

From: Mr Van der Pas

Sent: 05 July 2025 14:21

To: Steve Carnaby

Cc: Readacted

Subject: Re: Weymouth Neighbourhood Plan - Your emails to IPe Enquiries

Dear Mr Carnaby

I would comment on the responses made to you by DC and WTC as follows. This is to be read in conjunction with the 2 emails which you already have from me.

1. THE NEIGHBOURHOOD PLAN AREA

a. The NP Area is plainly wrong and needs to be corrected. This is a fundamental and legal necessity for The Plan. At the very least, the Plan area needs to accord with the boundaries of Weymouth, and this has been known since April 2024 at the latest. In their rush to force the Plan through, WTC did not do this, and we need to examine in public how and why this came about. It was all done in secret, and it was only through the use of FOI (more of that below) that we were able to glean just a little of what transpired. It is clear that it was considered as an agenda item for the strategic meeting between DC and WTC in May 2024 but, in the event, it never made it on to the agenda and was not discussed. You have all this in my Comments. I cannot believe that the courts would accept such a fundamental travesty.

b. There is no “map 1a” shown anywhere as described by DC in their response to you. The Plan Area needs to be redrawn and resubmitted to encompass the changes. At the moment hundreds of people in, say, Bincombe Park have been excluded and this number is set to rise into the thousands, if that site gets completed. This is a significant part of Weymouth’s population.

c. Whilst this is happening, it would be logical for WTC to think ‘outside the box’ literally and metaphorically. DC confirmed this was possible as part of the May 2024 meeting. This is because it has been found so difficult to find suitable development sites within the boundaries drawn. 61 sites were considered and it is shown <https://www.weymouthtowncouncil.gov.uk/wp-content/uploads/2023/01/Weymouth-Neighbourhood-Plan-Site-Assessment-Process.pdf> Residential development - 3 sites suitable, 30 sites are potentially suitable, subject to the mitigation of identified constraints or to confirmation of availability, 28 sites are unsuitable that only 3 residential sites made it into the Plan. Of these by far the largest is W20 and this pivotal site is completely unsuitable, more below. Yet Weymouth has vast tracts of land contiguous with its boundaries which are already part of the living, working and commuting environment of the town; we are defined by the sea to the south and the AONB to the north and east but to the west and partially to the north, there are opportunities which should be considered. Chickerell has a NP but most people consider it part of Weymouth. It is a major problem that the WNP is not a NP at all but a conglomeration plan; this being the case we should look at it in the round. Already, a known development at the time The Plan was submitted (240 homes at Weymouth Bay and within the present defined boundaries) is moving forward but was excluded from the Plan. You have also seen evidence from me of a site ‘DJ Developments’ which is excluded from boundaries but is contiguous and has far more logic than W20.

3. VIABILITY

a. It is clear that none of the development sites have been viability tested. We need here to differentiate between this word with a small “v” and a capital “V”. What Venning did (with a capital) was to take outdated data from another consultant (Three Dragons working for DC) in areas of Dorset remote from Weymouth and carry out statistical desk research. When his work did not produce the desired work, WTC admit they got him to “tweak” his work until it did. By any measure, the Plan Sites scrape through, and DC are correct in saying that on any given day this could pass or fail, dependent on land values and construction costs. The margin of passing the test was that small.

b. The advice now of DC is to redo the Viability until they found out that no more public money was to be thrown to these consultants for this. It is simply not satisfactory to do this at the point of a Planning Application. The blight of the draft Plan is twofold: Neighbouring Houses will be blighted for years to come because of the possibility of development; the effect is to change Greenfield Space, Important Open Gaps and Wildlife Corridors into development land, even if it never gets built. It will encourage a plethora of planning applications promising things that cannot be delivered, and we are all aware of developers who put the first shovel in the ground then cry that they can no longer carry out the affordable housing promises. They then pay a CIL levy instead. DC and WTC will be happy with this because it would be used for anything and everything but affordable housing e.g. repair harbour walls. Thus, the housing commitment is easily bypassed and never met.

c. viability in lower case is dealt with below in detail for site W20 and is a classic example of misuse of this English word. It is defined in the Oxford and Cambridge dictionaries as “ability to work successfully” and “ability to work as intended or to succeed”. I will come back to this word success.

7. GREEN GAPS

The Examiner is quite correct, it is a nonsense to have areas which are both green gaps and development sites. At (b) and (d), WTC are misleading about land being transferred to public ownership. It is not likely to happen. See below for W20. Certainly, there is now no prospect left for this dream of 50% affordable housing.

14. DEVELOPMENT BOUNDARIES

DC introduce this element of flooding in connection with brownfield and with town centre. It should be noted that WTC and DC have not carried out the same due diligence about flooding to the east of the Plan Area but only to the west of Greenhill/Sea Life. Evidence has been provided that scientists believe a real possibility for east Weymouth to be under water as early as 2030 but nothing has been made of this as far as development in east Weymouth is concerned. DC have previously published false Statutory Declarations (such as for the dropped WNP24) and have had to be corrected by the people after also refusing to give up incriminating documentation long in their possession on this subject, but forced to do under FOI.

17. POLICY W20 LAND AT WYKE OLIVER FARM NORTH

b. There is no intelligent or explainable logic as to how 112-135 dwellings morphed into 250-270. One pays consultants for their considered input and AECOM were consistent from the start. There simply was no mandate for WTC to change this through a sham consultation (4th Consultation) where input was only obtained from 34 people out of 54,000. A sham consultation cannot be dismissed by DC as “iterative nature of Plan making”. If I understand the word iterative to mean “doing something again and again, usually to improve it” then disregarding the input from 573 people in favour of staging a consultation of 34 does not give legitimacy to the process. Similarly, DC do not explain how the several Environmental Reports which they produced from 2017 onwards (as shown in Comments) can conflict so badly with what is now produced. The authorship of their 2017-on work is not disclosed. The whole subject of the SEA should be subject to public examination. It is a key parameter and is cited as the reason for dropping site WNP24, which is the same field as W20, separate by a hedgerow.

c. DC talk about viability and development proposals. A NP is definitely a development proposal and should not be confused with a subsequent planning application. As shown above, the status of the land is irrevocably altered by a NP not by a subsequent planning application. DC say there should be a new viability. Here we are using lower case. Venning showed over many pages in his report a detailed budget that W20 might produce a profit of £100 on a turnover of £70 million. So, he did the contortion that it is Viable but not viable. Venning specifically excluded any consideration of surface water handling, a well-known constriction of the site. He excluded the costs into public ownership of the 23ha capital transfer fund and subsequent maintenance endowment. These items at least put the site as no hope. The original developer has walked away. Of course, WTC say the LANDOWNER wants to go ahead, that is not the same thing. We understand that the second developer to accept the baton is pulling out and explains why WTC now say that they have not received a response. Cllr Northam, the leader in WTC of this project, assured the Full Council and the people in public session that it would produce 20%, or £14million in profit. Please refer to page 286 of these minutes for his words: “The loss of greenfield sites has been balanced by gaining landowner commitments to transfer adjacent land totalling 32ha to public ownership which ensures that habitat enrichment can take place and that green gaps between settlements are secured.

Residential allocations are supported by Viability Testing. The report demonstrates that the site allocations are deliverable as they are viable – this includes consideration of the developers cost including 20% profit.” The link is: <https://www.weymouthtowncouncil.gov.uk/wp-content/uploads/2025/01/Item-4-Draft-Full-Council-Minutes-20.11.24.docx> . Someone is not telling the people the truth here.

WTC still speak of this transfer to the public but omit that it is all contingent on the dropped WNP24 to provide contiguity with the LVNP and SSSI. In isolation, on its own high up in the downs with highly limited access at best, it is a red herring. Dorset Wildlife Trust have been cited as the guardian-to-be but have not responded when asked. Their name should be dropped from The Plan. All of these things need to be clarified by Public Examination before this development proposal can be included in The Plan. The 50% affordable figure was arrived at by Venning only by calculating 1-bedroomed homes at 6% of the total and not the 66% of the total as called for by WTC’s own figures in The Plan. Venning’s figures would have been very different if a true representation of need had been calculated. Clearly, 1-bedroomed homes are disproportionately more expensive to build than multi-bedroomed homes and would have ruined his figures. There can be no “success” (in viability definition) for this site.

d. Once again, this development proposal must have a surface water strategy worked out at this stage and not at the stage of planning application, when the status of the land would have been changed forever. The Examiner should reflect DC's and the EA's own figures that this area of land, already demonstrably flooded many times, needs to cope with the national uplift of 50% in surface water flows because of climate change, for which DC and WTC have declared an "emergency". Certainly, The Plan is not sustainable when raw sewage is constantly discharged into our bathing waters even today without the addition of about another 1000 homes (see my earlier email). The people understand why WTC responded that they would like to see fewer words on this subject and not more.

e. The people are confused: one expert (AECOM) says that W20 is unsuitable for development because of poor access. Someone else at DC says this is not the case – we are cherry-picking once again what we want to accept from paid consultants and what we don't. We look forward to the views of The Examiner, taking particular note of the substantial arguments put forward by me in the Comments about the SEA. Of course, W20 conflicts with Policy W46 which states: "Development that would give rise to unacceptableair pollution will not be supported. AECOM were clear about increased air pollution because the site would demand an unusually high degree of private car transport. The Plan at 9.60 is clear about "limited vehicular access opportunities"

f. Children's Play Areas and construction over the gas pipeline are another red herring. We have shown there is no money in the budget for anything and the statutory consultees such as Wessex Water have made it clear that no construction over the pressurised district sewer is allowed. At this point it is worth noting that the two parts of the site have no means of communicating with each other and there is certainly little possibility of 2 distinct accesses or otherwise they would have been shown. It was another case of ribbon development (Wyke Oliver Close) to close off access to the site once it was realised long ago by developers that there was no hope of developing W20.

g. Again, this red herring of public ownership of the 23ha. The Plan is clearly wrong at 9.63 about "links to the nearby Lorton Valley Nature Reserve". Any "links" have disappeared by dropping WNP24. The Comments have shown that any "wildlife corridor" would be nothing but running an alley gauntlet between 2 developments and the separation always promised to prevent Littlemoor and Preston from morphing into each other would be lost. The most obvious wildlife to those of us who actually live nearby are deer and not the "target species" which WTC list. Invertebrates might run the gauntlet but deer will not.

28. SUSTAINABLE DEVELOPMENT

The people prefer the DC use of viability at the stage of development proposal, i.e. Neighbourhood Plan, rather than WTC "at the planning application stage". Much too late by then.

FAIRNESS AND PUBLIC EXAMINATION

Thank you for accepting my points before 14 July 2025 as a matter of fairness. I'd like to reflect that you are a private, profit-making company and have been selected by the originator of The Plan in secret and so they appoint you to mark their own homework. DC then pay you for this

out of our public funds and I'm sure that your future selection to be considered for examination of NPs is to some extent conditioned by your previous performance. The people therefore hope that when having to decide on finely balanced issues, you will err on the side of public engagement and fairness.

I would hope from what you have now read that you will consider again the importance to the people of examining some of these more difficult issues in public and putting the conflicting points raised to scrutiny.

I, of course, accept that I must complain to the ICO about the failure of WTC to provide vital FOI fundamental to the plan. This is a matter of "legality". I put it to you, not whether it is lawful what WTC did but whether it is "fair" that I am not able to comment on The Plan and that you will take this matter into consideration in the round when reading about the evolution and the process of The Plan.

That's my personal complaint about unfairness. The people of Preston all feel unfairly treated because the Steering Group of WTC refused to meet with them to discuss their concerns about their homes being flooded as a result of the NP development proposals. Cllr Northam, chair of the SG, confirmed in public meeting on 20th November 2024 that he would do so. Please refer to page 291 to the link of the 20th November 2024 minutes given above for these words: "Cllr Northam stated that members of the Steering Group met with Cllr Peter Dickenson and Cllr O'Leary a few weeks ago. At that time, he offered to speak to Preston residents, and that offer still stands." In the event, he did not meet with residents but instead by 6th December hastened to send The Plan off to DC against the lawful authority given to him by Full Council, having made approx. 180 changes which neither the people nor the council were aware of. He then made further changes before finally finishing a version given to DC on 15th January 2025. This is not "fairness" and needs to be addressed by The Examiner, preferably in public session where he will be able to hear from the people directly. That WTC had to scramble retrospectively some months later to make things lawful does not reflect well on them.

I hope Mr Mead was able to walk the site W20 in his 2 visits, it is, after all, on private land and he will have been one of the very few. Certainly, there is no evidence that the SG or WTC has ever visited the site, and none of them live in Preston. When they had the chance during their "walkabout" (see Comments) they turned away from the site on reaching Wyke Oliver Road instead of considering it. They did not speak with any of the affected residents.

Yours sincerely

Glenn van der Pas on behalf of Preston Against Flooding