

Application Number:	P/FUL/2024/02116
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Tyre and Exhaust Centre, Westwey Road, Weymouth, DT4 8SU
Proposal:	Demolish existing building and erect 7no dwelling houses with associated access, parking and landscaping
Applicant name:	Mr & Mrs Clapp & Mr Cake
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr Hope and Cllr Taylor

1.0 Reason application is going to committee:

1.1 The site access includes land owned by Dorset Council.

2.0 Summary of recommendation:

2.1 Delegate Authority to the Head of Planning and Service Manager for Development Management and Enforcement to refuse the application for the reason set out below, subject to no comments or no adverse comments, that include material planning considerations, being received from third parties by 29th January 2025 (due to notification to landowner in respect of extension of application area during the course of the application):

1. Due to the sole vehicle and pedestrian access falling within Flood Zones 2 and 3 and being affected by significant flood depths in the 1 in 200-year flood event where flood defences are breached through tide and wave overtopping, safe access and escape routes, either on foot or by vehicle, would only be possible where residents take urgent action upon receipt of a flood warning from the Environment Agency. The submitted Flood Warning and Evacuation Plan is not considered acceptable as the flood warning service cannot be solely relied on and safe access and escape routes not affected by severe flooding have not been identified. This places future residents at unacceptable risk should they require emergency assistance in the event of a flood. This conflicts with West Dorset, Weymouth and Portland Local Plan Policy ENV5 (part ii) and the NPPF Paragraph 181.

3.0 Reason for the recommendation:

3.1 As set out at Section 17 of this Report. In summary:

- Para. 11 of the National Planning Policy Framework (NPPF) sets out that permission should be granted for sustainable development unless specific policies in the NPPF indicate otherwise.
- The site is an allocated brownfield site within the defined development boundary of Weymouth.
- The proposal for housing complies with the site allocation.
- Para. 125c of the NPPF gives substantial weight to the value of using suitable brownfield land within settlements for housing, proposals for which should be approved unless substantial harm would be caused.
- The sole access to the site falls within Flood Zones 2 and 3 and is affected by significant flood depths in the design flood event. Safe access and escape routes are essential but have not been demonstrated. This places future residents at unacceptable risk should they require emergency assistance in the event of a flood.
- Granting the development as proposed would result in substantial harm due to conflict with flood risk considerations.

4.0 Key planning issues

Issue	Conclusion
Principle of development	Principle of residential development and loss of existing employment use is acceptable.
Design and visual amenity	Proposal would maintain local identity and distinctiveness and would respect the character of the surrounding area.
Housing mix and affordable housing	The provision of seven 3-bed dwellings responds to local housing need and is acceptable given the small-scale nature of the development.
Heritage	The proposals would not cause harm to designated heritage assets.
Residential amenity	The development would not result in significant adverse amenity impacts on nearby residents. The proposed dwellings offer an appropriate level of amenity for new residents.
Contamination	Acceptable subject to conditions.

Highways	Planning officers consider the objection from highways can be satisfactorily addressed via planning conditions.
Flood risk and drainage	The proposed dwellings are set at an appropriate level with a low risk of flooding. Given the location of the sole vehicle and pedestrian access within Flood Zones 2 and 3, with significant flood depths anticipated, safe access and escape routes have not been demonstrated.
Ecology and biodiversity	Acceptable subject to conditions.
Trees	Acceptable subject to conditions.
Community Infrastructure Levy	Development would be CIL liable.
Environmental Impact Assessment	Development is not EIA development.

5.0 Description of Site

5.1 The application site is located off Westway Road (A354). It extends to approximately 1,750sq.m and is roughly rectangular in shape.

5.2 The site is used as a car garage operated by KwikFit. It occupies one building within the north of the site which is approximately 6/7m height to ridge/eaves. It has a single storey lean-to element to the north. The building is constructed of brick at lower levels with corrugated iron upper levels/roofs. To the rear of the building is a vegetated bank including nine trees.

5.3 The site is generally level with a ground level of approximately 3.5mAoD. The access road ramps downward to Westway Road. The road has a level of approximately 2.2mAoD.

5.4 West of the site are existing two-storey terraced housing along Granville Road. To the north are commercial premises, to the south is a former gasholder site and to the east is the A354/Westway Road. The houses along Granville Road are set at a higher level than the application site. The eastern and southern boundaries of the site is bound by palisade fencing and the northern boundary is bound by Heras fencing.

5.5 The application site is located within the Weymouth Defined Development Boundary (DDB). It also falls within the local plan Weymouth Town Centre Strategy

Area (WEY 1) and the Westwey Road and North Quay Area (WEY 7). The site is located to the west of the Weymouth Conservation Area, which includes the harbour.

6.0 Description of Development

6.1 The proposed development comprises demolition of the existing building and erection of seven 3-bed houses with associated access, parking and landscaping.

6.2 The dwellings are proposed in two terraces of three and four units, the terrace of three (Plots 1-3) would be orientated perpendicular to the Westwey Road and the terrace of four (Plots 4-7) would be orientated parallel to the road.

6.3 All dwellings would be 2.5 storeys in height and are of consistent design. Walls would be constructed in red brick incorporating vertical brick bond and vertical brick soldier course detailing. Roofs would be slate with four PV panels per dwelling. Windows and doors would be grey powder coated aluminium and the front entrance to each dwelling would have a wrap-around zinc entrance canopy. The second floor of each dwelling would be served by a rear dormer window. Stepped access would be provided to the front and rear of each dwelling. Rainwater goods would be UPVC and fascia, soffits and bargeboards would be black painted timber.

6.4 Vehicle access from Westwey Road would be retained. The access route would be revised to incorporate a footpath linking with the existing footpath running along the west of Westwey Road. This would result in a narrowing of the carriageway from approximately 6m to 4.5m along 16m of the access road. For the first 25m of the access road a width of 6m would be maintained. Pedestrian access would be created to the front of dwellings behind car parking spaces.

6.5 A total of 14 car parking spaces (two per dwelling) are proposed to the front of the dwellings. Each dwelling would have an EV charger. Cycle storage is proposed within the rear gardens. Wheelie bin storage is proposed in three zones around the perimeter of the site and a refuse collection zone is identified on the proposed access road.

6.6 Landscaping includes: the planting of two trees at the entrance of the site; tree planting along the western boundary of the site (adjacent to the car park and within the rear gardens of Plots 1-4); tree planting along the western boundary (within the rear gardens of Plots 4-7); together with some tree planting within the car park.

6.7 Lower level retaining walls are proposed along the eastern boundary and part of the southern boundary. The existing metal fencing within the site is proposed to be replaced with a 1.8m high close boarded timber fence and timber fencing is proposed along the western, northern and eastern boundaries of the site and between the rear gardens of dwellings. Hedging is proposed around the boundaries of the site and within the car park.

7.0 Relevant Planning History

Application Site

7.1 The application site has limited planning history. The existing garage building was approved in the mid-1990s:

96/00457/COU - Decision: GRA - Decision Date: 07/11/1996

Use as tyre and exhaust fitting facility, vehicle maintenance building

95/00338/FUL - Decision: GRA - Decision Date: 22/11/1995

Construct new substation switchhouse

Site to the North

7.2 Planning permission for redevelopment of land to the north to provide 23 dwellings was granted in October 2021. The planning permission was not implemented and expired in October 2024. The development included: two terraces of three dwellings; 10 semi-detached dwellings; six apartments within a three storey block; and one flat above garage (FOG). New pedestrian and vehicle access was proposed to Granville Road and Stavordale Road.

WP/20/00807/FUL - Decision: GRA - Decision Date: 25/10/2021

Demolition of the former switchgear building and the erection of 23no. dwellings and associated landscaping and access

Gasholder site to the south

7.3 The adjacent gas holder site was constructed in the 1950s. The storage facility was decommissioned in 2010 and demolished in 2014. The Hazardous Substances Consent (HSC) licence was revoked in March 2021.

00/00243/HAZ - Decision: GRA - Decision Date: 31/05/2000

Continuation of planning hazardous substances consent

WP/20/00718/HAZ - Decision: RES - Decision Date: 23/03/2021

HSC Revocation request

8.0 List of Constraints

Within Defined Development Boundary of Weymouth

Within Weymouth Town Centre

Within Site Allocation WEY7 'Westwey Road and North Quay Area'

Weymouth Town Centre Conservation Area – 9m to east

Landscape Character Area; Urban Area; Weymouth Urban Area

Areas Benefiting from Flood Defences

Main River Consultation Zone - Distance: 12m

Flood Zone 2 and 3: Part of the access onto the A354/Westway Road

RAMSAR: Chesil Beach & the Fleet (UK11012); Distance: 2.6km

Special Area of Conservation (SAC) (5km buffer): Chesil & The Fleet (UK0017076); - Distance: 3.1km

Dorset Council owned land (access road)

SGN - Medium pressure gas pipeline (75mbar - 2 bar); adjacent to the entrance of the site linking the single storey building to the east with pipelines running along the A354/Westway Road

Office of Nuclear Responsibility NR 12km zone

Legal Agreements S106

9.0 Consultations

9.1 All consultee responses can be viewed in full on the website.

Consultees

Natural England

9.2 No objection. Natural England concur with the Council's Appropriate Assessment.

Environment Agency

9.3 No objection. The Environment Agency note the present day 1 in 200 year still water tidal flood level for Weymouth Harbour is 2.39mAOD. This is predicted to rise to 3.79mAOD over the 100 year lifetime of the development with the impact of climate change. The proposed finished floor levels of 4.30mAOD for all dwellings would afford suitable freeboard above these design flood levels.

9.4 The junction of the site access with Westway Road is shown to fall within Flood Zone 3. This is predicted to be impacted by the design flood event. Access, egress to and from the site may therefore be subject to flooding under flood events. In all circumstances where warning and emergency response is fundamental to managing flood risk, the Environment Agency advises local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. Recommend referring to the ADEPT/EA Flood Risk Emergency Plans for New Development and undertaking appropriate consultation with emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 181 of the NPPF and the Planning Practice Guidance.

Health and Safety Executive

9.5 Note the site does not fall within any HSE consultation zones and do not advise against the development.

DC Highways

9.6 The Highways Authority has provided a series of consultation response to the development. They object to the development on highway safety grounds due to:

1. The inability for refuse service vehicles to turn within the site and exit in forward gear, resulting in the reversing of refuse service vehicles on to the highway.
2. The reduced width of the access road (4.5m) would not allow a HGV and car to pass and is likely to result in conflict at the nearby junction onto Westway Road or result in vehicles mounting the proposed pavement.

9.7 The Highways Authority considers the proposals raise severe highway safety concerns and recommend that the development is refused for the following reasons:

1. The proposed development is likely to result in a conflict between residential and industrial traffic which would be prejudicial to safety, amenity, and convenience.
2. There is insufficient detail regarding turning space to enable a refuse service vehicles to enter and exit the site in a forward gear. Reversing onto or off the carriageway at this location would be likely to interfere with the safety and free flow of traffic, all to the detriment of highway safety.
3. Details of the development, as submitted, do not meet with the requirements of the Highway Authority and if carried out in this manner would be likely to endanger road safety, or result in other highway problems.
4. The layout of the proposed development would prejudice the comprehensive development of the area in terms of vehicular and pedestrian access.

9.8 The Highways Authority also makes the following observations:

1. The proposed pavement from Westway road is necessary in the interests of pedestrian safety.
2. A 1.5m width footway could be acceptable if there are physical constraints that mean that the target 2m width cannot be provided.
3. There is a need for a refuge facility across Westway Road. The refuge should be sufficient to accommodate cyclists. The crossing will need to be informed by Stage 1 / 2 Road Safety Audits.
4. A tactile array should be in accordance with Department for Transport guidance on the use of tactile paving surfaces.

5. The applicant has not put forward any details for all reasonable future scenarios for the Highways Authority to assess.

DC Conservation Officers

9.9 No objection. The proposal would not harm the special character and local distinctiveness of the neighbouring Conservation Area.

DC Environmental Health

9.10 Recommend conditions in respect of contaminated land and noise.

WPA Consulting – for DC

9.11 Recommend conditions in respect of contaminated land.

DC Trees

9.12 Note that the no significant trees would be affected.

DC Natural Environment Team

9.13 The Natural Environment Team (NET) issued a Certificate for Approval on 25 November 2024. NET note the need for further information in respect of Biodiversity Net Gain prior to commencement of development.

Dorset Waste Team – No comments received

DC Building Control Weymouth Team – No comments received

Southern Gas Networks – No comments received

DC Economic Development and Tourism – No comments received

DC Planning Policy – No comments received

DC Section 106 Team – No comments received

Dorset & Wiltshire Fire and Rescue Service

9.14 Draw attention to the requirements of Approved Document B relating to Building Regulations and recommendations to improve safety and reduce property loss in the event of fire. No comments provided in respect of the submitted Flood Warning and Evacuation Plan.

Weymouth Town Council

9.15 Weymouth Town Council support the development and notes disappointment that there is not a masterplan for the whole area.

Ward Councillors – No comments received

Weymouth Civic Society

9.16 No objection. Weymouth Civic Society note the site links with the approved plans for the adjacent site, although they have reservations about the joint access directly off Westway Road, a busy through route for traffic.

9.17 Weymouth Civic Society note that this area should ideally be redeveloped as part of a major planned scheme, linking in with the surrounding sites in a more organised manner given it lies in an area earmarked by the Council for comprehensive redevelopment. Under such a scheme, consideration could be given to how the whole area would be best served by road, which could also allow for alternative access, avoiding Westway Road. The current application is a missed opportunity for the site to be included in the larger planned redevelopment.

Representations received

9.18 Two public comments have been received, one in support and one in objection.

9.19 The letter of support notes the development would tidy up a neglected area of the harbour side.

9.20 The letter of objection raises concern with the disruption and noise during the construction process on nearby residents. It notes that Granville Road should not be used as an access point.

10.0 Duties

10.01 s38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of planning applications must be in accordance with the development plan unless material circumstances indicate otherwise.

11.0 Relevant Policies

Development Plan

West Dorset, Weymouth and Portland Local Plan

INT 1 – Presumption in Favour of Sustainable Development

ENV 1 – Landscape, Seascape and Sites of Geological Interest

ENV 4 – Heritage Assets

ENV 5 – Flood Risk

ENV 9 – Pollution and Contaminated Land

ENV 10 – The Landscape and Townscape Setting

ENV 11 – The Pattern of Streets and Spaces

ENV 12 – The Design and Positioning of Buildings

ENV 13 – Achieving High Levels of Environmental Performance

ENV 16 – Amenity

SUS 1 – The Level of Economic and Housing Growth

SUS 2 – Distribution of Development
ECON3 – Protection of Other Employment Sites
HOUS 1 – Affordable Housing
HOUS 3 – Open market housing mix
COM 7 – Creating a Safe and Efficient Transport Network
COM 9 – Parking Standards in New Development
WEY 1 – Weymouth Town Centre Strategy
WEY 7 – Westwey Road and North Quay Area

Material Considerations

Emerging Local Plans:

11.1 Paragraph 49 of the NPPF provides that local planning authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant plan policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan are to the policies of the NPPF, the greater the weight that may be given).

The Dorset Council Local Plan

11.2 The Dorset Council Local Plan Options Consultation took place between January and March 2021. Being at a very early stage of preparation, the relevant policies in the Draft Dorset Council Local Plan should be accorded very limited weight in decision making. Adoption is targeted for 2027.

Weymouth Neighbourhood Plan

11.3 Weymouth Neighbourhood Plan - In preparation – limited weight applied to decision making. The draft plan (December 2024) includes the following policies of relevance:

- W02 – Conservation of the Natural Environment
- W06 – Trees, Woodland and Hedgerows
- W14 – Development Boundaries
- W17 – Housing Mix
- W18 - Affordable Housing
- W44 – Design
- W46 – Transport and Travel
- W48 – Off-Street Parking
- W51 – Traffic Impact

National Planning Policy Framework (December 2024)

11.4 Paragraph 11 sets out the presumption in favour of sustainable development. Development plan proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent, or relevant policies are out-of-date then permission should be granted unless any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF or specific policies in the NPPF indicate development should be restricted.

11.5 Other relevant NPPF sections include:

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
11. Making effective use of land
12. Achieving well-designed and beautiful places
14. Meeting the challenge of climate change, flooding and coastal change
16. Conserving and enhancing the historic environment

11.6 The updated NPPF strengthens support for the development of brownfield sites noting decision makers should “give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land” (Para. 125c).

Other material considerations

Urban Design (SPG3)

Weymouth and Portland Landscape Character Assessment 2013

Dorset Council Interim Guidance and Position Statement Appendix B: Adopted Local Plan policies and objectives relating to climate change, renewable energy, and sustainable design and construction. December 2023.

Planning Practice Guidance

12.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

12.1 This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

13.0 Public Sector Equalities Duty

13.1 As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

13.2 Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty.

13.3 The proposals would improve pedestrian access to the site by introducing a pavement along the access road linking the proposed homes with Westwey Road. This would support access for those with disabilities, mobility impairments or those pushing buggies.

14.0 Financial benefits

What	Amount / value
Material Considerations	
Market Housing	7 units
Employment created during construction	Not quantified
Employment supported in local economy through residential expenditure	Not quantified
Decontamination of brownfield site	Making it suitable for housing
Non Material Considerations	
Council Tax	According to value of each property
New Homes Bonus	A proportion of provisional 2024-2025 allocation of £938,154
Community Infrastructure Levy (CIL)	In accordance with Weymouth and Portland CIL Charging Schedule and CIL Regulations

15.0 Environmental Implications

15.1 The proposal would lead to additional CO2 emissions from the construction of the proposed development and from the activities of future residents and occupiers.

15.2 The construction phase would include the release of CO2 emissions from workers vehicles during the construction process. CO2 emission would be produced as a result of the production and transportation of the building materials and during the construction process.

15.3 This has to be balanced against the benefits of providing housing and employment provision in a highly sustainable location and should be offset against factors including the dwellings being reasonably energy efficient as required by Building Regulations and the 2021 Approved Documents. The new Building Regulations require a 31% and 27% improvement from the 2013 standards in terms of CO2 emissions for dwellings and non-residential uses respectively.

15.4 As a brownfield site within the Defined Development Boundary and Town Centre of Weymouth, the proposed redevelopment is inherently sustainable in that it would provide new homes in a sustainable location in close proximity to public transport, shops and services. This would reduce pressure on the redevelopment of greenfield sites and support active travel and transport by more sustainable modes.

16.0 Planning Assessment

Principle of development

Principle of loss of existing employment use

16.1 As the garage is an existing employment use, the application site falls under the definition of an employment site as defined by the Local Plan.

16.2 For such sites, Local Plan Policy ECON3 notes that the redevelopment of existing employment premises for non employment uses that are in accordance with other planning policies will be permitted where it will not prejudice the efficient and effective use of the remainder of the employment area. The policy goes on to state criteria where alternative development may be included, including where there is a substantial over-supply of suitable alternative employment sites in the local area and where redevelopment would offer important community benefits.

16.3 The Planning Statement confirms that the 10-year lease agreement between the landowner and current occupier concluded in March 2023 and neither the tenant or landowner (applicant) has registered any formal interest in renewing the tenancy.

16.4 As a Sui Generis use, the garage can only be occupied as a garage. Planning permission would be required to change the use of the building to another employment use. Given this, it is relevant to note that there are a number of alternative garages in Weymouth which offer similar vehicle repair services. There is therefore considered to be a suitable supply of garages within the local area and the proposed loss would not undermine the ability for residents to use garages within local area. The proposed development would also offer important community benefits in terms of:

- New housing: 7 market homes
- Employment: Created during the construction period and supported in the local economy through residential expenditure.

- Residential amenity: Reduced noise and disturbance to local residents following completion of the proposed development compared to the noise and disturbance generated by the garage.
- Regeneration: Of a brownfield site which detracts from the local area to provide a modern residential development which offers visual enhancements to the local area.

16.5 For the above reasons, the principle of the loss of the existing employment use is considered to be acceptable and in accordance with Policy ECON3.

Principle of residential

16.6 The proposed development involves the erection of seven dwellings. The site lies within the defined development boundary (DDB) for Weymouth where Policy SUS2 directs development to the main settlements. Given the location of the site within the DDB with good access to amenities the principle of residential development is acceptable.

16.7 The site is located within the Weymouth Town Centre Strategy area (Policy WEY1) and the Westwey Road and North Quay area (Policy WEY 7). Local Plan Policy WEY7, sets out that the area will be re-developed for mixed uses which may include residential, hotel, commercial and small scale retail development. Whilst a comprehensive approach to redevelopment of the site and adjacent sites is preferable, and could lead to improved placemaking outcomes and residential capacity, the redevelopment of this part of the wider allocation can be considered in isolation and must be determined on its merits.

16.8 Given the above, the proposal in principle of residential development is considered acceptable subject to compliance with other policies in the local plan all of which are considered below.

Design and visual amenity

16.9 The two residential terraces would be made up of two and a half storey dwellings. The terrace of three dwellings (Plots 1-3) is set back from the access road with the gable end of Plot 1 facing east toward Westwey Road. Associated gardens are located to the rear (south) and parking is to the front (north). The terrace of four dwellings (Plots 4-7) spans the width of the site in a similar location to the existing

building. Gardens would be provided to the rear (west) and parking would be located at the front. A footpath is proposed to the front of the dwellings.

16.10 The design of the dwellings is consistent. Walls would be of red brick incorporating vertical brick bond and vertical brick soldier course detailing. Roofs would be slate with four PV panels per dwelling. Windows and doors would be grey powder coated aluminium and the front entrance to each dwelling would have a wrap-around zinc entrance canopy. The second floor of each dwelling would be served by a rear dormer window. Rainwater goods would be UPVC and fascia, soffits and bargeboards would be black painted timber.

16.11 The dwellings are taller than the existing garage building (+2.5m to ridge height). However, owing to the change in levels to the west, the dwellings are of an appropriate scale and would appear proportionate to dwellings along Granville Road. The replacement of the garage building with modern residential development would result in a visual enhancement to the site and surrounding area.

16.12 The brick detailing, zinc entrance canopies a grey powder coated aluminium windows are simple and appropriate, informed by the design of existing terraced properties within Weymouth. Overall, the design would maintain local identity and distinctiveness and would respect the character of the surrounding area in accordance with local plan Policies ENV10 and ENV12 and emerging neighbourhood plan Policy W44.

16.13 Weymouth Town Council, Weymouth Civic Society and a third-party comment that the development should form part of a wider masterplan for the area with the adjacent gasholder site to the south and former industrial site to the north. These adjacent sites (known as the 'West Marina' sites) were purchased by Dorset Council in 2024 through Levelling Up Funding.

16.14 It is understood that the Council is due to be undertaking a tender process in 2025 to identify a development partner to bring the West Marina sites forward and at this stage it is anticipated that the combined sites could enhance harbour and marine activities, improve road layouts, and provide mixed used development. Whilst a master-planned approach incorporating the application site and West Marina is preferable and could lead to improved placemaking outcomes which makes more efficient use of land, a master planned approach cannot be mandated. Accordingly, the application must be determined on its own merits and any future development of adjacent sites must respond to it. It is considered that the proposed development would not undermine the ability to bring the sites forward or achieve the aspirations of Policy WEY7: to redevelop the area for a mix of uses which may include residential, hotel, commercial and small scale retail.

Housing mix and affordable housing

Housing mix

16.15 The Local Plan requires a mix in the size, type and affordability of open market dwellings wherever possible, taking into account the current range of housing types and likely demand in view of changing demographics (Policy HOUS3). Emerging neighbourhood plan policy W17 states that new residential development should provide or contribute to a range of housing sizes to maintain mixed, balanced and inclusive communities.

16.16 The Dorset Council's Housing Needs Assessment (2021) recommends a housing mix of 5% 1-beds, 35% 2-beds, 45% 3-beds and 15% 4+-bed market dwellings across Dorset. The Weymouth Neighbourhood Plan Housing Needs Assessment (2021) concludes that the greatest increase in housing stock in Weymouth is required in mid-sized homes of 2-bed (35%) and 3-bed (48%), with only minor additions of 7-9% needed to the stock in the smaller 1-bed and larger 4-bed dwelling sizes. It recommends that new dwelling stock provide some mix of all sizes of properties but primarily deliver 2-3 bed properties.

16.17 All seven houses are proposed as 3-bed dwellings. Whilst this doesn't provide any variation of housing mix within the proposed development, the development would provide seven family homes at a size with the highest demand. Given the relatively small scale and constrained nature of the site, the proposed housing mix is considered to be acceptable.

Affordable housing

16.18 Local plan policy HOUS1 seeks 35% affordable housing and emerging neighbourhood plan policy W18 states that developments which result in between two and nine units of housing on sites less than 0.5ha will commute a financial sum, proportionate to 35% affordable homes.

16.19 However, the NPPF (Para. 65) states that Provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Major development for housing is defined in the NPPF as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. The proposed development does not exceed this threshold and officers consider that para 65 NPPF is a material consideration that outweighs Local Plan policy HOUS1.

16.20 Given the emerging neighbourhood plan currently carries limited weight and both the local and emerging neighbourhood plan policies conflicts with the NPPF, the absence of a financial contribution towards affordable housing is acceptable.

Heritage

16.21 There are no heritage assets on the application site and it is not within a conservation area. However, the boundary of the western boundary of the Weymouth Town Centre Conservation Area is located at the edge of the harbour to the east of Westway Road. There is therefore potential for the development to impact on the setting of the conservation area.

16.22 The Inner Harbour/Backwater is a highly significant element of the conservation area, and views over it in both directions contribute to its significance. However, the setting of the Conservation Area, insofar as this applies to the area west of Westway Road, makes no material contribution to its significance.

16.23 This area was developed in the late 19th and early 20th century (Granville and Stavordale Road) with high-density terraced housing. The remaining reclaimed industrial land to the east was developed in the early 21st century with Corscombe Close (to the north), being the most prominent visual element in the key views out from the Conservation Area. Looking into the Conservation Area, the key views are from Westway Road, which is on the shore and therefore has uninterrupted views over the Inner Harbour/Backwater.

16.24 Taking the above into account, it is considered that the development has relatively little potential to affect the significance of the conservation area. The replacement of the garage building with modern residential development would result in a visual enhancement to the site and surrounding area. The new homes would be visible from the conservation area. However, the style and materiality of the two terraces are not incongruent and to some extent reflect historical building forms in Weymouth, albeit with more modern materials. Therefore, it is not considered that the visibility of the development would impact on the conservation area, particularly on the identified key views.

16.25 Given the limited scale of the proposals, and lack of contribution of the site to the significance of the conservation area, it is concluded that the development would not cause harm to designated heritage assets. Accordingly, the proposal complies with Local Plan Policy ENV4.

Residential Amenity

Impact on neighbouring residential amenity

16.26 The proposed development due to the orientation of the proposed dwellings and their locations including the separation from the existing buildings means the proposals are not considered to result in overlooking, overshadowing or loss of privacy to neighbouring residents. The closest existing residential properties on Granville Road are located approximately 18m away. The proposed development would not have a significant adverse impact on the living conditions of occupiers of neighbouring residential properties.

Residential amenity of occupants

16.27 The vacant former gasworks site is located to the south of the site and an industrial site operated by SGN is located to the north east. To the north lies a vacant site for which planning permission for residential redevelopment expired in October 2024.

16.28 The proposed layout of dwellings addresses the neighbouring industrial uses. The two residential terraces are orientated with residential gardens facing away from the adjacent industrial site and the associated service yard, which is located approximately 50m from the closest proposed residential property. Given the vacant West Marina sites to the north and south are allocated for mixed use development and Dorset Council is promoting them for such development, the proposed residential development is considered acceptable and a noise assessment is not considered necessary in this instance.

16.29 Local plan Policy ENV 12 states that new housing should meet and where possible exceed appropriate minimum space standards. At 99sq.m, the proposed dwellings meet the minimum space standards for 3-bed three storey properties. The proposed dwellings would each have adequate private gardens. The proposed development would not have a significant adverse impact on the living conditions of occupiers of the proposed residential properties.

Contamination

16.30 The site was historically occupied by part of the town gas works with a gas holder and some smaller associated structures on maps dating between 1902 and 1959. There is therefore a risk of contaminated land.

16.31 The submitted Phase 1 Land Contamination Assessment identifies that associated contaminated linkage risks are generally moderate. However, given the site was historically used as a gasworks, presence of made ground and current commercial garage use, the Council's land contamination consultants (WPA) assess the risk as moderate to high.

16.32 Due to the risk of contamination it is necessary to secure a Phase 2 intrusive site investigation to quantify the potential environmental risks. Subject to full land contamination conditions, the proposal is acceptable from a land contamination perspective and there would be no unacceptable risk to future residents. This accords with Local Plan Policy ENV9.

Highways and parking

16.33 The site would be served by the existing vehicular access on Westway Road. There is currently no pedestrian access from Westway Road. This is an existing highway safety issue for any pedestrians given they are required to walk in the carriageway adjacent to the junction with Westway Road.

16.34 The application as originally submitted did not include any changes to the existing access. This presented a clear highway safety issue given the increased footfall of residents and visitors needing to walk in the carriageway to access the site. The access arrangements were subsequently amended in response to objections from Highways to introduce a 1.5m wide footway on the south side of the access road leading to the footpaths within the site. This resolved the objection from the Highway Authority in respect of pedestrian access.

16.35 However, as a result of introducing the new footway, the carriageway width was reduced to approximately 4.5m. The Highways Authority objected to the revised development on the basis that the width of the carriageway would not allow for two large vehicles to pass and could result in vehicles needing to reverse onto Westway Road. The Highways Authority also raised concern that refuse vehicles would not be able to exit the site in a forward gear and noted that a pedestrian crossing point would need to be introduced across Westway Road to mitigate highway safety concerns.

16.36 Given the application site boundary was drawn around the access from Westway Road (owned by Dorset Council), the objection would not be possible to overcome without extending the application site boundary to enable a larger access to be created. Dorset Council's Development Management Guidance Note (2024) outlines when amendments will be accepted on non-major applications under consideration. It confirms that the default position is to not seek or accept amendments to applications where applicants have not engaged with the Council, prior to application submission via the pre-application advice service offered by the council unless one of the four exemption criteria are met. It specifically states that in general, amendments to applications will not be accepted for an increase in the size of or a change to the red line of the application site unless very minor in nature and requested by the planning case officer or if the change would trigger a fresh 21-day consultation. In line with that Guidance Note, and given there has been no prior pre-application engagement, the applicant was requested to withdraw the application and resubmit to try and address the objection from the Highways Authority.

16.37 However, the applicant subsequently submitted amended plans incorporating additional land (owned by Dorset Council) to provide a 6m carriageway for the first 25m of the access into the site. The proposed amended drawings were unsolicited. Nevertheless, in an effort to try and work collaboratively with the applicant and find a workable solution, the amended plans and revised application site boundary were accepted and reconsulted on following agreement of an extended timeframe to determine the planning application.

16.38 In response, the Highways Authority maintained its objection advising that the revised proposal does not overcome any of the previous concerns. The applicant has since submitted a Technical Note (dated December 2024) seeking to justify the proposals. This has resulted in significantly protracted negotiations and extensive delays in determining the application. Such negotiations and design development ought to have been undertaken through pre-application engagement.

16.39 Nevertheless, the Technical Note makes the case that the road would be lightly trafficked, the largest vehicles to access the adjacent SGN site would be an 8m rigid vehicle and the reduced width would not result in vehicles backing up into Westway Road. The submitted swept path analysis shows that larger vehicles would need to navigate the 90° corner very slowly in order to be able to navigate the corner. To reduce the potential for conflict, the applicant suggests that give way road markings and traffic signs could be introduced to give priority to vehicles leaving the access road.

16.40 The Highways Authority has reviewed the Technical Note and maintains its objection on the basis that the reduced width of the road to 4.5m width would not allow a HGV and car to pass, thereby creating conflict and a severe highway safety concern.

16.41 The Highways Authority has also maintained its concerns with refuse collection vehicles not being able to turn within the site and exit in forward gear. They have concern that refuse collection vehicles may be forced to reverse out onto Westway Road. However, the applicant has provided vehicle tracking which shows that refuse collection vehicles would enter the site in forward gear and would only reverse into the shared access road (within the amended application site boundary) to exit the site. This arrangement is not ideal. However, it would not result in refuse collection vehicles needing to reverse onto Westway Road – which would be a major highway safety concern. Furthermore, the proposed refuse collection point is within 10m of the access road meaning the site could be serviced from the access road. This would avoid the need for a refuse collection vehicle to enter the site and reverse onto the access road. This complies with Dorset Council's Guidance notes for Residential Developments (October 2022) which specifies that collection crews will not move containers more than 10 metres.

16.42 In terms of policy, Local Plan Policy COM7 part iv) states that development will not be permitted *“unless it can be demonstrated that it would not have a severe detrimental effect on road safety, or measures can be introduced to reasonably mitigate potentially dangerous conditions”*. The recently updated NPPF (Para. 116) is clear that development *“should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios”*. It further notes at Paragraph 125c that decision makers should give substantial weight to the value of using suitable brownfield land

within settlements for homes noting such proposals “*should be approved unless substantial harm would be caused*”.

16.43 Planning officers note the proposed solution put forward by the applicant and concerns raised by the Highways Authority. It is considered that, by reason of the proposed mitigation in place in the form of give way road markings and traffic signs, a potentially dangerous situation would be mitigated and the proposals would not have an unacceptable impact on highway safety. The proposals would also address an existing highway safety issue by introducing a pedestrian footway to the site from Westwey Road. This would overcome the existing highway safety issue where pedestrians must currently walk in the carriageway to access the site from Westwey Road.

16.44 Accordingly, planning officers consider that the proposals are acceptable in respect of highways and parking subject to conditions related to: give way markings and signage, cycle parking provision, car parking provision, the introduction of a safe crossing point between the application site and the southbound bus stop on Westwey Road (Grampian condition). The Grampian condition is considered necessary in the interests of highway safety given the lack of pedestrian crossing points in the vicinity of the site and proximity of the southbound bus stop opposite Weymouth Magistrates Court.

Flood Risk and Drainage

16.45 All proposed houses are located within Flood Zone 1 and have a low risk of flooding. The dwellings would have finished floor levels set at 4.3mAoD and the Flood Risk Assessment confirms appropriate flood resilient measures could be implemented. The Environment Agency confirms that the finished floor levels would afford suitable freeboard above the designed flood level (3.79mAOD over the 100 year lifetime of the development) and raise no objection to the proposed development. Given the finished floor levels would be set well above the designed flood level it is not considered necessary to secure flood resilient measures via planning condition.

16.46 Notwithstanding the above, part of the access road at the junction with Westwey Road falls within Flood Zones 2 and 3 (medium and high flood risk). This area of medium to high risk of flooding extends north and south along Westwey Road and is protected by flood defences (the harbour walls). Flooding is predicted to occur through wave overtopping when taking climate change into account. Access and egress to and from the site may therefore be subject to flooding.

16.47 In the 1 in 200-year event where flood defences were breached through tide and wave overtopping, the modelling undertaken as part of the Dorset Council Level 2 Strategic Flood Risk Assessment (Level 2 SFRA, March 2024) (0.5% AEP tidal

and upper end climate change uplift) indicates that the site of the proposed houses would be unaffected by tidal flooding. In the scenario, Westwey Road is expected to be affected by flood depths of 1.6m-1.8m and the hazard rating along Westwey Road is identified as +2.0 ('extreme'). The 1 in 30 year risk (3.3% AEP tidal and upper end climate change uplift) identifies flood depths of 1.1m-1.2m along Westwey Road and a 'significant' hazard rating level of 1.25 to 2.0.

16.48 The access to the site falls within the Environment Agency's 'Weymouth Harbour at Weymouth Town' flood warning area. Residents could therefore sign up to receive flood risk alerts. Adequate flood warnings are a key consideration in ensuring new developments are safe. This is pertinent to the development given the Planning Practice Guidance (ID 7-042-20220825) explains that areas behind flood defences are at particular risk from rapid onset of flooding, with little or no warning if defences are breached.

16.49 Standing advice from the Council's Emergency Planning team advises residents to sign up to the Environment Agency's flood warning service and ensure they have appropriate evacuation plans in place and a safe place to go should the need for evacuation occur. The Environment Agency has commented that in all circumstances where warning and emergency response is fundamental to managing flood risk, the Council should formally consider the emergency planning and rescue implications of new development in determining the application.

16.50 The Association of Directors of Environment, Economy, Planning & Transport (ADEPT) and the Environment Agency's joint Flood Risk Emergency Plans for New Development (2019) document informs whether development in areas of flood risk will be safe in relation to emergency plans and access and escape routes. It advises that an emergency plan should be provided as part of a Flood Risk Assessment, or as a separate document, if relevant pedestrian and/or vehicular access and escape routes of a proposed development would be affected during a design flood event from any source. This is stated to apply even if the proposed buildings would not be affected by flooding. The guidance notes that routes should allow voluntary and free movement of people during a design flood event taking into account climate change (i.e. 1 in 200 year tidal risk) and vehicular access to allow emergency services to safely reach the development during a flood event should normally be required. It states that pedestrian routes should not be subject to a flood hazard rating of 0.75 ('significant') and vehicular routes should not exceed 30cm in depth.

16.51 The Flood Risk Assessment notes that due to flooding being tidally dominated, any flooding would be short lived with a peak event seldom lasting for more than an hour. Nevertheless, an acceptable emergency plan is necessary.

16.52 The original Flood Warning and Evacuation Plan (FWEP) submitted with the application (dated 20 November 2024) places reliance on the EA's flood warning, noting that warnings are usually given within two hours of a flood occurring but may

be a little as 30 minutes. Therefore, residents should have sufficient time to evacuate if they act urgently. In the event that Westway Road is inaccessible due to flood water depths, the FWEP explains that people should evacuate via the adjacent vacant site to Granville Road. However, the access is currently gated and there is no pedestrian or vehicle access to Granville Road. It does not therefore offer voluntary and free movement of people consistent with guidance. The application site and wider area is allocated for redevelopment and owned by Dorset Council. An alternative pedestrian and/or vehicular access to the site may therefore be formed in the future, although details and timescales are unknown and there is no certainty over this.

16.53 In the meantime, the applicant's updated FWED (received 6 January 2025) states that residents should evacuate via the access road and south along Westway Road. This access route would only be suitable if not affected by flooding. Providing residents sign up to the EA's flood warnings, and urgently comply with any advice to evacuate, the proposed route would be acceptable. However, as flood warnings require action by future occupants, they are not guaranteed to work. If the flood event occurred during the night when future occupants could be asleep, occupants may become stranded and require emergency assistance due to flood levels along Westway Road being impassable on foot and via vehicle. Whilst the dwellings would not be affected by medium or high flood risk and would offer a safe place of refuge, the lack of safe access and escape routes would place future occupants at greater and unnecessary risk from flooding and its consequences. The provision of seven dwellings therefore has potential to increase the burden on emergency services were a flood to occur.

16.54 Given the site constraints, the applicant has been unable to provide an adequate emergency plan demonstrating safe access and escape routes.

Sequential test

16.55 The National Planning Practice Guidance confirms that the sequential test will not be required where a site has been allocated at the plan making stage and been subject to the test at the plan making stage. This is provided the development is consistent with the use for which the site was allocated and provided there have been no significant changes to the known level of flood risk to the site, now or in the future, which would have affected the outcome of the test.

16.56 The proposed development is consistent with the uses allocated within the Local Plan. However, the Council published a Dorset-wide Level 1 Strategic Flood Risk Assessment (Level 1 SFRA) and Weymouth Level 1 Specific Strategic Flood Risk Assessment (Level 2 SFRA) in March 2024. The studies update understanding of flood risk in Weymouth, with the Level 2 SFRA providing long term flood risk forecasts to 2138 taking account of climate change. However, the results are similar

to the flood modelling that informed the allocation of the site in the Local Plan through the Weymouth and Portland SFRA Level 2 (2009), albeit the earlier assessment identified that the site of the houses would be affected by flood depths of up to 0.25m.

16.57 The Environment Agency has advised the council that the updated evidence on flood risk presented in the Level 2 SFRA would not affect the outcome of the sequential testing undertaken for the Local Plan. For this reason, the sequential test does not need to be re-applied for the site.

Exceptions test

16.58 The National Planning Practice Guidance (Para. 7-035-20220825) confirms that where a development proposal is in accordance with an allocation made in a plan following the application of the sequential and exception test, it should not be necessary to repeat aspects of the exceptions test unless the understanding of current or future flood risk has changed significantly.

16.59 In this case, it is considered that the understanding of flood risk has not changed significantly since the Weymouth and Portland SFRA Level 2 (2009). Accordingly, it is not necessary to re-apply the exceptions.

Summary

16.60 It is concluded that:

- the development would not increase flood risk elsewhere
- within the site the homes are located in areas of lowest flood risk
- specific flood resistant and resilient measures are not necessary given proposed finished floor levels
- residual flood risk can be safely managed
- the sequential and exception tests do not need to re-applied

16.61 However, sole reliance on the EA's flood warnings is not sufficient in the event of a flood. Access and escape routes would not be appropriate in the event of flooding and could not be satisfied through an emergency plan given the site constraints and inability to provide a secondary access not affected by flood risk. This conflicts with Policy ENV5 part ii) and the NPPF (Para. 181).

Ecology and biodiversity

Ecology

16.62 A Preliminary Ecological Appraisal assesses the ecological value of the site and associated ecological impacts. It recommends a series of mitigation measures

which are captured in a Biodiversity Plan certified by the council's Natural Environment Team.

16.63 Natural England were consulted on the proposed development and set out that the application site is in close proximity to the Chesil and the Fleet Special Area of Conservation and Chesil Beach and the Fleet Special Protection Area, European designated sites and therefore has the potential to affect their interest features. Natural England advise that the proposal will likely have a significant effect on these wildlife sites arising from the increase in residential units and hence increase in urban related pressures such as recreational access. An appropriate assessment was undertaken which concluded that in light of mitigation provided from CIL money there would be no adverse effect on the integrity of the designated sites.

16.64 Adverse impacts on Chesil and The Fleet through additional recreational pressure would be mitigated via CIL in accordance with the Dorset Council interim strategy for mitigating the effects of recreational pressure on the Chesil Beach and the Fleet SAC, SPA and Ramsar (April 2020). This is confirmed via the Appropriate Assessment undertaken by Dorset Council and reviewed by Natural England. This accords with local plan Policy ENV2 and draft neighbourhood plan Policy W02.

Biodiversity

16.65 The development is within the scope of the statutory minimum 10% biodiversity net gain (BNG) requirement.

16.66 The applicant has submitted: a BNG Statement, details of existing and proposed habitats and a completed BNG Small Site Metric. The documents confirm the limited biodiversity value of the site (0.34 habitat units) related to the area of dense bramble scrub and trees to the rear of the existing garage building.

16.67 Proposed areas of on-site habitat creation in the form of mixed scrub are proposed along the northern, eastern and southern boundaries of the site. Within these areas 11 new trees are proposed to be planted. The proposed areas of habitat creation are estimated to achieve 0.25 habitat units. This represents a -27% reduction in on site BNG requiring an additional 0.13 habitat units to be achieved either off-site or via credits to achieve 10% BNG. The applicant proposes that credits are secured to meet 10% BNG. This is considered reasonable given the constraints of the site and the need to provide sufficient residential gardens (which do not count towards BNG). Given the limited extent of the site, off-site provision is not considered feasible and the proposed combination of on-site provision and credits meets the BNG hierarchy. The proposed on-site BNG measures are not considered to be significant and could be secured by planning condition.

16.68 The development is acceptable in respect of biodiversity subject to a condition in respect of implementation of the Biodiversity Plan and the standard BNG condition.

Trees

16.69 Nine trees are proposed to be felled. Two of the trees have Dutch Elm Disease and are proposed to be felled for good arboricultural practice. The other trees are Category C (low quality and low value) trees proposed to be felled to facilitate the proposed development.

16.70 To compensate for the loss of trees, 17 new trees are proposed to be planted around the boundaries of the site, including within some of the residential gardens. Whilst replacement provision falls slightly (-1) below the emerging two-for-one policy objective of emerging neighbourhood plan policy W06, the provision is considered acceptable given the site constraints and fact that two of the existing trees are unsuitable for retention.

16.71 The tree officer has no objection. Subject to the details of soft landscaping being secured by planning condition, and landscape maintenance for five years, the proposal is acceptable in respect of impacts on trees.

Community Infrastructure Levy

16.72 The development proposal is CIL liable. Confirmation of the final CIL charge will be included in a CIL liability notice issued prior to the commencement of the development Index linking as required by the CIL Regulations - (Reg. 40) is applied to all liability notices issued, using the national All-In Tender Price Index of construction costs published by the Building Cost Information Service (BCIS) of the Royal Institution of Chartered Surveyors. CIL payments are index linked from the year that CIL was implemented (2016) to the year that planning permission is granted.

Environmental Impact Assessment

16.73 Following consideration of the relevant selection criteria for screening Schedule 2 development presented in Schedule 3 of the EIA regulations, it is concluded that the proposed development is unlikely to result in significant environmental impacts. Therefore, an Environmental Statement is not required in this instance.

17.0 Conclusion

17.1 The application site is a brownfield site within Weymouth Town Centre. The proposed development of seven homes is compatible with the site allocation and

would regenerate the site. In accordance with the NPPF (Para. 125c) substantial weight is afforded to the use of the site for housing.

17.2 The loss of the existing garage is considered to be acceptable in principle and the design of the development is acceptable. The development would not harm designated heritage assets or result in adverse amenity impacts. Whilst there is an objection from the Highways Authority, planning officers consider that highway safety concerns can be appropriately addressed via planning condition. Matters of ecology, biodiversity net gain and contamination would be appropriately controlled via planning condition.

17.3 Whilst the proposed development is acceptable in a number of respects, the sole vehicle and pedestrian access is located within Flood Zones 2 and 3 where significant flood depths are predicted in the 1 in 200-year flood event where flood defences are breached through tide and wave overtopping. As a result, and despite the access being located within a flood warning area, safe access and escape routes to the development have not been demonstrated through an emergency plan. The submitted Flood Risk Evacuation and Management Plan places sole reliance on residents taking urgent action and evacuating via the access route prior to a flood occurring. It cannot be guaranteed that residents would be able to evacuate in time. Accordingly, the access and escape routes would not be appropriate in the event of flooding in conflict with Local Plan Policy ENV5 part ii) and the NPPF (Para. 181).

17.3 The lack of appropriate access and escape routes would be considered to cause substantial harm (NPPF Para. 125) if the development were granted as proposed. The harm is not outweighed by the benefits of the proposal or the substantial weight attributed to using brownfield land within a settlement for housing.

18.0 Recommendation

18.1 Delegate Authority to the Head of Planning and Service Manager for Development Management and Enforcement to refuse the application for the reason set out below, subject to no comments or no adverse comments, that include material planning considerations, being received from third parties by 29th January 2025 (due to notification to land owner in respect of extension of application area during the course of the application):

1. Due to the sole vehicle and pedestrian access falling within Flood Zones 2 and 3 and being affected by significant flood depths in the 1 in 200-year flood event where flood defences are breached through tide and wave overtopping, safe access and escape routes, either on foot or by vehicle, would only be possible where residents take urgent action upon receipt of a flood warning from the Environment Agency. The submitted Flood Warning and Evacuation Plan is not considered acceptable as the flood warning service cannot be solely relied on and safe access and escape routes not affected by severe flooding have not been identified. This places future residents at unacceptable risk should they require emergency assistance in the event of a flood. This conflicts with West Dorset, Weymouth and Portland Local Plan Policy ENV5 (part ii) and the NPPF Paragraph 181.

Informatives

1. Informative: Drawings

The plans that were considered by the Council in making this decision are:

24.3467.100 P3 Proposed Block and Location Plans

23.3467.101 P13 Proposed Site Plan

23.3467.102 P3 Proposed Floor Plans - 3 Units

23.3467.103 P3 Proposed Floor Plans - 4 Units

23.3467.104 P3 Proposed Elevation - 3 Units

23.3467.105 P3 Proposed Elevations - 4 Units

23.3467.106 P2 Proposed Sections

2. Informative: CIL

If planning permission is subsequently granted for this development at appeal, it will be subject to the provision of affordable housing and Community Infrastructure Levy (CIL) introduced by the Town and Country Planning Act 2008. A CIL liability notice will then be issued by the Council that requires a financial payment, full details of which will be explained in the notice.

3. Informative: National Planning Policy Framework Statement.

In accordance with paragraph 39 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development.

The council works with applicants/agents in a positive and proactive manner by:

- offering a pre-application advice service, and
- as appropriate updating applicants/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

- The applicant/ agent did not take the opportunity to enter into pre-application discussions.
- The agent was updated of issues and provided with opportunities to address issues identified by consultees and the case officer, including through the submission of amended plans and supporting documents.
- The applicant and council have worked together to minimise the reasons for refusal.