



# **Report on the Weymouth Neighbourhood Plan 2021 – 2038**

**An Examination undertaken for Dorset Council with the support of Weymouth Town Council on the December 2024 submission version of the Plan, which was updated in January 2025.**

Independent Examiner: Andrew Mead BSc (Hons) MRTPI MIQ

Date of Report: 23 September 2025

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## **Main Findings - Executive Summary**

From my examination of the Weymouth Neighbourhood Plan (WNP/the Plan) 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 Weymouth Town Council (WTC);
- The Plan has been prepared for an area properly designated – the Weymouth Neighbourhood Area as shown on Map 1 on page 3 of the Neighbourhood Plan;
- The Plan specifies the period during which it is to take effect: 2021 - 2038; 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**

### **Weymouth Neighbourhood Plan 2021–2038**

- 1.1 Weymouth, with a population of over 53,000<sup>1</sup>, is located on the coast about 13km south of Dorchester. Outstanding coastal scenery adjoins the town with the Jurassic cliffs to the east, Portland Bill to the south and Chesil Beach to the west. These features, together with the historic Town Centre and an excellent beach, make it an important base for tourism and recreation.
- 1.2 The preparation of the Weymouth Neighbourhood Plan (WNP/the Plan) was first discussed by Weymouth Town Council (WTC) in 2019. Led by a locally formed Neighbourhood Forum<sup>2</sup> and a Steering Group, evidence was collected, consultations were held during the intervening period and the final version of the Plan was submitted to Dorset Council (DC) in December 2024, representing over 5 years' work for those involved.

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<sup>1</sup> Paragraph 2.15 of the Plan.

<sup>2</sup> The term 'forum' has been applied using its ordinary meaning in this instance, not to be confused with the statutory terms of section 61F(5) of the Town and Country Planning Act 1990 (as amended).

## The Independent Examiner

- 1.3 As the Plan has now reached the examination stage, I have been appointed as the examiner of the WNP by DC with the agreement of Weymouth Town Council (WTC).
- 1.4 I am a chartered town planner and former government Planning Inspector and have 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 Plan.

## The Scope of the Examination

- 1.5 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
  - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.6 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'; and
    - 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.

- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').
- 1.7 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.
- 1.8 A representor sought to draw to my attention to alleged breaches in relation to other statutory matters, for example non-compliance with Freedom of Information/Environmental Information Regulations requests made to WTC and DC. As noted above, the statutory scope of my consideration in the task of examining the Neighbourhood Plan is very clearly prescribed, and the wider investigation of matters of non-compliance with other statutory regimes is not within my purview. Similarly, the same representor made allegations of misconduct, particularly of WTC, arising during the production of the Plan. Again, these are a matter for the respective internal complaints handling procedures of the qualifying body and local planning authority.<sup>3</sup> Notwithstanding this, WTC submitted a note seeking to address these allegations as a matter of public record.<sup>4</sup>

### 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 (under retained EU law)<sup>5</sup>; 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

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<sup>3</sup> See paragraph 1.16 of the NPIERS Guidance to Service Users:

[https://www.rics.org/content/dam/ricsglobal/documents/dispute-resolution-service/Npiers\\_Planning\\_Guidance\\_To\\_Service\\_Users\\_And\\_Examiners\\_Rics.pdf](https://www.rics.org/content/dam/ricsglobal/documents/dispute-resolution-service/Npiers_Planning_Guidance_To_Service_Users_And_Examiners_Rics.pdf)

<sup>4</sup> <https://www.dorsetcouncil.gov.uk/w/weymouth-neighbourhood-plan>

<sup>5</sup> The existing body of environmental regulation is retained in UK law.

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not breach the requirement of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.<sup>6</sup>

## 2. Approach to the Examination

### Planning Policy Context

- 2.1 For the purposes of this examination, the Development Plan for the Weymouth area, excluding policies relating to minerals and waste development, comprises principally the strategic policies in the West Dorset, Weymouth and Portland Local Plan (WDWPLP). The WDWPLP was adopted by Weymouth and Portland Borough Council in October 2015 and is to be replaced by the Dorset Council Local Plan. The Local Development Scheme for DC suggests an adoption date for the Local Plan in winter 2027.
- 2.2 Planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. Whilst a revised NPPF was published on 12 December 2024, the transitional arrangements for neighbourhood plans set out in that document<sup>7</sup> advise that it will only apply to neighbourhood plans submitted after 12 March 2025. Given the Plan was submitted to Dorset Council prior to this date, the December 2023 NPPF will apply for the purposes of this examination. Accordingly, all references in this report are to the December 2023 NPPF and its accompanying PPG (unless otherwise stated).

### Submitted Documents

- 2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, as well as those submitted which include:
- the draft Weymouth Neighbourhood Plan 2021 – 2038 (submission version December 2024 Updated January 2025);
  - Map 1 of the Plan which identifies the area to which the proposed Neighbourhood Plan relates;
  - the Consultation Statement (December 2024);
  - the Basic Conditions Statement (December 2024);
  - the Strategic Environmental Assessment (SEA) Report (November 2024);
  - the Report to inform the Habitats Regulation Assessment (HRA) (November 2024);
  - the main supporting documents and further supporting documents available on the Dorset Council web site; and

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<sup>6</sup> This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

<sup>7</sup> NPPF (2024): paragraph 239.

- all the representations that have been made in accordance with the Regulation 16 consultation.<sup>8</sup>

- 2.4 Following consideration of the submitted documents, I wrote to WTC and DC on 2 June 2025, detailing a number of questions seeking further clarification. The councils both responded on 20 June 2025. Subsequent to receipt of those responses, two parties sought an opportunity to submit comments on the councils' responses. In the interest of fairness, I accepted their submissions along with a further 2 (4 in total), notwithstanding these principally repeated the same points previously made in the respective party's formal representations at the Regulation 16 consultation stage. A clarificatory email was also received in relation to the proposed allocation of the site at Wyke Oliver from the landowner's agent, with reference to my question Q17e. These additional submissions, whilst not expressly solicited by the Examiner, were published on the examination webpage in the interests of transparency.<sup>9</sup>
- 2.5 Whilst I requested that a message be placed on Dorset Council's examination webpage to advise that I would not accept any further submissions after 14 July 2025, the uploading of this message was delayed and I received a further submission dated 16 July 2025 from Chapman Lily Planners (on behalf of Bellway (Wessex) Limited). Again, in the interests of seeking to be even handed, I accepted this submission (which has also been published on the website).

## Site Visit

- 2.6 I made unaccompanied site inspections to the WNP area on 4 June and 25 June 2025 to familiarise myself with it and visit relevant locations referenced in the Plan and evidential documents.

## Written Representations with or without Public Hearing

- 2.7 This examination has been dealt with by written representations. Whilst three parties who submitted additional comments (see paragraph 2.4 above) expressed the need to convene a hearing, I considered this unnecessary. 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. Furthermore, I did not consider a neighbourhood plan hearing session was an appropriate forum to share wider grievances about the alleged misconduct of WTC or DC for the reasons set out in paragraph 1.8 above.

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<sup>8</sup> View all the documents at: <https://www.dorsetcouncil.gov.uk/w/weymouth-neighbourhood-plan>

<sup>9</sup> See footnote 8 above.

## Modifications

- 2.8 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 to this report.

## 3. Procedural Compliance and Human Rights

### Qualifying Body and Neighbourhood Plan Area

- 3.1 The WNP has been prepared and submitted for examination by the WTC, which is a qualifying body. The WNP extends over all the (then) parish and which was designated by DC in July 2020. It includes the designated area of the Sutton Poyntz Neighbourhood Plan which was made in May 2020 and whose policies have been included in the WNP.
- 3.2 The Weymouth NP area does not include the extensions to the Weymouth parish at Littlemoor and Plaisters Lane, Sutton Poyntz made in April 2024.<sup>10</sup> Several representations asserted that the designated area should be revised to reflect the revised administrative boundary and I should recommend accordingly. However, this is a matter for the qualifying body and local planning authority and, given that I am content the designation procedural requirements have been met, this is not within the scope of the recommendations I may make.
- 3.3 In summary, I am satisfied that, together with the Sutton Poyntz Neighbourhood Plan, they are the only Neighbourhood Plans for Weymouth and do not relate to any land outside the designated Neighbourhood Plan Area. However, to correct an inaccuracy in the Plan, I recommend that the final sentence of paragraph 1.7 should read: "*The Weymouth Neighbourhood Plan covers the whole of the area under the jurisdiction of Weymouth Town Council, with the exception of the Littlemoor Urban extension and the top of Plaisters Lane, Sutton Poyntz as shown on Map 1a*". (**PM1**) Map 1a being the map submitted by DC (point 4) in their Regulation 16 representation.

### Plan Period

- 3.4 The Plan period is from 2021 to 2038 as clearly stated on the front cover.

### Neighbourhood Development Plan Preparation and Consultation

- 3.5 The comprehensive Consultation Statement (CS) describes the thorough preparation of the Plan with involvement of the public and various

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<sup>10</sup> See the Regulation 16 representation from Dorset Council dated 10 April 2025; page 2; points 1-4. View at: <https://www.dorsetcouncil.gov.uk/documents/d/guest/dorset-council-redacted>

stakeholders at the stages of the process. A Neighbourhood Forum (NF), a Steering Group (SG) and Theme Groups were formed early in the preparation process of the Plan. The first consultations included a series of public walkabouts, a special public meeting, engagement with four schools and the Wey Valley Academy, a call for sites for development and a call for submissions for areas to be designated as Local Green Space.

- 3.6 A second consultation took place in 2022 through an online survey and a series of drop in events. A third consultation also took place early in 2023 in order to clarify public views and strengthen evidence in specific policy areas. Finally, a fourth consultation took place in late summer 2023 to obtain feedback on individual sites being considered in the pre-submission Plan.
- 3.7 The pre-submission Plan was published for consultation under Regulation 14 of the 2012 Regulations from 27 October 2023 until (initially) 8 December 2023, and subsequently extended to 15 December 2023. An overview of the 312 comments made by Dorset Council, statutory consultees, groups, businesses and members of the public is given on pages 19 to 29 of the CS together with the principal policy changes to the Plan.
- 3.8 The final version of the Plan was submitted to DC on 6 December 2024, with minor updates in January 2025. Consultation in accordance with Regulation 16 was carried out for an extended period from 24 January 2025 until 10 April 2025. 588 responses were received about the Plan, including those from DC.
- 3.9 Taken as a whole i.e. the comprehensive nature of the CS, the 6 (including Regulation 16) consultation exercises conducted, and the fulsome representations received, I am satisfied that a transparent, fair and inclusive consultation process has been followed for the WNP. Due regard has been had to advice in the PPG on plan preparation and engagement and the process is procedurally compliant in accordance with the legal requirements.

## Development and Use of Land

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

## Excluded Development

- 3.11 The Plan does not include provisions and policies for 'excluded development'.<sup>11</sup>

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<sup>11</sup> See section 61K of the 1990 Act.

## Human Rights

- 3.12 The Basic Conditions Statement (BCS) notes that in preparing the Plan, WTC, through its Steering Group, has acted in an open way, but always respecting the privacy of those participating. No significant issues have been raised in relation to the possible contravention of Human Rights. These are fundamental rights and freedoms guaranteed under the European Convention on Human Rights. I am aware from the CS that considerable emphasis was placed throughout the consultation process to ensure that no sections of the community were isolated or excluded. I have considered this matter independently and I am satisfied that the policies will not have a discriminatory impact on any particular group of individuals.

## 4. Compliance with the Basic Conditions

### EU Obligations

- 4.1 The SEA concluded that minor negative significant effects for the topics of biodiversity and geodiversity, historic environment, land, soil and water resources, landscape and transportation would result, mostly associated with the land allocations and the housing requirement. The conclusion for the community well-being topic is that there would be major positive significant effects. This is because the WNP has taken a proactive approach to identifying sites for a range of uses and has a strong focus on Town Centre regeneration. Statutory consultees did not dissent from these conclusions and raised no objections to the submitted Plan.
- 4.2 The HRA screening exercise considered the potential threats, pressures and activities which may affect the Chesil and The Fleet Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar, the Isle of Portland to Studland Cliffs SAC, the Dorset Heath SAC, SPA and Ramsar and the Lyme Bay and Torbay SAC from issues related to construction effects, recreational pressure, water resources, atmospheric pollution and water quality. It concluded that four policies were considered to have the potential to result in a likely significant effect alone and these same policies were also considered to have the potential to result in a likely significant effect in combination (Policies W20, W21, W22, and W24).
- 4.3 The subsequent Appropriate Assessment (AA), concluded that there would be no significant effects on air pollution due to increased nitrogen deposition, or on water resources and water quality. However, the AA recommended that a policy was included in the Plan which stated that: *"Any development brought forward must ensure that it can be implemented without any adverse effect upon the integrity of the Habitats sites. Proposals that will adversely affect the integrity of Habitats sites will not be supported."* This is reflected in Policy W02.

- 4.4 In addition, a further policy was recommended which stated: *"To mitigate adverse effects on the integrity of the Chesil Beach & The Fleet SAC regarding in-combination recreational pressure, any development proposals that provide for a net increase in the population must make adequate financial payments in accordance with the interim mitigation strategy for the SAC. A financial tariff will be required for all such proposals within 5km of the Habitats site, in line with Natural England advice. This policy aligns with the aims of Policy ENV2 of the adopted Local Plan, which centres on the protection of Habitats sites."* This is included at Policy W16.
- 4.5 The AA also recommended that to ensure that developments would not cause any adverse effects on the integrity of Habitats sites due to water pollution caused by site runoff or dust emissions during the construction or operational stage of the development, an appropriate policy should be included. This recommendation resulted in the following policy being included in an earlier version of the Plan: *"Developments are carefully designed and planned to ensure that no adverse effects on the integrity of Habitats sites occur as a result of water pollution stemming from site run-off or dust emissions during construction or the operational stage of each of the developments."* This is not included in the submission version of the Plan. However, I consider the issue is still relevant and I shall consider it under Policy W16 below.
- 4.6 Natural England accepted the conclusions of the HRA subject to Dorset Council agreement with WTC that certain assumptions about water resources and quality and recreational pressure are robust.<sup>12</sup> Dorset Council supports the findings of the HRA.<sup>13</sup> I have read the SEA Report, the HRA and the other information provided and, having considered the matter independently, I agree with the conclusions. Therefore, I am satisfied that the WNP is compatible with EU obligations as retained in UK law.

## Main Issues

- 4.7 Having considered whether the Plan complies with various procedural and legal requirements, it is now necessary to deal with whether it complies with the remaining Basic Conditions, particularly the regard it pays to national policy and guidance, the contribution it makes to the achievement of sustainable development and whether it is in general conformity with strategic Development Plan policies. I test the Plan against the Basic Conditions by considering specific issues of compliance of all the Plan's policies.
- 4.8 As part of that assessment, I consider whether the policies are sufficiently clear and unambiguous, having regard to advice in the PPG. A neighbourhood plan policy should be drafted with sufficient clarity that a

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<sup>12</sup> Regulation 16 response from Natural England dated 28 April 2025.

<sup>13</sup> Regulation 16 response (point 33) from Dorset Council dated 10 April 2025.

decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence.<sup>14</sup>

- 4.9 Accordingly, having regard to the Weymouth Neighbourhood Plan, the consultation responses, other evidence and the site visits, I consider that the main issues in this examination are whether the WNP policies (i) have regard to national policy and guidance; (ii) are in general conformity with the adopted strategic planning policies; and (iii) would contribute to the achievement of sustainable development?

### Vision, Aims and Objectives

- 4.10 The vision for the WNP is based on issues raised by the community during the initial stages of the consultation process. The succinct vision is described on page 18 of the Plan. A series of aims and objectives have then been developed to help to achieve the vision and which form the basis for the fifty seven specific land use based policies.

### Environmental Sustainability

- 4.11 The Plan includes a series of cross cutting objectives and supporting environmental targets outlined in Appendix A which are applied to selected policies, expressed either as a Table within the supporting evidence or as a Clause in the policy itself. Rather than have a Clause in a series of separate policies, I shall recommend the following overarching policy which would then apply in the appropriate circumstances:  
*"Proposals for development should aim to meet the Relevant Environmental Objectives and aspire to achieve the Environmental Targets in Table X (p 25) and, where appropriate, Appendix A of the Plan."* I shall not recommend the deletion of the tables showing which environmental targets are met by many of the policies. However, I will recommend the inclusion of a similar preceding paragraph in each case. **(PM2)**

### Landscape and Greenspace

#### Policy W01: Shoreline Protection

- 4.12 Policy W01 supports proposals for development which would help to prevent coastal erosion or flooding and protect properties and businesses in areas designated in the South Devon and Dorset Shoreline Management Plan. The policy has regard to national guidance<sup>15</sup>, generally conforms with Policy ENV7 of the WDWPLP and meets the Basic Conditions.

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<sup>14</sup> PPG Reference ID: 41-041-20140306.

<sup>15</sup> NPPF: paragraph 177.

## Policy W02: Conservation of the Natural Environment

- 4.13 Policy W02 seeks to protect areas which are of benefit to nature and geological conservation. The policy includes Clause 2 recommended by the Appropriate Assessment (see paragraph 4.3 above). Clause 3 states support for the recognition of wildlife areas in the Wey Valley, which might be a laudable aim but which, in itself, does not deliver the wildlife areas. I shall recommend the deletion of the Clause and also paragraph 8.24. **(PM3)** The policy would then have regard to national guidance<sup>16</sup>, would generally conform with Policies ENV1 and ENV2 of the WDWPLP and would meet the Basic Conditions.

## Policy W03: Wildlife Habitats and Areas

- 4.14 Policy W03 aims to safeguard Habitats of local and national importance and the wild flora and fauna in those areas. Clause 2 includes an ambiguous phrase "... doing everything possible to avoid ..." which I shall remedy by recommending its deletion. **(PM4)** The policy would then have regard to national guidance<sup>17</sup>, would generally conform with Policies ENV1 and ENV2 of the WDWPLP and would meet the Basic Conditions.

## Policy W04: Wildlife Corridors

- 4.15 Policy W04 aims to protect and, where possible, enhance wildlife corridors identified on Map 6 of the Plan. The policy has regard to national guidance<sup>18</sup>, generally conforms with Policy ENV2 of the WDWPLP and meets the Basic Conditions.

## Policy W05: Ecological Impact of Development

- 4.16 Policy W05 seeks a contribution to the enhancement of the natural environment from new development by providing a Biodiversity Net Gain (BNG). The Plan is aiming for a contribution of at least 20% BNG, but as commented on by DC, this has not been justified by supporting viability evidence. Therefore, I shall recommend the inclusion of a phrase reflecting a contribution of at least 10%, as required by statute, but with a target of at least 20% judged on a case by case basis, which is consistent with paragraph 8.41 of the Plan. **(PM5)** The policy would then have regard to national guidance<sup>19</sup>, would generally conform with Policies ENV2 and ENV8 of the WDWPLP and would meet the Basic Conditions.

## Policy W06: Trees, Woodland and Hedgerows

- 4.17 When development is proposed, Policy W06 seeks to avoid damage to trees, woodland, orchards or hedgerows that contribute positively to the

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<sup>16</sup> NPPF: paragraph 185.

<sup>17</sup> NPPF: paragraphs 181 & 185.

<sup>18</sup> NPPF: paragraph 185.

<sup>19</sup> NPPF: paragraph 186.

character, biodiversity and character of an area. Clause 2, which protects ancient, protected or veteran trees basically repeats what is national policy<sup>20</sup> and I shall recommend its deletion. **(PM6)** The policy would then have regard to national guidance<sup>21</sup>, would generally conform with Policy ENV10 of the WDWPLP and would meet the Basic Conditions.

#### Policy W07: Rights of Way and Access to the Countryside

- 4.18 Policy W07 seeks to protect public rights of way, and access to the countryside. The policy has regard to national guidance<sup>22</sup>, generally conforms with Policies COM7 and COM8 of the WDWPLP and meets the Basic Conditions.

#### Policy W08: Coastal Green Recreation Areas

- 4.19 Policy W08 designates five coastal green recreation areas where development will be restricted in order to avoid detrimental impact on recreational public access and enjoyment. The policy is confused because its purpose is included, which is unnecessary. Therefore, I shall recommend a modification which would simplify the policy. **(PM7)** The policy would then have regard to national guidance<sup>23</sup>, would generally conform with Policies COM4 and COM5 of the WDWPLP and would meet the Basic Conditions.

#### Policy W09: Green Gaps

- 4.20 Green Gaps are defined in Policy W09 and are delineated on Maps 11A and 11B. I shall recommend the inclusion of a reference to a Landscape and Visual Impact Assessment (LVIA) to assist in determining whether development would cause a gap between settlements to be diminished. In addition, I shall recommend that extraneous information is excluded from Maps 11A and 11B to show only the boundary of the Green Gaps so that their clarity and purpose is not obscured. **(PM8)** The delineation of the Green Gaps will require updating to reflect existing planning permissions and Neighbourhood Plan site allocations. The policy would then have regard to national guidance<sup>24</sup>, would generally conform with Policy ENV3 of the WDWPLP and would meet the Basic Conditions.

#### Policy W10: Local Green Space

- 4.21 Policy W10 designates Local Green Spaces (LGS) listed in Table A, identified on Map 12 and shown in greater detail on Appendix B of the Plan. LGS designation should only be used where the green space is:

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<sup>20</sup> NPPF: paragraph 16 f).

<sup>21</sup> NPPF: paragraph 186.

<sup>22</sup> NPPF: paragraph 104 & 124.

<sup>23</sup> NPPF: paragraph 180.

<sup>24</sup> NPPF: paragraph 180.

- a) in reasonably close proximity to the community it serves;
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.<sup>25</sup>

LGS should also be capable of enduring beyond the end of the Plan period.<sup>26</sup> Having noted the representations from DC and the responses from WTC to my questions of clarification; I agree that each LGS meets the designation criteria. The policy has regard to national guidance as referenced above, would generally conform with Policy ENV3 of the WDWPLP and would meet the Basic Conditions.

- 4.22 Many representations sought the inclusion of Greenhill Gardens as LGS and I accept that had Greenhill Gardens been included as LGS in the submitted Plan, without pre-empting any Regulation 16 representations which might have been received objecting to the designation, I would have almost certainly agreed that the site would have met the requisite criteria for designation. However, I have concluded that Policy W10 already meets the Basic Conditions and, therefore, have no legal basis to recommend a modification to Policy W10 or the list of LGS in the case of Greenhall Gardens or any other suggested candidates for LGS. Clearly this might be remedied, subject to public consultation, at a point in the future when the Plan may be formally reviewed.

#### Policy W11: Incidental Open Space

- 4.23 Policy W11 seeks to protect open spaces which were designed as part of the original layout in five residential estates shown on Map 13. It appears there is some duplication in areas within Southill Garden Village which are designated as LGS and also as Incidental Open Space (IOS) which is a less protective policy. Therefore, I shall recommend the deletion of the IOS at Southill Garden Village. **(PM9)** The policy would then have regard to national guidance<sup>27</sup>, would generally conform with Policy COM5 of the WDWPLP and would meet the Basic Conditions.

#### Policy W12: Riversides

- 4.24 Policy W12 seeks to recognise the recreational and educational potential of the riverside areas shown on Map 14 and would support development, such as described in paragraph 8.83 of the Plan, for those purposes. The final Clause of the policy is superfluous in view of the recommended overarching policy (see paragraph 4.11 above) and I shall recommend its deletion. **(PM10)** The policy would then have regard to national

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<sup>25</sup> NPPF: paragraph 106.

<sup>26</sup> NPPF: paragraph 105.

<sup>27</sup> NPPF: paragraph 97.

guidance<sup>28</sup>, would generally conform with Policies COM4, COM5, SUS2 and ECON5 of the WDWPLP and would meet the Basic Conditions.

#### Policy W13: Panoramas, Vistas and Views

- 4.25 Policy W13 seeks to safeguard certain views and vistas as shown on Maps 15 A-F of the Plan and described in the Tables accompanying the Maps. The first criterion in the policy is ambiguous and so I shall recommend a modification to clarify it. **(PM11)** The policy would then have regard to national guidance<sup>29</sup>, would generally conform with Policies ENV1 and ENV3 of the WDWPLP and would meet the Basic Conditions.

#### Development and Homes

- 4.26 DC is content that the Plan has been positively prepared, does not promote less development than envisaged though the WDWPLP or the policies within the Dorset Council Local Plan Options Consultation (2021), or undermine those strategic policies. DC confirmed that the figures in paragraph 9.8 and the Table on page 76 reflect the most recently adopted planning strategy of the local planning authority.<sup>30</sup> Furthermore, DC has advised that it has commenced a further consultation on the emerging Dorset Council Local Plan in August 2025 which will take account of the government's new method for assessing local housing needs and consider possible site options amongst other things.<sup>31</sup> Therefore, I am satisfied that the quantum of residential development proposed in the Plan has regard to national guidance<sup>32</sup>, generally conforms with the Policy SUS5 of the WDWPLP and meets the Basic Conditions.

#### Policy W14: Development Boundaries

- 4.27 Policy W14 supports development proposed within the development boundaries defined on Map 16 of the Plan and aims to strictly control development proposed outside them. Clause 1 seeks to prioritise development on brownfield sites; an aim which I can understand but which may be difficult to achieve in practice, as demonstrated by the answers from both Councils to my Q14.<sup>33</sup> Nevertheless, I shall recommend that Policy W14 is rephrased retaining the key ingredients of the Clauses, excluding references to the strategic environmental objectives dealt with in the recommended overarching policy. **(PM12)** I shall also recommend a related modification to Policy W33 which considers the timing of infrastructure (see paragraph 4.55 below). Policy W14 would then have

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<sup>28</sup> NPPF: paragraph 165.

<sup>29</sup> NPPF: paragraphs 180 & 182.

<sup>30</sup> Dorset Council response of 23 June 2025 to Q13 of my letter of 2 June 2025.

<sup>31</sup> [Dorset Council Local Plan consultation - Dorset Council](#)

<sup>32</sup> NPPF: paragraphs 29 & 68.

<sup>33</sup> <https://www.dorsetcouncil.gov.uk/w/weymouth-neighbourhood-plan>

regard to national guidance<sup>34</sup>, generally conform with Policy SUS2 of the WDWPLP and meet the Basic Conditions.

#### Policy W15: Extensions and Alterations

- 4.28 Policy 15 deals with the design of extensions and alterations, including considerations of sustainability standards. The policy has regard to national guidance<sup>35</sup>, generally conforms with Policy ENV12 of the WDWPLP and meets the Basic Conditions.

#### Policy W16: Major Housing Sites

- 4.29 Policy W16 lists requirements for major housing sites aimed at seeking a consistent high-quality living environment. Clause 1.i refers to Lifetime Home Standards which has been superseded by M4(2) of the Building Regulations and I shall recommend the modification. I also agree with the DC comments that certain facilities included in Clauses 1.ii and 1.iii should be accessible. In addition, to comply with the recommendations of the HRA, I shall recommend the inclusion of a suitable Clause to consider water pollution from surface water run off and dust. **(PM13)** Subject to those modifications, Policy W16 would have regard to national guidance<sup>36</sup>, would generally conform with Policy ENV13 of the WDWPLP and would meet the Basic Conditions.

#### Policy W17: Housing Mix

- 4.30 Policy W17 seeks a mix of housing tenure types and sizes in new development. The policy has regard to national guidance<sup>37</sup>, generally conforms with Policies HOUS1 and HOUS3 of the WDWPLP and meets the Basic Conditions.

#### Policy W18: Affordable Housing

- 4.31 Policy W18 seeks to maximise the provision of dwellings which are affordable and accessible to local people. Clause 2 lists four criteria, of which ii and iv repeat guidance in the NPPF and I shall recommend that they are deleted. DC criticised the minimum target of at least 50% affordable housing on green field sites. However, a Financial Viability Assessment or other material considerations may be used as the basis for a different percentage and so I conclude that there is sufficient flexibility for the target to be varied depending on the particular case.
- 4.32 Clause 5 seeks to commute a sum in lieu of 35% affordable homes on sites of less than 0.5ha on which between 2 and 9 units would be built. I note that the principle of a commuted sum for affordable housing on

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<sup>34</sup> NPPF: paragraph 124.

<sup>35</sup> NPPF: paragraphs 139, 159 & 164.

<sup>36</sup> NPPF: paragraphs 69 & 74.

<sup>37</sup> NPPF: paragraph 63.

similarly small sites was accepted in the Purbeck Local Plan 2024 (see paragraph 9.44 of the WNP) but, in that case, the proportion was lower than 35%. I am advised that the majority of the Purbeck Local Plan falls within a designated rural area, but the Plan encourages the provision of affordable housing in Weymouth and is an aim which I support. Therefore, because I consider that a high proportion of affordable housing, or an equivalent commuted sum, may stifle the overall provision of housing on small sites, I shall recommend that Clause 5 should aim for up to 35% subject to a Viability Assessment being used, case by case, to ascertain the actual number of affordable units or a commuted sum equivalent for each proposal. **(PM14)** Subject to those modifications, Policy W18 would have regard to national guidance<sup>38</sup>, would generally conform with Policy HOUS1 of the WDWPLP and would meet the Basic Conditions.

### Policy W19: Site Allocations

- 4.33 Policy W19 lists sites allocated for development. I shall recommend the deletion of W23A: Lodmoor Old Tip North (see below paragraph 4.41). Clause 2 is unnecessary because the Plan should be read as a whole and so it is assumed that other policies apply, including those relating specifically to an allocated site. I note the omission of Land off Budworth Avenue, Weymouth from the sites allocated for development. However, despite the advantage of providing for more houses, 50% of which would be affordable, given my conclusions at paragraph 4.26 above that the quantum of residential development has regard to national guidance and generally conforms with Policy SUS2 of the WDWPLP, I am not required to seek additional land for housing development beyond that already proposed in the Plan. Therefore, subject to the above modifications, **(PM15)** Policy W19 would have regard to national guidance<sup>39</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions.

### Policy W20: Land at Wyke Oliver Farm North

- 4.34 Policy W20 allocates land for 250 dwellings on land at Wyke Oliver Farm North. There were very many representations objecting to this allocation. The policy comprises Clauses which require 50% affordable housing; the submission of a master plan; the conformity with nine criteria; and the allocation of 23ha for nature conservation purposes.
- 4.35 Although the requirement for 50% affordable housing was queried by DC amongst others, representations on behalf of the landowners of the site, notes the aim as expressed in Policy W18 and wished for the same proviso on Financial Viability be included in the Policy W20, which I shall recommend.

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<sup>38</sup> NPPF: paragraph 66.

<sup>39</sup> NPPF: paragraphs 71 & 135.

- 4.36 Within Clause 4, I sought clarification of items iv, v and vi. The first item considers drainage and following the response of DC to my question, I shall recommend rephrasing item iv and including additional references in the supporting evidence of the Plan.
- 4.37 When asked whether it was satisfied that safe vehicular and pedestrian access could be gained to and from the site, DC responded that such matters would be considered in a Transport Assessment and that whereas existing approach roads and junctions from Wyke Oliver Road appear suitable, further analysis would be required to consider whether mitigation work is needed. A Transport Assessment is required under Clause 4.ix. In earlier representations DC suggested that a Travel Plan would also be required.
- 4.38 The community focus to which reference is made in Clause 4.vi was further explained in the WTC response to my question Q17f and I agree that this could be usefully added to paragraph 9.64 of the Plan. Item viii is superfluous given the overarching policy. I am satisfied that nature conservation interests should be safeguarded by the transfer of 23ha to the Dorset Wildlife Trust or a similar organisation. In response to my Q17b, DC expressed satisfaction that the SEA adequately assessed the proposed allocation with a final capacity of 250 dwellings on the site. Therefore, subject to the above modifications, **(PM16)**, Policy W20 would have regard to national guidance<sup>40</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions.

#### Policy W21: Land at Redlands Farm

- 4.39 Policy W21 allocates land for 150 dwellings on land at Redlands Farm outlined on Map 20. The structure of Policy W21 is very similar to that of Policy W20. Clause 2 seeks 50% affordable housing provision which I shall accept with the recommended qualification of a reduction in that proportion if justified by a Financial Viability Assessment. Clause 4.iii should be amended to have regard to national guidance. Clause 4.xii deals with surface water drainage and should be modified as for Policy W20 above. Clause 4.xiv is superfluous. I recommend adding a sentence to Clause 5 to be consistent with Policy W20 above because similar considerations apply. Therefore, subject to the above modifications, **(PM17)**, Policy W21 would have regard to national guidance<sup>41</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions.

#### Policy W22: Land off Beverley Road, Littlemoor

- 4.40 Policy W22 allocates land off Beverley Road, Littlemoor for 25 dwellings. The reference in Clause 2 about conforming with other policies of the Plan is unnecessary. I shall recommend a similar reference to a Financial

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<sup>40</sup> NPPF: paragraph 69.

<sup>41</sup> NPPF: paragraph 69.

Viability Assessment in Clause 2.vii that I recommended for Policies W20 and W21 above. In addition, a new item should be added to Clause 2 dealing with surface water drainage. Subject to the above modifications, **(PM18)**, Policy W22 would have regard to national guidance<sup>42</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions.

#### Policy W23A: Lodmoor Old Tip – North Section

- 4.41 Policy W23A allocates land at Lodmoor Old Tip – North Section for employment use. DC, the landowner, has stated that the site is not available and, therefore, I shall recommend it is deleted from the Plan. **(PM19)**

#### Policy W23B: Lodmoor Old Tip – Mid-Section

- 4.42 Policy W23B allocates land at Lodmoor Tip – Mid Section for leisure use. The policy has regard to national guidance<sup>43</sup>, generally conforms with Policies COM4 and WEY8 of the WDWPLP and meets the Basic Conditions.

#### Policy W23C: Lodmoor Old Tip – South Section

- 4.43 Policy W23C allocates land at Lodmoor Tip – South Section for leisure use. The policy and text erroneously refers to residential use in addition to leisure use. Therefore, Clause 2.iv and viii should be deleted as well as Clause 3.ii. **(PM20)** Subject to the above modifications, Policy W23C would have regard to national guidance<sup>44</sup>, would generally conform with Policies COM4 and WEY8 of the WDWPLP and would meet the Basic Conditions.

#### Policy W24: Land at Jubilee Sidings

- 4.44 Policy W24 allocates land and buildings at Jubilee Sidings for mixed use development. The policy states that the development shall include “residential particularly social housing” which is too imprecise for policy and development management purposes. Therefore, I shall recommend that the affordable housing rate of 35% should be applied because it is in a brownfield location. Clause 3.iv should also be deleted. Flood risk should be capable of being assessed in a Flood Risk Assessment as required in Clause 4. Subject to the above modifications, **(PM21)**, Policy W24 would have regard to national guidance<sup>45</sup>, would generally conform with Policies WEY1 and WEY 8 of the WDWPLP and would meet the Basic Conditions.

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<sup>42</sup> NPPF: paragraph 71.

<sup>43</sup> NPPF: paragraph 124.

<sup>44</sup> NPPF: paragraph 124.

<sup>45</sup> NPPF: paragraph 124.

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

- 4.45 Policy W25 allocates land at Mount Pleasant Old Tip for a transport interchange facility, leisure use and renewable energy generation. The policy notes the Habitat Restoration Area (HRA) and the need to agree development in the HRA with the Dorset Wildlife Trust. Subject to the deletion of Clause 7, the policy would have regard to national guidance<sup>46</sup>, would generally conform with Policy COM8 of the WDWPLP and would meet the Basic Conditions. **(PM22)**

## Policy W26: Self-Build and Custom-Build Housing

- 4.46 Policy W26 addresses self-build and custom-build houses. Subject to the deletion of Clause 5, the policy would have regard to national guidance<sup>47</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions. **(PM23)**

## Policy W27: Community Housing Schemes

- 4.47 Policy W27 considers community housing schemes. DC comments that the policy does not reflect government guidance on community-led development in the NPPF. However, although there is no reference to rural exception sites (paragraph 73 of the NPPF), the policy and subsequent text in the Plan appears to be applying the policy to land in any location and which would include where a site would normally qualify as a rural exception site. A shortcoming of Policy W27 would be to encourage community led development to be built on any land in the countryside, which is clearly contrary to national guidance and strategic policies. Therefore, I shall recommend that the policy is modified so that it applies to land within defined development boundaries and also, as a consequence of PM27 (see paragraph 4.51 below), to land outside them. Accordingly, subject to the additional deletion of Clause 4, the policy would have regard to national guidance<sup>48</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions. **(PM24)**

## Policy W28: Specialist Housing Provision

- 4.48 Policy W28 supports proposals for specialist purpose built accommodation subject to four criteria. Subject to the deletion of Clause iv, the policy would have regard to national guidance<sup>49</sup>, would generally conform with Policy SUS2 of the WDWPLP and would meet the Basic Conditions. **(PM25)**

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<sup>46</sup> NPPF: paragraphs 124 & 216.

<sup>47</sup> NPPF: paragraph 63.

<sup>48</sup> NPPF: paragraphs 60 & 73.

<sup>49</sup> NPPF: paragraph 63.

## Policy W29: Houses in Multiple Occupation

- 4.49 Policy W29 supports changes of use to a house in multiple occupation (HMO) subject to certain criteria, one of which is that it would not result in an over concentration of HMOs in any one area. Paragraph 9.142 of the Plan defines a “high level” as already having more than one HMO within 100m of the application site, the implication being that that is the threshold which would be applied and used as a basis for a reason for refusal of a planning application. I consider that criterion would be unreasonable and unenforceable and shall recommend that it should be deleted. I see no reason why the criterion of harm to the character of the area should not be used as an equivalent test of acceptability as in WDWPLP Policy HOUS4.
- 4.50 However, Clause 2 of the policy would effectively impose an Article 4 Direction on areas of Weymouth which, in any event, are not delineated and which would restrict development which would otherwise be permitted by the General Development Order. Such a measure is for the local planning authority to implement. Therefore, I shall recommend the deletion of Clause 2. **(PM26)** Subject to that modification the policy would have regard to national guidance<sup>50</sup>, would generally conform with Policy HOUS4 of the WDWPLP and would meet the Basic Conditions.

## Policy W30: Exception Site Development

- 4.51 Policy W30 considers rural exception site development. DC suggested dividing the policy into two: First Homes Exception Sites and Rural Exception Sites. WTC responded to my question Q26a by suggesting retitling the policy as “First Homes Exception Site Development” and setting out a series of Clauses similar to the current draft of Policy W30 but focussing on First Homes. I agree with the suggestion of WTC and shall recommend the Plan is modified accordingly. **(PM27)** Subject to that modification the policy would have regard to national guidance<sup>51</sup>, would generally conform with Policy HOUS4 of the WDWPLP and would meet the Basic Conditions.

## Policy W31: Principal Residence Requirements

- 4.52 Policy W31 seeks to impose a principal residency occupation restriction on new open market dwellings built in Weymouth Town Centre, Melcombe Regis and Rodwell. The Plan (paragraph 9.155), and WTC in response to question Q27, quote data indicating a 21.9% proportion of vacant homes and second homes in the centre of Weymouth, with concentrations up to 35%. However, even in that highest percentage (Table C page 130 of the Plan: Rodwell and the Nothe), there are only 75 second homes out of 928 households (8%) compared to 250 vacant households (27%). This is

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<sup>50</sup> NPPF: paragraph 124.

<sup>51</sup> NPPF: paragraph 124.

compared to second home ownership in Abbotsbury (28.6%) and Fleet and Langton Herring (18.9%).

- 4.53 Should I accept second home percentage of 8% as an acceptable threshold for a principal residence requirement, it would create a very low bar to be quoted in Dorset and elsewhere where second homes are an issue. Therefore, although I would wish to see housing to be more affordable and accessible for local people, I consider that Policy W31 would not be a significant help given that, in any event, without the policy, 35% of any new housing would be affordable and would be for local people. Development using Policy W31 would not offer any more priority to local people. Accordingly, in the absence of any more compelling evidence, nuanced to demonstrate the particular local circumstances, I shall recommend that the policy should be deleted. **(PM28)**

#### Policy W32: Town Centre Car Parks

- 4.54 Policy W32 considers redevelopment proposals relating to car parks in or adjacent to the Town Centre. The reference to the need to conform with other policies in the Plan is unnecessary. I shall recommend the inclusion of the requirement that adequate alternative parking spaces should be convenient, safe and secure. In addition, there may be alternative solutions to dealing with peak parking demand other than car parks and out of town park and ride schemes, which should not be excluded. I will recommend appropriate modifications. **(PM29)** The policy would then have regard to national guidance<sup>52</sup>, would generally conform with Policy COM7 of the WDWPLP and would meet the Basic Conditions.

#### Policy W33: Timing of Infrastructure

- 4.55 Policy W33 seeks to coordinate development with the provision of supporting infrastructure. I agree with DC's reservations around the use of the words "logical" and "unacceptable" in the policy and will recommend rephrasing it. I shall also include a reference to prioritising brownfield development from my conclusion about Policy W14. **(PM30)** Subject to those modifications, the policy would have regard to national guidance<sup>53</sup>, would generally conform with Policies COM1, COM2 and COM10 of the WDWPLP and would meet the Basic Conditions.

#### Policy W34: Sustainable Development

- 4.56 Policy 34 encourages development to achieve high standards of environmental performance and design. I shall recommend that requirements in Clause 2 are qualified by reference to viability testing and the inclusion of "accessible" in relation to parking in criterion v. **(PM31)** Subject to those modifications, the policy would have regard to national

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<sup>52</sup> NPPF: paragraph 112.

<sup>53</sup> NPPF: paragraphs 20 & 22.

guidance<sup>54</sup>, would generally conform with Policies COM9, COM10, ENV12 and ENV13 of the WDWPLP and would meet the Basic Conditions.

## Jobs and the Local Economy

### Policy W35: Loss of Business Premises

- 4.57 Policy W35 aims to protect business premises unless it is clear they are redundant and no longer needed. Agreeing with the comments made by DC (points 278 – 280), I shall recommend that the period of marketing to demonstrate that the premise is no longer viable is reduced from 18 months to 12 months, with the caveat of “or other agreed period” added to the policy. I shall also recommend the inclusion of the additional Clause suggested by WTC following my request in question Q29. **(PM32)** The policy would then have regard to national guidance<sup>55</sup>, would generally conform with Policies ECON1 and ECON3 of the WDWPLP and would meet the Basic Conditions.

### Policy W36: New Business Development

- 4.58 Policy W36 supports new business development subject to various criteria. Clause 1.iii refers to the “cumulative negative” traffic impacts, whereas the NPPF advises that the appropriate test of impact is “severe”.<sup>56</sup> I shall recommend the appropriate modification. I shall also recommend that Clause 1.iv is modified so that the consideration is over provision of retail use outside the Town Centre. I shall also recommend that the assessment in Clause 4 should not be limited to those specified. **(PM33)** The policy would then have regard to national guidance<sup>57</sup>, would generally conform with Policy ECON1 of the WDWPLP and would meet the Basic Conditions.

### Policy W37: Mixed-Use Employment Schemes

- 4.59 Policy W37 supports proposals for conversion or redevelopment for mixed use developments outside Key Employment Sites subject to six criteria. I have only one reservation in relation to the policy, which is that Clause v is too vague for effective development management. Therefore, I shall recommend that it should be deleted. **(PM34)** The policy would then have regard to national guidance<sup>58</sup>, would generally conform with Policy ECON1 of the WDWPLP and would meet the Basic Conditions.

### Policy W38: Higher & Further Education & Skills Provision

- 4.60 Policy W38 supports proposals for development for higher and further education and for skills training. Subject to the recommended deletion of

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<sup>54</sup> NPPF: paragraphs 131.

<sup>55</sup> NPPF: paragraph 85.

<sup>56</sup> NPPF: paragraph 115.

<sup>57</sup> NPPF: paragraph 85.

<sup>58</sup> NPPF: paragraph 96.

Clause 2, **(PM35)** the policy has regard to national guidance<sup>59</sup>, generally conforms with Policy COM6 and meets the Basic Conditions.

#### Policy W39: Weymouth Town Centre

- 4.61 Policy W39 considers development in the Town Centre as defined on Map 28. I shall recommend modifications to Clause 2.iv to clarify the intent behind the policy, to Clause 4 to remove ambiguity and to Clause 1 to refer to the correct map. **(PM36)** Subject to those modifications, the policy would then have regard to national guidance<sup>60</sup>, would generally conform with Policy WEY1 of the WDWPLP and would meet the Basic Conditions.

#### Policy W40: Temporary Activities and Uses

- 4.62 Policy W40 supports temporary activities and uses subject to four provisos. The events and activities appear to be those typically seasonal, rather than temporary, but I accept that some of the uses could be outside what some might consider a typical summer season. Therefore, I consider the use of the word “transitory” as suggested by WTC would be appropriate. Clause 1.iv is unhelpful in that neighbours or the wider community is able to express opinion on any planning application at the appropriate stage which might or might not be well informed. Clause 2 is superfluous. I shall recommend that Clause 1.iv and Clause 2 should be deleted. **(PM37)** The policy would then have regard to national guidance<sup>61</sup>, would generally conform with Policy ECON5 of the WDWPLP and would meet the Basic Conditions.

#### Policy W41: Sustainable Tourism Development

- 4.63 Policy W41 seeks to encourage sustainable tourism. I shall recommend the deletion of the ambiguous reference to the hierarchy of preference in the Local Plan because the Neighbourhood Plan will be read alongside the Local Plan for policy and development management purposes and so an additional reference is unnecessary. I shall also recommend the deletion of Clause 6 which would be considered by the recommended overarching policy. **(PM38)** The policy would then have regard to national guidance<sup>62</sup>, would generally conform with Policies ECON5 and ECON6 of the WDWPLP and would meet the Basic Conditions.

#### Policy W42: Facilitating Offshore Renewable Energy Projects

- 4.64 Policy W42 supports development proposals to facilitate low and zero offshore carbon renewable energy projects. The policy has regard to

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<sup>59</sup> NPPF: paragraphs 20 & 99.

<sup>60</sup> NPPF: paragraph 90.

<sup>61</sup> NPPF: paragraph 88.

<sup>62</sup> NPPF: paragraph 88.

national guidance<sup>63</sup>, generally conforms with Policy ECON1 of the WDWPLP and meets the Basic Conditions.

#### Policy W43: Community Energy Schemes

- 4.65 Policy W43 supports community energy schemes subject to certain criteria of which criterion iii is required by the Town and Country Planning (General Permitted Development) (England) Order 2015 and which, therefore, I shall recommend for deletion. **(PM39)** Subject to that deletion, the policy would have regard to national guidance<sup>64</sup>, would generally conform with Policies SUS2 and COM11 of the WDWPLP and would meet the Basic Conditions.

#### Communities and Neighbourhoods

##### Policy W44: Design

- 4.66 Policy W44 requires new development to have high quality design and sets out five principles, the first of which includes the phrase to harmonise with the recognised local character and which, as DC indicates, is misleading because the local character may be poor. I shall recommend a phrase to correct that deficiency. In addition, I shall recommend the substitution of the phrase “conserve and enhance” with “preserve or enhance” which then has regard to national guidance. **(PM40)** The policy would then have regard to national guidance<sup>65</sup>, would generally conform with Policies ENV10, ENV11 and ENV12 of the WDWPLP and would meet the Basic Conditions.

##### Policy W45: Heritage Assets

- 4.67 Policy W45 considers designated and non-designated heritage assets. In order for the policy to have regard to national guidance and generally conform with Policy ENV4 of the WDWPLP, I shall recommend alterations to the phrasing within each of the Clauses of the policy, mostly as suggested by DC (points 365 – 368), together with modifications to the supporting text of the Plan (DC points 369 – 373). **(PM41)** The policy would then meet the Basic Conditions.

##### Policy W46: Transport and Travel

- 4.68 Policy W46 deals with transport and travel. I shall recommend a modification to Clause 2 so that the policy has regard to national guidance.<sup>66</sup> **(PM42)** The policy would then also generally conform with Policy COM7 of the WDWPLP and would meet the Basic Conditions.

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<sup>63</sup> NPPF: paragraph 157.

<sup>64</sup> NPPF: paragraph 161.

<sup>65</sup> NPPF: paragraphs 131 & 134.

<sup>66</sup> NPPF: paragraphs 108 & 115.

## Policy W47: Public Transport

- 4.69 Policy W47 supports development proposals which would make public transport more accessible. The policy has regard to national guidance<sup>67</sup>, generally conforms with Policy COM7 of the WDWPLP and would meet the Basic Conditions.

## Policy W48: Off-Street Parking

- 4.70 Policy W48 is intended to ensure that proposals for new housing and business developments include provision for sufficient vehicular parking so as not to cause road safety concerns. Subject to the deletion of “as a minimum” from Clause 2, the policy would have regard to national guidance<sup>68</sup>, would generally conform with Policy COM9 of the WDWPLP and would meet the Basic Conditions. **(PM43)**

## Policy W49: Vehicle Charging Points

- 4.71 Policy W49 considers charging points for electric vehicles. The first Clause of the policy is dealt with under the Building Regulations and so is unnecessary. Therefore, I shall recommend its deletion. **(PM44)** Subject to that modification, the policy would have regard to national guidance<sup>69</sup>, would generally conform with Policy COM10 of the WDWPLP and would meet the Basic Conditions.

## Policy W50: Cycle Routes

- 4.72 Policy W50 supports development proposals to improve and extend existing cycle routes. The policy is appropriately drafted subject to the replacement of the reference to ‘(Map 29)’ with ‘(Map 30)’ to correct an error and avoid ambiguity. **(PM45)** With this modification, the policy has regard to national guidance<sup>70</sup>, generally conforms with Policy COM7 of the WDWPLP and would meet the Basic Conditions.

## Policy W51: Traffic Impact

- 4.73 Policy W51 seeks to support proposals which would reduce traffic volumes and the impact of motor vehicles. The policy has regard to national guidance<sup>71</sup>, generally conforms with Policies COM7 and ENV11 of the WDWPLP and would meet the Basic Conditions.

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<sup>67</sup> NPPF: paragraph 116.

<sup>68</sup> NPPF: paragraphs 111 & 112.

<sup>69</sup> NPPF: paragraphs 111 & 116.

<sup>70</sup> NPPF: paragraphs 96 & 110.

<sup>71</sup> NPPF: paragraphs 108.

## Policy W52: Existing Community Buildings

- 4.74 Policy W52 seeks to retain existing community buildings and uses. Criterion 1.iv is not a land use consideration which falls within planning legislation and I shall recommend that it should be deleted. **(PM46)** Subject to that deletion, the policy has regard to national guidance<sup>72</sup>, generally conforms with Policy COM3 of the WDWPLP and would meet the Basic Conditions.

## Policy W53: Public Houses

- 4.75 Policy W53 seeks to retain public houses which are of heritage, cultural, economic or social value. There is no evidence to justify why a public house has to be vacant for 12 months prior to the submission of an application for a change of use. Indeed, any planning application may be submitted at any time. In addition, I shall recommend the shortening of the marketing period from 18 to 12 months to reduce the potential for the street scene becoming less attractive. **(PM47)** Subject to those recommended modifications, the policy would have regard to national guidance<sup>73</sup>, would generally conform with Policy COM3 of the WDWPLP and would meet the Basic Conditions.

## Policy W54: Sports and Recreation

## Policy W55: Public Spaces

## Policy W56: Allotment and Community Garden Provision

- 4.76 Three policies then follow, each of which has regard to national guidance, generally conforms with the strategic policies of the WDWPLP, as detailed below, and meet the Basic Conditions.

WNP Policy	WDWPLP Policy	NPPF (paragraph ref.)
Policy W54	COM4, COM5	102, 103
Policy W55	ENV10, ENV16	135
Policy W56	COM4, COM5	96

## Policy W57: New Burial Grounds

- 4.77 Policy 57 supports the provision of new burial grounds subject to certain criteria. Noting the comments of DC (point 337), I shall recommend that the policy is redrafted to include references to landscape and access considerations. **(PM48)** Subject to that modification, the policy would

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<sup>72</sup> NPPF: paragraph 97.

<sup>73</sup> NPPF: paragraph 97.

have regard to national guidance<sup>74</sup>, would generally conform with Policy WEY15 of the WDWPLP and would meet the Basic Conditions.

## Weymouth Community Aspirations

- 4.78 The Plan includes, on pages 185 – 196, a section on community aspirations which lists many projects under the themes of landscape and green space; homes; jobs; sustainable environment and communities. These are items which the community is seeking but cannot be delivered through planning policies, which are not considered as part of the examination and which will not form part of the statutory Development Plan. Nevertheless, they represent aspirations or actions which would benefit the community and demonstrate one of the valuable associated attributes of the neighbourhood planning process.<sup>75</sup>

## Overview

- 4.79 Therefore, on the evidence before me, with the recommended modifications, I consider that the policies within the WNP are in general conformity with the strategic policies of the WDWPLP, have regard to national guidance, would contribute to the achievement of sustainable development and so would meet the Basic Conditions.
- 4.80 Whilst I have sought to set out the necessary changes in the PMs in the Appendix to this report, the acceptance of the recommended modifications would mean that further consequential amendments may be needed to the explanatory text within the Plan in order to make it logical and suitable for the referendum. Amendments of a more minor nature might cover the incorporation of factual updates; correcting inaccuracies, typographical and punctuation errors; any text improvements suggested helpfully by DC in their Regulation 16 consultation response; and resultant changes to the Plan's paragraph and policy numbering, in agreement with DC. By way of specific examples, these might include the policies map (updated as per recommended modifications) attached to the Regulation 16 comments from the Chair of the WNP Steering Group (submitted on 9 April 2025) and the removal of the words 'local housing' in paragraph 9.95 (which are no longer relevant). None of these alterations would affect the ability of the Plan to meet the Basic Conditions and could be undertaken as minor, non-material changes.<sup>76</sup>

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<sup>74</sup> NPPF: paragraphs 97.

<sup>75</sup> PPG Reference ID: 41-004-20190509.

<sup>76</sup> PPG Reference ID: 41-106-20190509.

## 5. Conclusions

### Summary

- 5.1 The Weymouth 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 to all the responses made following consultation on the WNP, and the evidence documents submitted with it.
- 5.2 I have made recommendations for forty eight modifications 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 the referendum area should be extended beyond the designated area to which the Plan relates. The WNP, as modified, has no policy 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 that of the designated Neighbourhood Plan Area.

### Concluding Comments

- 5.4 WTC, the Neighbourhood Plan Steering Group and other voluntary contributors are to be commended for producing a comprehensive Plan. The Plan is logical, very informative and well-illustrated. I enjoyed the challenge of examining it and also visiting the area. The Consultation Statement and the Basic Conditions Statement were extremely useful. The Plan benefitted greatly from the constructive comments from DC at the Regulation 14 stage, the subsequent positive response from WTC and the changes to the Plan. The Regulation 16 comments from DC were also very helpful as were the answers from the Councils to my questions. Subject to the recommended modifications, the WNP will make a positive contribution to the Development Plan for the area and should enable the attractive character and appearance of Weymouth to be maintained whilst enabling sustainable development to proceed.

*Andrew Mead*

Examiner

## Appendix: Modifications

Proposed modification no. (PM)	Page no./ other reference	Modification
PM1	Paragraph 1.7.	The final sentence of paragraph 1.7 should read: <b>"The Weymouth Neighbourhood Plan covers the whole of the area under the jurisdiction of Weymouth Town Council, with the exception of the Littlemoor Urban extension and the top of Plaisters Lane, and including Sutton Poyntz as shown on Map 1a".</b>
PM2	Following paragraph 7.11	Include new policy: <b>"Proposals for development should aim to meet the Relevant Environmental objectives and aspire to achieve the Environmental Targets in Table X (p 25) and, where appropriate, Appendix A of the Plan."</b>  For each relevant policy, add to the supporting text, immediately prior to the associated 'Relevant Environmental Targets' table: <b>"The policy will align with the relevant environmental targets and objectives as shown in the table below."</b>
PM3	Policy W02	Delete Clause 3 and paragraph 8.24.
PM4	Policy W03	Clause 2: Amend the first sentence to: <b>"Where impacts to biodiversity are identified, proposals must apply the mitigation hierarchy as advised in the NPPF."</b>
PM5	Policy W05	Clause 1: Amend the final phrase to: <b>"... by providing for a Biodiversity Net Gain of at least 10% with a target of at least 20% judged on a case by case basis."</b>
PM6	Policy W06	Delete Clause 2.
PM7	Policy W08	Amend the opening sentence to: <b>"Coastal recreation areas shown on Map 10 are for public recreation and enjoyment and are protected from development unless it is for: ...; etc."</b>

PM8	Policy W09	<p>Amend Clause 3 to:</p> <p><b>"Development proposals should demonstrate through a Landscape and Visual Impact Analysis that there would be no compromise to:</b></p> <ul style="list-style-type: none"> <li><b>i. the visual openness and landscape character of the gap: or</b></li> <li><b>ii. the character or setting of local heritage assets."</b></li> </ul> <p>Amend Maps 11A and 11B by the deletion of extraneous information to show only the boundary of the Green Gaps so that their clarity and purpose is not obscured.</p>
PM9	Policy W11	Map 13 and Appendix C: Delete Southill Garden Village
PM10	Policy W12	Delete Clause 4.
PM11	Policy W13	<p>Amend the policy to:</p> <p><b>"Development proposals likely to have a significant impact on the important public panoramas, vistas and views identified on Maps 15A – F and defined in the accompanying Tables should demonstrate due regard to the local design guidance available at that time and should be accompanied by a Landscape and Visual Impact Assessment (LVIA)."</b></p>
PM12	Policy W14	<p>Combine Clauses 1 and 2 to:</p> <p><b>"The defined development boundaries are shown on Map 16. Development will be supported within the development boundaries, with particular emphasis on brownfield redevelopment."</b></p>
PM13	Policy W16	<p>Amend Clause 1.i to:</p> <p><b>"a minimum of 10% satisfy M4(2) of the Building Regulations;"</b></p> <p>Amend Clause 1.ii to:</p> <p><b>"adequate secure and accessible storage for cycles, etc."</b></p> <p>Amend Clause 1.iii to:</p> <p><b>"adequate accessible storage facilities for refuse, etc."</b></p> <p>Add Clause 6:</p>

		<b>"Developments are carefully designed and planned to ensure that no adverse effects on the integrity of Habitats sites occur as a result of water pollution stemming from site run-off or dust emissions during construction or the operational stage of each of the developments."</b>
PM14	Policy W18	Delete Clauses 2.ii and 2.iv. Amend Clause 5 to: <b>"Proposals for housing and mixed use developments that result in between 2 and 9 units on sites of less than 0.5ha will provide up to 35% Affordable Homes or the commuted sum equivalent to the Local Authority for development of Affordable Homes in the Weymouth Area, subject to a Financial Viability Assessment to determine the precise amount."</b>
PM15	Policy W19	Amend Map 20 to <b>"Map 18"</b> . Delete: W23A: Lodmoor Old Tip North from the list, from Map 18 and Table B. Delete existing Clause 2.
PM16	Policy W20	Amend Clause 1 to: <b>"Land at Wyke Oliver Farm North as defined on Map 19 is allocated for residential development for around 250 dwellings."</b> Amend Clause 2 to: <b>"Affordable housing provision should form 50% of every completed stage of the development unless a Financial Viability Assessment or other material considerations demonstrate a robust justification for a different percentage and comprise a mix of sizes, types and tenures as agreed with Dorset Council."</b> Amend Clause 4.iv to: <b>"a surface water management strategy which seeks to minimise flood risk and the impact of the development on local water courses;"</b> Delete Clause 2.viii. Amend Clause 2.ix to:

		<p><b>"demonstrate through a Travel Plan and Transport Assessment that the local transport network has capacity for around an additional 250 homes."</b></p> <p>Add to the supporting text the points suggested by DC in response to Q17 d).</p> <p>Add to the supporting text the explanation suggested by WTC in response to Q17 f).</p>
PM17	Policy W21	<p>Amend Clause 1 to:</p> <p><b>"Land at Redlands Farm as defined on Map 20 is allocated for residential development for around 150 dwellings."</b></p> <p>Amend Clause 2 to:</p> <p><b>"Affordable housing provision should form 50% of every completed stage of the development unless a Financial Viability Assessment or other material considerations demonstrate a robust justification for a different percentage and comprise a mix of sizes, types and tenures as agreed with Dorset Council."</b></p> <p>Amend Clause 4.iii to:</p> <p><b>"the height of dwellings should mostly be no more than two storeys in height, rising to a maximum scale of three storeys only occasionally, and development should preserve or enhance the setting of the nearby conservation area and should be positioned on site to ensure it is appropriately screened from the Wey Valley;"</b>.</p> <p>Amend Clause 4.xii to:</p> <p><b>"landscaping measures and a surface water management strategy which seeks to minimise flood risk and the impact of the development on local water courses;"</b></p> <p>Delete Clause 4.xiv.</p> <p>Amend Clause 5 by the substitution of the second "and" by a comma, together with the addition of:</p> <p><b>"and demonstrate through a Travel Plan and Transport Assessment that the local transport network has capacity for around an additional 150 homes."</b></p>

		Add to the supporting text the points suggested by DC in response to Q18 b).
PM18	Policy W22	<p>Amend Clause 1 to:</p> <p><b>"Land off Beverley Road as defined on Map 21 is allocated for around 25 dwellings."</b></p> <p>Amend Clause 2 to:</p> <p><b>"Proposals for residential development will be supported where the following criteria are comprehensively addressed: etc".</b></p> <p>Amend Clause 2.vii to:</p> <p><b>"Affordable housing provision should form 50% of the development unless a Financial Viability Assessment or other material considerations demonstrate a robust justification for a different percentage."</b></p> <p>Delete Clause 2.ix.</p> <p>Add a new Clause 4:</p> <p><b>"A development proposal should be supported by a surface water management strategy which seeks to minimise flood risk and the impact of the development on local water courses."</b></p> <p>Re-number existing Clause 4 as Clause 5.</p> <p>Add to the supporting text the points suggested by DC in response to question 19 c).</p>
PM19	Policy W23A	Delete the policy.
PM20	Policy W23C	Delete Clause 2.iv, Clause 2.viii and Clause 3.ii.
PM21	Policy W24	<p>Delete Clause 2.i and substitute:</p> <p><b>"Affordable housing provision should form 35% of the residential element of the development unless a Financial Viability Assessment or other material considerations demonstrate a robust justification for a different percentage."</b></p> <p>Delete Clause 3.iv.</p> <p>Add to the supporting text the points suggested by DC in response to question 23 b).</p>

PM22	Policy W25	Delete Clause 7.
PM23	Policy W26	Delete Clause 5.
PM24	Policy W27	Amend Clause 1 to:  <b>"Proposals for community-led development within the defined development boundaries which respond to ... etc. Proposals for community-led development outside the defined development boundaries will be required to follow government guidance in the NPPF and adopted Local Plan."</b>  Delete Clause 4.
PM25	Policy W28	Delete Clause iv.
PM26	Policy W29	Delete Clause 2.  Delete the final sentence of paragraph 9.142.
PM27	Policy W30	Delete Policy and title and replace with:  <b>"First Homes Exception Site Development</b> <ol style="list-style-type: none"> <li><b>1. Development proposals for affordable housing schemes outside the DDBs, where housing would not normally be permitted by other policies in the development plan will be supported if the scheme:</b> <ol style="list-style-type: none"> <li><b>i. is a First Homes exception site;</b></li> <li><b>ii. is adjacent to an existing settlement and in character and scale appropriate to its location; and</b></li> <li><b>iii. does not compromise the protection given to relevant areas by the NPPF.</b></li> </ol> </li> <li><b>2. Exception site housing schemes should normally comprise 100% affordable housing, intended only for local people including a minimum proportion of 25% First Homes. A small proportion of market homes may be allowed on the site at the local authority's discretion, or if there is clear evidence of local need, or if this is required to make the site viable.</b></li> <li><b>3. The application of a local occupancy clause on all affordable homes will be</b></li> </ol>

		<p><b>expected in perpetuity, without the requirement for further justification.”</b></p> <p>Redraft paragraph 9.147 using the suggestion by WTC in its response to Q26a dated 23 June 2025.</p>
PM28	Policy W31	Delete the policy.
PM29	Policy W32	<p>Delete: “... conforms with other relevant policies in the Neighbourhood Plan and ...”.</p> <p>Amend Clause i to:</p> <p><b>“adequate, convenient, safe and secure alternative off road parking provision ...”.</b></p> <p>Amend Clause ii to:</p> <p><b>“will be adequately catered for by solutions including other car parks and out of town park and ride schemes;”.</b></p>
PM30	Policy W33	<p>Amend policy to:</p> <p><b>“Development should be phased so that it is at least in tandem with the timely and co-ordinated provision of associated infrastructure to help support sustainable growth, with particular emphasis on encouraging brownfield redevelopment and to ensure that the capacity of existing infrastructure is not significantly exceeded.”</b></p>
PM31	Policy W34	<p>Amend Clause 1 to: <b>“All new development should seek to achieve high standards of sustainability.”</b></p> <p>Amend Clause 2 v. to:</p> <p><b>“adequate provision is made for the safe, secure and accessible parking and storage of bikes, etc.”</b></p> <p>Add new Clause 2 vi:</p> <p><b>“where the above methods and material create viability concerns, these should be demonstrated through a suitable financial appraisal.”</b></p>
PM32	Policy W35	<p>Amend final phrase in the policy to:</p> <p><b>“... for a period of at least 12 months or other period agreed with the local planning authority.”</b></p>

		<p>Add new Clause:</p> <p><b>"2. The redevelopment of employment land and premises for non-employment uses will be permitted where it will not prejudice the efficient and effective use of the remainder of the employment area and:</b></p> <ul style="list-style-type: none"> <li><b>i) the present or previous (where vacant or derelict) use causes significant harm to the character or amenities of the surrounding area and it has been demonstrated that no other appropriate viable alternative employment uses could be attracted to the site; or</b></li> <li><b>ii) a substantial over supply of suitable alternative employment sites is locally available; or</b></li> <li><b>iii) redevelopment of the site would offer important community benefits or no significant loss of jobs/potential jobs."</b></li> </ul>
PM33	Policy W36	<p>Amend Clause 1.iii to:</p> <p><b>"not having cumulative severe impacts on highway safety ...;"</b>.</p> <p>Amend Clause 1.iv to:</p> <p><b>"in the case of retail use outside the town centre, ... ."</b></p> <p>Amend Clause 4 to:</p> <p><b>"Where required, any application should be accompanied by appropriate site specific assessments, which might include a Flood Risk Assessment, Noise Assessment, or Archaeological Assessment to demonstrate that ..."</b>.</p>
PM34	Policy W37	<p>Delete Clause v.</p> <p>Delete Clause vi.</p>
PM35	Policy W38	Delete Clause 2.
PM36	Policy W39	<p>Amend Clause 2.iv to:</p> <p><b>"Where appropriate, provide housing to meet local needs including at least 35% Affordable Homes."</b></p> <p>Amend Clause 4 to: <b>"Proposals which make more intensive use of upper floors ..., etc."</b></p>

		Amend Clause 1 to refer to <b>Map 28</b> and not Map 27. Delete Clause 7.
PM37	Policy W40	Substitute <b>"transitory"</b> for "temporary" in the title, throughout the policy and where appropriate in the supporting text. Delete Clause 1.iv. Delete Clause 2.
PM38	Policy W41	Delete the final sentence in Clause 1. Delete Clause 6.
PM39	Policy W43	Delete Clause iii.
PM40	Policy W44	Amend Clause 1 to: <b>"All proposals ... use of material and detail, which, in areas with a positive character, would harmonise with it; also, having regard to ..."</b> . Amend Clause 2 to: <b>"... how they will positively preserve or enhance the unique characteristics of the area."</b>
PM41	Policy W45	Amend Clause 1 to: <b>"Development proposals must demonstrate, where relevant, ... etc."</b> Amend Clause 2 to <b>"Development proposals affecting designated and/or non-designated heritage assets and/or the 11 designated Conservation Areas shown on Map 29 must be accompanied by .... assessments, which clearly demonstrate how any potential for impact, resulting in harm, would be avoided as a result of mitigation."</b> Amend Clause 3 to: <b>"Development proposals on previously undeveloped land must be accompanied ... etc."</b> Amend Clause 4 to: <b>"Where appropriate, development must identify and secure opportunities within the setting of any designated and/or non-designated heritage assets ... etc."</b>

		Amend the supporting text by the suggestions of DC in points 369 – 373 of the Regulation 16 response.
PM42	Policy W46	Amend Clause 2 to: <b>"Development that would give rise to unacceptably severe highway danger and significant air pollution will not be supported."</b>
PM43	Policy W48	Delete "as a minimum" from Clause 2.
PM44	Policy W49	Delete Clause 1.
PM45	Policy W50	Amend "... (Map 29) ..." to <b>"... (Map 30) ..."</b> .
PM46	Policy W52	Delete Clause 1.iv.
PM47	Policy W53	Amend the second sentence of Clause 1 to: <b>"Any change of use application should be accompanied by authoritative evidence of continued marketing over at least a 12 month period and no market interest ... etc."</b>
PM48	Policy W57	Amend policy to: <b>"Proposals for new burial grounds will be supported in principle, subject to local need, the avoidance of significant harm to both residential amenity and the landscape and the provision of suitable access which would not cause severe danger to traffic."</b>