraph 85.

- 4.66 The local and neighbourhood centres are defined on Policy Maps 12a, 12b, 12c and 12d. As the neighbourhood centres of Castletown and Chiswell do not form part of the hierarchy of centres identified in the Local Plan and now abandoned Local Plan Review, their boundaries are a matter for the Neighbourhood Plan and I am satisfied that the areas shown reflect what their communities see as their neighbourhood centres. As to the local centres of Easton and Fortuneswell, PTC has usefully provided me with further maps showing their boundaries overlain with those proposed in the Local Plan Review Preferred Options Consultation document and set out the rationale behind any differences.
- 4.67 In respect of Easton, there is little difference between the boundaries other than the PNP includes some uses and buildings on the periphery, like a public house, dentist and the church and community hall of All Saints, that serve the centre. In respect of Fortuneswell, the Local Plan boundary excludes a number of uses and buildings, including 3 public houses, laundrette, chemist, social club and church and community hall, that I can appreciate local people strongly identify with as being within the 'centre' of Fortuneswell. Neighbourhood planning gives communities the power to deliver a shared vision for their area. Here that vision is of extended neighbourhood centres that encompass various non-retail uses that support those centres and which local communities identify as being within the centres. I am satisfied from the evidence presented and what I saw on my visit, that a robust case has been made for the boundaries shown on Map 12. Subject to the modifications set out above, I consider that policy SS1 would meet the Basic Conditions and would contribute towards the achievement of sustainable development.

Community Recreation

- 4.68 Portland is well endowed with many natural assets suitable for recreational and leisure activities but at the same time the Plan identifies a lack of provision for organised sport and recreational activity for those living there. The NPPF recognises the importance of access to a network of high-quality open spaces and opportunities for sport and physical activity for the health and well-being of communities, and paragraph 97 resists building on existing open space, sports and recreational buildings and land. In accord with Local Plan policy COM5, PNP policy CR1 seeks to protect buildings and land identified as important to the local community for their sports and recreational value. I am not persuaded of the need to add the Drill Hall or the Royal Manor Theatre to the list. Subject to the deletion of the former Royal Manor School tennis courts and sports field from the policy (**PM31**), as this site is proposed to be redeveloped for housing and the facilities have already been replaced by higher quality facilities at the new Atlantic Academy, I am satisfied that the policy meets the Basic Conditions.

- 4.69 Section 8 of the NPPF addresses the way that planning can promote healthy communities and the COM policies in the Local Plan provide for community needs and infrastructure, including the retention of open space and recreational facilities. Paragraph 99 of the NPPF enables local communities, through local and neighbourhood plans, to identify for protection green areas of particular importance to them. Designating land as Local Green Space (LGS) should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services and should be capable of enduring beyond the Plan period. Paragraph 101 advises that policies for managing development within a LGS should be consistent with those for Green Belts.
- 4.70 Stringent criteria on designation of LGSs are set out in the NPPF at paragraph 100 and there is further advice in the PPG. PNP policy CR2 identifies 14 open spaces as LGSs. They are varied in character and include play areas, community gardens, informal recreational space, a village green and an area of open space at the foot of West Cliff. They are described in paragraph 12.15 and identified on Map 14. Descriptions and assessments against the NPPF criteria are provided in the background papers. Having regard to this evidence and what I saw on my site visit, I consider that all the spaces listed are local in character, but not extensive tracts of land, are demonstrably special and in close proximity to the community they serve. Thus, I am satisfied that policy CR2 has had regard to national policy.
- 4.71 Portland has several areas of allotments that are long established and popular with local people. Most are privately owned although the allotments south of Grove Road are now leased and managed by PTC, requiring a minor modification to paragraph 12.17 (**PM32**). Policy CR3 resists harm to or the loss of these allotments unless replacement provision is made or there would be overriding community benefits. In providing for the services and facilities that the community needs, policy CR3 has regard to the NPPF at paragraph 92.
- 4.72 Within the residential areas on Portland, there are numerous examples of areas of incidental open space that contribute to the amenity, character and appearance of the area and also form an important part of the green infrastructure by serving as green corridors. Their protection through policy CR4 accords with paragraph 97 of the NPPF. However, as '*very special circumstances*' has a very particular meaning in respect of Green Belt policy, I am deleting these words from the policy (**PM33**).
- 4.73 Local Plan policies COM2 and COM4 are supportive of proposals for new or improved community and recreational facilities. Portland has areas of deprivation where PTC is seeking to improve the leisure and recreation offer for families and young people and so improve their quality of life. With this objective, policy CR5 supports the provision of additional

community, social or recreational facilities for the direct benefit of young people when they have been involved in developing the proposal. It addresses the concern in the NPPF that planning policies should plan positively to provide the social and recreational facilities and services that the community needs.

- 4.74 Portland wants to grow as a tourist destination and attract new visitors. One of the key actions in the draft Portland Tourism and Visitor Management Strategy was to explore the potential to develop and maintain an annual events programme including an outdoor festival. Policy CR6 supports this initiative by providing for the temporary use of existing spaces on the island for organised events, subject to there being community support for the period of use proposed. It is consistent with the Plan's objective to promote sustainable tourism and sets down conditions to ensure that the environment, amenities of residents and the wider visitor experience are not harmed.
- 4.75 I conclude on my third issue that providing the modifications set out above are made, the transport, shopping, community and recreation policies in the Plan would meet the Basic Conditions, particularly in relation to accord with national policy and guidance and in contributing to the achievement of sustainable development.

5. Conclusions

Summary

- 5.1 The Portland Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates. The Portland Neighbourhood Plan, as modified, has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the

purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.4 The Plan has been some time in preparation but that is understandable given the complex and unique set of circumstances that presented in Portland and which needed careful consideration and planning. I commend the Town Council and all those who worked on preparing the Plan on their thoroughness and commitment to getting it right and in engaging with local people, businesses and other stakeholders. The result is a Plan which should be effective in helping to guide the island's future development in a positive way with the support of the local community and, subject to some modifications, will influence development management decisions for some years to come.

Mary O'Rourke

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Paragraph 3.18	Additional text to be included in the Plan after paragraph 3.18 to explain that i) the Mineral Safeguarding Area is the same as the Mineral Consultation Area, ii) within this area non-minerals development will be resisted if it appears likely to sterilise mineral resources, or hinder future mineral development, and iii) the Mineral Planning Authority will be consulted over any non-mineral development within the Mineral Safeguarding Area.
PM2	Paragraph 3.2 and footnote 3	Update the text to refer to the February 2019 NPPF.
PM3	Paragraph 3.10	Delete the first sentence of paragraph 3.10. Add a new paragraph as follows: <i>'The West Dorset, Weymouth and Portland Local Plan Review is no longer being taken forward, but work has commenced on a new local plan for the Dorset Council area, which is scheduled to be adopted by 2024. Dorset Council intends to use all work carried out on the Local Plan Review, where possible, to shape the new Dorset Council Local Plan.'</i>
PM4	Paragraph 3.17	Delete the penultimate sentence and replace with the following: <i>'The policies of the Neighbourhood Plan must be in general conformity with the Bournemouth, Dorset and Poole Minerals Strategy (2014), the Minerals Sites Plan (2019) and the Waste Plan (2019).'</i>
PM5	Paragraph 5.14	In line 3 after 'BE6' add ' and ST1 '. In line 7 delete 'Draft Final' and in line 8

		change 2018 to ' August 2019 '.
PM6	Page 20	<p>Delete the wording of policy EN0 and replace with the following:</p> <p><i>'Proposals that will adversely affect the integrity of European sites will not be supported. Any development brought forward regarding the Northern Arc or enhancement of the piers must ensure that it can be implemented without any adverse effect upon the integrity of the European sites.'</i></p>
PM7	Pages 22 and 24	<p>In policy EN1, line 1 add the words 'South Devon and Dorset' before '<i>Shoreline ...</i>' and in line 3 delete the word '<i>usually</i>'.</p> <p>Amend footnote 23 to refer to the South Devon and Dorset Shoreline Management Plan (SMP2): Durlston Head to Rame Head (June 2011).</p> <p>Update the location references and policy recommendations in paragraph 7.17 to be consistent with those of the SMP2.</p>
PM8	Page 25	<p>In policy EN2 delete the following words:</p> <p>In line 2 from '<i>the proposals do not</i>' to '<i>(as amended) and</i>'.</p> <p>The penultimate part, starting '<i>Proposals for wind farms and</i>'.</p>
PM9	Page 26	<p>Delete paragraph 7.26 and replace with the following:</p> <p><i>'National planning policy asserts that applications for wind energy development will only be allowed if the development site is identified as suitable for wind energy in either a Local Plan or Neighbourhood Plan. We will work with the local planning authority as it prepares the Dorset Local Plan to consider whether there are suitable locations and a way of harnessing wind energy satisfactorily on a commercial scale on Portland.'</i></p>

		Delete the first sentence of paragraph 7.27.
PM10	Page 25	In paragraph 7.24 line 8 before the sentence beginning 'Policy Port/EN2' add the following: <i>'In the summer of 2019, Portland Town Council declared a climate and ecological emergency and supports the need to move towards being carbon neutral.'</i>
PM11	Paragraph 7.29	Amend the last sentence to read: <i>'It was first suggested in the late 1990s and was then brought forward as an Olympic Legacy Project.'</i>
PM12	Page 26	In policy EN3 v. delete the words ' <i>and compensation</i> ' and ' <i>in accordance with Local Plan policy ENV2</i> '.
PM13	Paragraph 7.33	In line 7 after 'operational' add ' <i>and the remaining resource should not be unnecessarily sterilised</i> '. In the last sentence after 'long term', add ' <i>and proposals should not compromise the extraction of safeguarded stone</i> '.
PM14	Paragraphs 7.35 and 7.36	In paragraph 7.35 change Port/EN4 to Port/EN3. In paragraph 7.36 change Dorset County Council to Dorset Council.
PM15	Page 29	In policy EN4 delete the first sentence from ' <i>enables</i> ' to ' <i>supported</i> ' and replace with ' <i>and which enable the asset to be used in a manner commensurate with its heritage significance will be supported</i> '.
PM16	Paragraph 7.39	Change Policy PORT/EN5 to PORT/EN4.
PM17	Paragraph 7.54	Add at the end of the paragraph the following: <i>'There are also relevant landscape and townscape policies ENV10 and ENV11</i>

		<i>in the Local Plan.'</i>
PM18	Page39	On Map 10 extend PORT7 to include the Parade Ground.
PM19	Paragraph 8.11	In line 3 before the words 'With a limited supply' add the following: 'Outside key employment sites, Local Plan policy ECON3 protects other employment sites from redevelopment for non-employment uses.'
PM20	Page 38	Reword policy BE1 as follows: 'Outside the Key Employment Areas shown on Map 10, development proposals that would result in the loss of existing employment sites or premises, should demonstrate that: i. There is no viable alternative employment or community use; and ii. that the site or premises have been vacant for at least 18 months, during which time it has been actively marketed at the current market rate.'
PM21	Page 46	In policy HS1 delete the words 'by referring to an up to date assessment of housing need on Portland'.
PM22	Paragraph 9.10	Delete the third and last sentences of paragraph 9.10. After the words 'and will require regular re-assessment', add the following: 'The most recent assessment of local housing need should be used as the 'starting point' for judging the acceptability of the housing mix on any specific site. In making any judgement on this matter, consideration will also be given to whether the assessment remains relevant, and whether there are any particular strategic or local circumstances that may justify a different housing mix.'

PM23	Paragraph 9.16	Delete the last two sentences of paragraph 9.16.
PM24	Page 47	<p>Change the title of policy HS2 to read:</p> <p><i>Affordable Housing</i></p> <p>Criterion iii. d. Substitute policy Port/EN7 for policy Port/EN8</p> <p>Criterion iii. f. Delete <i>'and principle residency clauses are in place'</i> and replace with <i>'clause is in place'</i>.</p> <p>Delete criteria iii. g. and h.</p> <p>Delete the line <i>'and, in perpetuity, for all affordable dwellings:'</i>.</p>
PM25	Pages 48 and 49	Delete policy HS3 and its supporting text at paragraphs 9.17 to 9.22.
PM26	Page 50	Delete policy HS4 and its supporting text at paragraphs 9.23 to 9.26.
PM27	Page 69	In the second sentence of policy ST1, delete <i>'the settlement boundary'</i> and replace with <i>'settlements'</i> .
PM28	Page 54	In the first part of policy TR3 delete from <i>'the prevailing ...'</i> to <i>'COM9'</i> and replace with <i>'the Local Plan parking standards'</i> .
PM29	Page 56	<p>Reformat policy SS1 as follows:</p> <ul style="list-style-type: none"> A. to include the policy on local centres; and B. to include the policy on neighbourhood centres including the paragraph beginning <i>'the loss of existing business premises...'</i> etc. <p>Delete the sentence beginning <i>'Any proposals that result in the loss of existing ...'</i>.</p> <p>Delete the sentence beginning <i>'Proposals for any new or replacement shop fronts...'</i>.</p>
PM30	Paragraphs 11.5 and 11.6	<p>In paragraph 11.5 line 3, delete the words <i>'local centres' and'</i>.</p> <p>Following the words <i>'Map 12.'</i>, delete the</p>

		rest of paragraph 11.5. In paragraph 11.6, delete the first two sentences.
PM31	Page 60	In policy CR1 delete ' <i>Royal Manor School Tennis Courts and Sports Field</i> ' and remove the site from Map13.
PM32	Paragraph 12.17	In line 4, delete Weymouth and Portland Borough Council and replace with Portland Town Council.
PM33	Page 65	In policy CR4 delete the words ' <i>in very special circumstances</i> '.