

Application Number:	P/RES/2025/02807
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land At Newton's Road Weymouth DT4 8UR
Proposal:	Reserved matters application to determine appearance and landscaping following the grant of outline planning permission P/OUT/2022/00852 (for mixed use development comprising up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation & sea defence works, with vehicular and pedestrian access from Newton's Road & associated infrastructure - some matters reserved (appearance & landscaping))
Applicant name:	Juno MMXX Ltd
Case Officer:	Matthew Pochin-Hawkes
Ward Member(s):	Cllr Webb, Cllr Sutton and Cllr Wheeler

1. Reason application is going to committee:

1.1 The site includes Dorset Council owned land.

2. Summary of recommendation:

2.1 Grant subject to the planning conditions detailed at Section 15 of this report.

3. Key planning issues

Issue	Conclusion
Principle of development	Established by the outline planning permission.
Appearance	Acceptable.
Landscaping	Acceptable.
Heritage impacts	The proposals would cause no harm to the significance of heritage assets.
Highways	Acceptable.
Flood risk	Acceptable.

4. Description of site

- 4.1 The site is approximately 4.78 hectares in size. It is located south east of Weymouth Town Centre on the former QinetiQ's employment site at Bingleaves Cove. The site is allocated (Policy WEY9 'Bingleaves Cove') for either employment development or a comprehensive mixed use development in the adopted West Dorset, Weymouth and Portland Local Plan (2015).
- 4.2 The site comprises land leading to Bingleaves Groyne (Grade II listed) including part of Newtons Road, the adjacent cliffs and sea defences.
- 4.3 The site previously included a number of buildings associated with the former QinetiQ's operation at the site (previously Defence, Evaluation & Research Agency – DERA). With the exception of a small single storey brick building at the entrance to the site all buildings associated with the former employment use have been demolished. The site is currently vacant.
- 4.4 The site is generally flat at a level between 3.0m AOD and 4.0m AOD, although some land raising up to approximately 5.0m AOD has taken place in preparation for the development of the site. The western cliffs rise steeply to approximately 25m AOD at its highest point adjacent to Newtons Road.
- 4.5 The site is protected by substantial rock armour sea defences along its north eastern and south eastern frontages extending from the adjoining breakwater. The breakwater comprises Portland stone blocks piled onto the seabed, concrete revetments and rubble infill. Access to the Grade II listed breakwater is gained through the site.
- 4.6 The northern part of the site provides the sole vehicle and pedestrian access to the site. The access is currently gated and public access is prohibited. The western side of Newtons Road is fenced.
- 4.7 The southern part of the site comprises a small area of beach. The entire landward western boundary, approximately 400m long, comprises a steep inaccessible cliff face with self-seeded trees, below the Bingleaves public open space; a popular open space for informal recreation and walking. The South West Coast Path runs through the Bingleaves public open space and follows Elizabeth Way through Nothe Gardens to Nothe Fort (Grade II* listed) at the entrance to Weymouth Harbour.
- 4.8 The closest residential properties to the site are located to the west and south of Bingleaves public open space above the cliffs. Residential properties typically comprise a mix of 2-3 storey terraced, semi-detached and detached houses. Bungalows are located closer to the site at Redcliffe View. To the north of the site there are a series of buildings above the cliffs, including: two-storey residential properties; the modern Centre for Environment Fisheries and Aquaculture Science (CEFAS) building; and the Admiral's Quarter – contemporary residential properties with mono-pitched roofs and extensive areas of glazing fronting toward Nothe Gardens and Newtons Cove.

5. Description of development

- 5.1 This reserved matters application (RMA) seeks approval of appearance and landscape following the grant of outline planning permission in March 2024.
- 5.2 The outline planning permission comprises a mixed use development of up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation and sea defence works, with vehicular and pedestrian access from Newton's Road &

associated infrastructure. The outline permission was granted with access, layout and scale in detail and appearance and landscape reserved.

- 5.3 The proposed development subject to this reserved matters application comprises 133 market dwellings with the following housing mix:
- Apartment Block 1: 18 x 1-beds, 53 x 2-beds and 11 x 3-beds (82 total)
 - Apartment Block 2: 4 x 1-beds, 35 x 2-beds and 4 x 3-beds (43 total)
 - Townhouses: 4 x 2-beds and 4 x 3-beds (8 total)
- 5.4 The non-residential elements comprise:
- 60-bed care home (Use Class C2)
 - Office/light industrial unit of 1,186sq.m (Use Class E(g))
 - Restaurant of 315sq.m (Use Class E (b))
 - Associated leisure floorspace comprising a gym, swimming pool and spa (Use Class Sui Generis)
 - Public toilets and sauna (Use Class Sui Generis)
- 5.5 To the east of the site along the coastline would be a promenade for pedestrians and cyclists. The buildings would sit above the promenade level at 5.5m AOD. Whilst this is 0.5m higher than anticipated at the outline stage, maximum building heights conform with the maximum heights secured at the outline stage (See Table 6.2).
- 5.5 Appearance and landscaping are the two elements relevant to this reserved matters application. The choice of materials and colour palette for the buildings has been informed by the coastal location and the backdrop of the cliffs – which form part of the Jurassic Coast World Heritage Site (WHS). The materials include light bronze colour powder coated aluminium to complement a range of lighter brick including Mystique (buff) bricks with white mortar and Forterra Carsington Cream brick with white pointing. In addition, ceramic Grespania Coverlam' Tiles are proposed.
- 5.6 The key feature of the landscape scheme comprises the publicly accessible promenade along the eastern boundary of the site which reverts inland as it reaches the Townhouses. The route connects a series of small open spaces along the route from the entrance of the site north of Block 1, sculpture/artwork south of Block 2 and the WHS interpretation area to the rear of the townhouses and Block 2.

6. Background and relevant planning history

Outline permission

The site has an extensive planning history. The outline permission associated with this reserved matters application was granted in March 2024 (P/OUT/2022/00852). As explained above, the outline permission included access, layout and scale in detail with appearance and landscape reserved.

The following outline planning conditions are pertinent to this reserved matters application:

Table 6.1 – Key outline planning conditions

No.	Topic	Requirements (summary)
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1	Approved plans	Requires the development to be carried out in line with the approved drawings, including the Parameter Plan (ref. 9464-P1 Rev R) and Proposed Site Access Arrangements drawing (ref. 1751/03 Rev B).
2	Phasing Plan	To be approved before any reserved matters application is approved.
4	Maximum heights	Establishes maximum heights for each building, including the stepped heights of Block 1.
9	Samples	Details and samples of all external facing materials and boundary treatments.
11	Access and parking	Requires details of access, turning and parking areas to be provided.
15	Flood defences	Details required to be submitted prior to any reserved matters application.
16	Flood Warning and Evacuation Plan	Plan required prior to commencement of development.
17	Ground levels	With the exception of the promenade, finished ground levels shall be set at a minimum of 5m AOD.
25	Public art	Details of public art, including i) sculptural reliefs of Jurassic fossils along the proposed sea wall and promenade and ii) a gateway feature on Newtons Road responding to the history of the site.
28	World Heritage Site	Details of publicly accessible World Heritage Site geological heritage interpretation measures.
29	Lighting Strategy	To be submitted and approved.

The approved layout and scale of the buildings is shown on the Parameter Plan.

The Parameter Plan identifies five residential apartment blocks and a terrace of townhouses along the northeast / seaward and southeast harbourside of the site. Residential building heights step down from the north of the site (six storeys) to the breakwater (four storeys).

The office/light industrial building is located in the south of the site and the care home would be located in the centre of the site. A single storey public WC and changing block is shown at the entrance to the site close to the mini roundabout.

The table below details the approved building heights:

Table 6.2 – Approved Building Heights

Building	Heights (storeys)	Height (meters AOD)
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Apartment Block 1A	5-6 storeys	24.655m
Apartment Block 1B	4-5 storeys	22.050m
Apartment Block 1C	4 storeys	18.280m
Apartment Block 2A	5 storeys	22.200m
Apartment Block 2B	5 storeys	22.200m
Townhouses	3 storeys	16.185m
Offices/Light Industrial Building	4 storeys	16.345m
Care Home	3 storeys	15.320m
WC and changing block	1 storeys	Not specified

The approved layout separates the residential and non-residential uses through the location of residential buildings along the seaward and harbourside boundaries of the site and location of the care home and office/light industrial buildings in the south and central part of the site respectively. The layout includes public realm, pedestrian and cycle access to the seaward (north east) and harbourside (south east) boundaries of the site. Vehicle access and car parking is located to the rear.

The layout of pedestrian and vehicle routes are detailed on the Parameter Plan. In summary, the layout of access routes within the site comprises:

1. Primary vehicular access from Newtons Road leading to site and looping around the care home;
2. Retained existing vehicle access to the breakwater;
3. Pedestrian and cycle link along the seaward and harbourside boundaries of the site leading from the northern entrance of the site, around the apartment blocks and returning through the interior of the site between Block 2B and the townhouses; and
4. A network of secondary vehicular, pedestrian and cycle links to each of the buildings within the centre of the site.

The layout of open and green spaces are shown on the Parameter Plan and were detailed on the Amenity Areas Plan submitted with the outline planning application:

1. Retained cliffs;
2. Public amenity area within the north of the site adjacent to the access to the site;
3. Publicly accessible promenade around the eastern edges of the site and including a public viewpoint and seating area between Block 2B and the townhouses;
4. Public amenity area between the cliffs, townhouses and Block 2B;
5. Private gardens associated with the townhouses;
6. Private gardens associated with the care home; and

7. Two communal gardens associated with Blocks 1A-1C and 2A and 2B.

The provision and maintenance of open space and the pedestrian/cycle route is secured via a Section 106 Agreement.

The financial viability of the development was assessed at the outline stage and a financial contribution in lieu of affordable housing was secured via a Section 106 legal agreement.

The preliminary phasing plan and flood defences conditions have been discharged/partially discharged. An application to discharge several other outline planning conditions has also been received. Given a number of condition details relate to the detailed scheme subject to this reserved matters application it would be premature to determine the details before this reserved matters application is determined.

Non-material amendments to the outline permission

The applicant has amended the outline permission through two Section 96A non-material amendments (NMA) (P/NMA/2024/07510 and P/NMA/2025/04152). The first (P/NMA/2024/07510) adjusted the layout of the development slightly to ensure that the necessary sea defences could be constructed in land, rather than in the sea (as originally planned). This was necessary to avoid adverse impacts on Sea Grass. The second NMA adjusted the trigger points of conditions in response to the applicant carrying out of preliminary ground raising works.

Pre-application engagement

The applicant has sought pre-application advice from officers prior to submission of this Reserved Matters Application. Advice was provided by the Council's planning, urban design and landscape officers. This advice has been published on the application file for transparency. In summary, the relevant pre-application advice included the following feedback:

- Advice in relation to discharging outline planning condition 15 (flood defences)
- The need to push the development back to accommodate a sea wall is unfortunate, resulting in a loss of breathing space between the buildings and adjacent spaces. Given the competing pressures on the remaining space, there is a need to review car parking and access routes to ensure that sufficient space is available for pedestrians and cyclists.
- Shared cycle/pedestrian routes should have a minimum width of 3m.
- Additional tree planting is required to break up the proposed parking areas.
- Servicing strategy needs further consideration to design out potential conflicts with pedestrians and vehicles.
- Reduced glazing of townhouses recommended to complement the adjacent Office Building and Block 2.
- External materials viewed on site and considered in the context of the adjacent cliffs.
- Suggested that a combination of Mystique Buff and Carsington Cream bricks would best complement the earthy tones of the adjacent cliffs.

- To achieve coherence across the development and differentiate the non-residential use of the Office Building, it is suggested that the apartment blocks and town houses are constructed in Carsington Cream with the Office Building constructed in Mystique Buff. Officers suggested the Care Home could be constructed in either brick; with the use of Mystique Buff.
- The timber effect ceramic cladding panels are of a robust design appropriate for the coastal location and have a good wood-effect grain. The samples viewed on site were considered too light. Officers suggested the use of a darker colour(s) similar to weathered timber to better respond to the natural variation of tones of the cliff.
- It was agreed that aluminium windows should seek to match the cladding colour as closely as possible to provide consistency across the buildings.
- Officers discussed the need for cross-sectional elevational drawings of the balconies at the reserved matters stage and the need to confirm proposed materials to the inner faces of balconies and balcony soffits.

Historic planning history

Prior to the outline permission, comprehensive redevelopment of the site had been discussed for a number of years and a series of developments have been approved. These included two key developments: a 2008 Mixed-use development (06/00915/OUTE) and a 2016 Care Village development (WP/15/00833/FUL). Neither of these approved developments were implemented and the permissions lapsed.

Summary of planning history

The relevant planning history of the development is summarised in the table below:

Table 6.3 Planning history summary

Application No.	Proposal	Decision
Pre-application engagement related to the current reserved matters application		
P/PAP/2024/00648	Pre-application 4 on design changes and reserved matters	Responded 02/12/24
P/PAP/2024/00575	Pre-application 3 on design changes and reserved matters	Responded 01/10/24
P/PAP/2024/00465	Pre-application 2 on design changes and reserved matters	Responded 15/08/24
P/PAP/2024/00191	Pre-application 1 on design changes and reserved matters	Responded 23/04/24
Outline planning permission and associated amendments		

P/NMA/2025/04152	Non material amendment to approved outline planning permission P/OUT/2022/00852 to amend wording of conditions to allow for site preparation works and phased development	Granted 16/10/25
P/NMA/2024/07510	Non material amendment to amend the parameter plan to avoid direct impact on seagrass to planning permission P/OUT/2022/00852 (Outline Application for mixed use development comprising up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation & sea defence works, with vehicular and pedestrian access from Newton's Road & associated infrastructure - some matters reserved (appearance & landscaping)	Granted 26/02/25
P/OUT/2022/00852	Outline Application for mixed use development comprising up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation & sea defence works, with vehicular and pedestrian access from Newton's Road & associated infrastructure - some matters reserved (appearance & landscaping)	Granted 03/03/2024
Cliff stabilisation works		
P/FUL/2024/07535	Cliff stabilisation and protection works, comprising part retention of existing wall	Granted 08/05/25

	structure, installation and realignment of a replacement wall structure and associated works at the base of Newtons Cove Cliff	
Historic applications		
WP/18/00598/VOC	Demolition of all existing curtilage buildings within former QinetiQ Bingleaves site forming part of Bingleaves Groyne without compliance with Condition 3 of Planning Permission WP/15/00875/LBC	Granted 10/06/2019
WP/16/00859/FUL & WP/16/00860/LBC	Erect 2.5 metre high security fence, vehicular access & pedestrian gates to Bingleaves Groyne	Granted 22/02/2017
WP/15/00875/LBC	Demolition of all existing curtilage buildings within former QinetiQ Bingleaves site forming part of Bingleaves Groyne	Granted 13/06/2016
WP/15/00833/FUL	Erection of Care Village comprising 195 Supported Living Units, a 60 bed care home, 34 respite hotel suites, medical support facilities, common rooms, leisure facilities and offices, a commercial restaurant, museum, cafe and new promenade together with improved coastal defence measures, gardens and underground parking	Granted 01/08/2016
06/00915/OUTE	Redevelopment of site to provide mixed use scheme comprising hotel (3904sqm Use Class C1), retail (800sqm Use Class A1), restaurant/cafes (775sqm Use Class A3), drinking establishments (300sqm Use Class A4), hot food takeaway (100sqm Use Class A5), business uses (450sqm Use Class B1) and non-residential institutions (200sqm Use Class D1) in 3 buildings of up to 3 storeys in height; 110 residential apartments (8564sqm Use Class C3) in 2 buildings of up to 5 storeys in height; car parking for 312 vehicles; privately operated launch facility; improvements to existing vehicular access; reinstatement of former stepped walkway to the south of the site,	Refused 07/03/2007 Reasons related to Highways, flooding and land contamination. Permission subsequently granted on appeal in April 2008 following a Public Inquiry (APP/P1235/A/07 /2053572)

	coastal defence works; and the provision of open space.	
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7. List of constraints

Site allocation for employment or mixed-use development: Bingleaves Cove WEY9

Within Defined Development Boundary (DDB): The entirety of the site excluding the Newtons Road access falls within the DDB

Landscape Character Area: Urban Area

Jurassic Coast World Heritage Site (List Entry: 1000101) – the cliffs

Weymouth Town Centre Conservation Area: A small portion of the site close to Newtons Road mini-roundabout falls within the conservation area

Nearby heritage assets:

- Dorset and East Devon Coast UNESCO World Heritage Site (LE: 1000101)
- Nothe Fort Complex (LE: 1020063 & 1313430)
- Sandsfoot Castle (LE: 1020062 & 1096763)
- Verne Citadel (LE: 1002411)
- Bingleaves Groyne & North-Eastern Breakwater (LE: 1313401)
- Portland House (LE: 1389662)
- Weymouth Town Centre Conservation Area
- Belle Vue Road Conservation Area
- Sir Thomas Fowell Buxton Monument (non-designated heritage asset)

Public Right of Way: Footpath S1/125 along the top of cliffs

Area of Potential cliff top recession 100 year, 50 year and 20 year (5% probability)

Chesil Beach & the Fleet SAC and RAMSAR: approximately 2.2km to west

Portland Harbour Shore Sites of Special Scientific Interest (SSSI): The cliffs and Newtons Road

Trees protected under Tree Preservation Order: within cliffs

Risk of Surface Water Flooding: 1 in 30/100/1,000year risk along Newtons Road and within the centre of the western part of the site

Flood Zone 1 (majority of site), 2 and 3 (Beach in south of site)

Dorset Council Land – small area of land above the cliffs

8. Consultations

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

Consultees

Active Travel England

Encourage consideration of Active Travel England's standing advice.

Environment Agency

The Environment Agency initially objected to the proposed inclusion of a basement car park serving the care home. Following the applicant's submission of further information, the Environment Agency has no objection subject to conditions in respect of finished floor levels and vehicle entrance thresholds.

Historic England

Confirm Historic England is not offering advice on the proposals. Recommend the views of the council's specialist conservation and archaeological advisers are sought.

Marine Management Organisation

No comments received.

Natural England

Natural England advised they have no comments to make on the reserved matters application. In respect of the parallel application to discharge planning conditions under the outline permission, Natural England advise that the clearance of vegetation along the cliffs would not impact on the designated features of the SSSI.

Urban Design

The Council's Senior Urban Design Officer supports the application and notes that initial concerns have been addressed.

The scale, mass and positioning of buildings reflects the purpose of the buildings and the quantum of development optimises the potential of the site by making efficient use of land.

The choice of external materials has been informed by pre-application engagement with the council. The quality of materials and the considered distribution of the external finishes will assist the development in achieving *"high quality design appropriate to its waterside location and the unique history of the site"* (WDWPLP policy WEY9).

The dwellings would meet the minimum Nationally Described Space Standards.

Consideration of play space is recommended.

Landscape

The Council's Senior Landscape Architect has raised a series of comments over the course of determination including in relation to tree planting, soil volumes, footpaths, parking design and street lighting.

Conservation

Note the conclusions at the outline stage that the proposals would not cause harm to any heritage assets. Defer to the Urban Design and Landscape Teams regarding recommendations and conclusions of overall support for the scheme's proposed design and materials palette.

Highways

Highways has no objection and notes the cumulative highway impacts cannot be thought to be "severe" when considered against the NPPF.

The proposed internal layout, pedestrian and cycling routes, deliveries and servicing are found to be acceptable and accord with guidance.

The proposal will see a slight reduction in car parking which has been assessed within the submitted Parking and Servicing Technical note Feb 2025. This was found to be proportionate and reasonable given the mixed used nature of the development and the slight reduction in scale from the consented outline application. Subsequently there have been further reductions in car parking to accommodate accessible spaces, regarded as a negligible change and again without a significant consequence to the highway.

The basement parking for the exclusive use of the care home facility is desirable but has not been insisted upon by the Highway Authority. If no alternative surface car parking comes forward to overcome the Environment Agency's initial objection, this will see a reduction of circ. 20 car parking spaces. Whilst this is likely to cause a reduction in operational flexibility and put pressure on the remaining shared use spaces, it is unlikely to have an access and circulation impact. However, it should be noted that given the nature of the care home facility (condition 7 of the outline application) regard must be given to staff shift patterns and visiting hours, which the Local Planning Authority may need to consider, possible solutions may be found in the car parking management strategy.

Adult social care – No comments received.

Asset & Property – No comments received.

Building Control

The glazing and glazing orientation should be considered for compliance with Part O (overheating) of the Building Regulations to avoid design changes later in the process.

Coastal risk management – No comments received.

Dorset Waste Team

Requested clarification on the proposed waste/recycling collections on the site.

Economic Development and Tourism – No objection.

Education Officer – No comments received.

Environmental Services - Food, Safety & Port Health – No comments received.

Environmental Services – Protection – No comments to make.

Flood Risk Management (Lead Local Flood Authority)

Following the submission of further information by the applicant, the LLFA confirmed no objection.

Housing Enabling Team – No comments to make.

Legal Services – Section 106

No comments on the basis the application will be determined in line with the Section 106 Agreement dated 8 March 2024 associated with the outline planning permission, including the identified financial and non-financial obligations and associated trigger points.

Libraries – No comments received.

Licensing – No comments received.

Natural Environment Team – No comments received.

Public Health Dorset

Public Health Dorset has no objection, but raises a series of comments in relation to: the lack of affordable housing, lifetime needs of residents, drying areas, EV charging infrastructure, solar panels and play space.

Rights of Way Officer – No comments received.

Street Lighting Team

Street lighting should be provided in accordance with Dorset Council's Street Lighting Policy POLS900. Footpaths should be located alongside estate roads and conflict with trees should be avoided. Street lighting will be required to serve vertical traffic calming features.

Sustainability Team – No comments received.

Trees – No comments received.

World Heritage Officer

The Council's World Heritage Officer provides comments in relation to public art and clearance of part of the cliff face to expose geology.

Bournemouth Water

Advise that the site falls outside of their catchment area.

Dorset Fire and Rescue Service

If planning permission is granted the proposals would need to be designed to meet Building Regulations requirements. The FRS highlights a number of relevant requirements for the detailed design stage, including access, water supplies, sprinkler provision and fire warning systems in communal areas of flats.

Dorset Police Architectural Liaison Officer – No comments received.

Dorset Wildlife Trust – No comments received.

NHS Dorset – No comments received.

Portland Heliport – No comments received.

Ramblers Association – No comments received.

Wessex Water

Wessex Water note there is limited foul sewer capacity in the catchment area and that reinforcement work will be required to accommodate the additional flows of the development. Wessex Water seeks to work with the developer to ensure necessary reinforcement.

Weymouth Town Council

Weymouth Town Council supports the application on the grounds of economic development. The Council welcomes the development and looks forward to it moving forward.

Ward Councillors – No comments received.

Representations received

No third-party comments or petitions have been received.

9. Duties

- 9.1 Section 38(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.
- 9.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that when considering whether to grant planning permission for a development which affects a listed building or its setting, there is a general duty to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 9.3 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

10. Relevant policies

Development plan

In this case the development plan comprises:

Local Plan Adopted West Dorset and Weymouth & Portland Local Plan:

- INT1 - Presumption in favour of sustainable development
- ENV1 - Landscape, seascape & sites of other geological interest
- ENV2 - Wildlife and habitats
- ENV4 - Heritage assets
- ENV5 - Flood risk
- ENV10 - The landscape and townscape setting
- ENV11 - The pattern of streets and spaces
- ENV12 - The design and positioning of buildings
- ENV13 - Achieving high levels of environmental performance
- ENV16 - Amenity
- HOUS4 - Development of flats, hostels and HMOs
- HOUS5 - Residential care accommodation
- COM1 - Community infrastructure

- COM7 - Creating a safe and efficient transport network
- COM9 - Parking standards in new development
- WEY9 - Bincleaves Cove

Material considerations

Emerging local plans:

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

The Dorset Council Local Plan Options consultation took place between January and March 2021, with further consultation between 18 Aug – 13 October 2025. Being at a very early stage of preparation, the relevant policies in the draft plan should be accorded very limited weight in decision making.

Emerging neighbourhood plans

The Inspector's Examination Report following examination of the Weymouth Neighbourhood Plan was received on 23 September 2025. At Weymouth Town Council's Full Council Meeting on 15 October 2025, the town council resolved to approved the Examiner's recommendations and submit the Referendum Draft to Dorset Council. The Referendum version has since been published and the referendum is scheduled to take place on 11 December 2025. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. Where the local planning authority has issued a decision statement detailing its intention to send a neighbourhood plan to referendum, that plan can be given **significant weight in decision-making**, so far as the plan is material to the application. [Paragraph: 107 Reference ID: 41-107-20200925](#)

Relevant emerging policies comprise:

- W13 - Panoramas, Vistas and Views
- W16 - Major Housing Sites
- W34 - Sustainable Development
- W36 - New Business Development
- W37 - Mixed-Use Employment Schemes
- W39 - Weymouth Town Centre
- W44 - Design
- W45 - Heritage Assets

- W46 - Transport and Travel
- W48 - Off-Street Parking
- W49 - Vehicle Charging Facilities
- W50 - Cycle Routes
- W51 - Traffic Impact
- W55 - Public Spaces

National Planning Policy Framework 2024 (as amended 2025)

Paragraph 11 sets out the presumption in favour of sustainable development. 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 specific NPPF policies protecting areas or assets provide a strong reason for refusal and/or any adverse impacts of approval would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole, with particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well designed places and providing affordable homes.

Other relevant NPPF sections include:

- Section 4 'Decision making': Para 39 - Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available...and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- Section 5 'Delivering a sufficient supply of homes' This outlines the government's objective in respect of land supply with subsection 'Rural housing' at paragraphs 82-84 reflecting the requirement for development in rural areas.
- Section 6 'Building a strong, competitive economy', paragraphs 88 and 89 'Supporting a prosperous rural economy' promotes the sustainable growth and expansion of all types of business and enterprise in rural areas, through conversion of existing buildings, the erection of well-designed new buildings, and supports sustainable tourism and leisure developments where identified needs are not met by existing rural service centres.
- Section 12 'Achieving well designed places' This indicates that all development to be of a high quality in design, and the relationship and visual impact of it to be compatible with the surroundings. In particular, and amongst other things, Paragraphs 131 – 141 advise that:

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development.

Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design.

- Section 14 'Meeting the challenges of climate change, flooding and coastal change'
- Section 15 'Conserving and Enhancing the Natural Environment'- In National Landscapes (formerly known as Areas of Outstanding Natural Beauty), paragraph 189 requires great weight to be given to conserving and enhancing the landscape and scenic beauty. Decisions in Heritage Coast areas should be consistent with the special character of the area and the

importance of its conservation (para 191). Paragraphs 192-195 set out how biodiversity is to be protected and encourage net gains for biodiversity.

- Section 16 'Conserving and Enhancing the Historic Environment'- Paragraph 212 says that when considering designated heritage assets, great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. The effect of an application on the significance of non-designated heritage assets should also be taken into account (para 216).

Other material considerations

National Planning Practice Guidance

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.

Weymouth – Town Centre Conservation Area Appraisal adopted December 2012

Housing land supply

Dorset Council is unable to demonstrate a 5-year housing supply as required by National Policy. In addition, the strategies for meeting housing needs in the adopted local plans are not designed to deliver the housing need under the Government's standard method and therefore, in accordance with NPPF footnote 8, the housing policies within the adopted Development Plan(s) are out of date and the presumption in favour of sustainable development applies. The emerging Dorset Local Plan is not sufficiently progressed and can be afforded very limited weight in decision making.

Housing Delivery Test (HDT)

The latest HDT results (2023 measurement) show that enough homes have been delivered within the local plan area to demonstrate 106% of the target.

11. 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.

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.

12. Public Sector Equalities Duty

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.

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. In particular:

- Access; public access to the site would be provided via new pedestrian and cycle routes along the seaward edge of the site. The routes would be suitable for those with mobility issues and with buggies.
- Parking: adequate parking for blue badge holders would be provided.
- Care Home: would provide accommodation suitable for those with care requirements.
- Officers have not identified any other specific impacts arising from the development on those persons with protected characteristics.

13. Public Benefits

The proposals would provide a number of financial and non-financial benefits, including public benefits. These are summarised in the table below:

What	Amount / value
Material Considerations	
Market housing	133 dwellings
Care Home	60 bed care home
Employment space	1,186sq.m office / light industrial space
Restaurant	315sq.m restaurant
Open space	Including seaward pedestrian and cycle route
Recreation	Public WCs, changing facilities and sauna
Financial contribution towards off-site provision of affordable housing	£45,000
Non Material Considerations	
Council Tax	According to value of each property
New Homes Bonus	A proportion of the relevant allocation
Community Infrastructure Levy (CIL)	In accordance with Weymouth and Portland CIL Charging Schedule and CIL Regulations

14. Environmental implications

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

14.2 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.

14.3 This has to be balanced against the benefits of providing housing, care and employment provision in a highly sustainable location and should be offset against factors including the provision of electric car charging, low-carbon / renewable energy and the dwellings being reasonably energy efficient as required by Building Regulations.

14.4 The Part L and Energy Report advises that all built fabric would exceed the Part L minimum requirements, including in respect of efficient glazing. The report considers renewable energy and low-carbon energy options and recommends the use of air source heat pumps. The report confirms the buildings will utilise high efficiency fabric, plant and equipment throughout – such as mechanical heat recovery, and automatic lighting controls to maximise energy and carbon savings.

14.5 As an allocated brownfield site within the Defined Development Boundary of Weymouth, the proposed redevelopment is inherently sustainable in that it would provide new homes and employment opportunities in a sustainable location in close proximity to Weymouth. This would reduce pressure on the redevelopment of greenfield sites and support active travel and transport by more sustainable modes.

15. Planning Assessment

Principle of development

15.1 The principle of the development is established by grant of outline planning permission in March 2024 for mixed use development comprising up to 141 dwellings (Use Class C3) and 60 bed care home (Use Class C2), with up to 340 sqm associated leisure floorspace comprising gym, swimming pool / spa (Sui Generis); up to 1,186 sqm office /light industrial floorspace (Use Class E(g)); up to 328 sqm restaurant floorspace (Class E(b)); with associated car parking, public open space, public realm, cliff stabilisation and sea defence works, with vehicular and pedestrian access from Newton's Road & associated infrastructure. The outline permission was granted with access, layout and scale in detail with appearance and landscape reserved.

15.2 sauna is proposed at the entrance to the site within the building containing the public toilets and changing facilities. Whilst the outline permission does not make specific reference to a sauna, the total amount of leisure floorspace falls within the maximum established by the outline permission (340 sqm). The provision of a sauna is therefore acceptable in principle alongside the public toilet and changing facilities.

15.3 The reserved matters of appearance and landscape are assessed in turn below.

Appearance

15.4 Appearance means the visual impression of a building or place, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

15.5 West Dorset, Weymouth and Portland Local Plan Policy ENV10 requires that all development proposals should contribute positively to the maintenance and enhancement of local identity and distinctiveness. Development should be informed by the character of the site and its surroundings. Policy ENV12 requires development to achieve a high quality of sustainable and inclusive design, in harmony with the adjoining buildings and the area as a whole, the quality of the architecture is appropriate to the type of building and materials are sympathetic to the natural and built surroundings and where practical sourced locally. Site allocation Policy WEY9 states that development will be expected to be of a high quality design appropriate to its waterside location and the unique history of the site

15.6 Neighbourhood Plan Policy W13 confirms that developments likely to have a significant impact on the important public panoramas, vistas and views identified in the Neighbourhood Plan should have due regard to the local design guidance available at the time and should be accompanied by a Landscape and Visual Impact Assessment (LVIA). Viewpoint 14 assessed within the LVIA was from outside Nothe Fort looking south-westwards across Newton's Cove towards Bincleaves. The site occupies a central position within the view. Policy W36 advises new business development should respect the character of its surroundings and Policy W37 confirms mixed-use schemes will be supported where the design enhances the character of the site and area. In respect of design, Weymouth Neighbourhood Plan Policy W44 states that proposals should demonstrate high quality design, use of materials and detail, which, in areas with a positive character, would harmonise with it. In proximity to heritage assets, the policy sets the expectation that developments demonstrate how they will positively preserve or enhance the area.

15.7 The appearance of the proposed buildings has been informed by pre-application engagement and a need for the development to sensitively respond to the setting of the site adjacent to the cliffs (which form part of the Jurassic Coast WHS) and Nothe Fort. The coastal environmental necessitates a robust palette of materials. Overall, the proposals have been designed with a high quality and unifying approach which responds to the character of the surrounding area and provides an appropriate design quality for residents, occupiers and members of the public.

15.8 The proposals have been designed across five character areas which align with the main buildings on the site. The appearance of each character area is considered in turn.

Character Area 1 – Apartment Block 1

15.9 Block 1 is located at the gateway entrance of the site and is prominent in views across Newtons Cove from the Nothe Gardens. At 150m, Block 1 is a lengthy building which defines the northeastern sea frontage of the site. The buildings mass is broken up into three sub-blocks (1A, 1B and 1C) linked at ground floor level. The stepped design from six storeys at the entrance to the site down to four storeys at the eastern/restaurant end complies with the scale and massing established by the outline planning permission.

15.10 Block 1 includes 82 flats and a restaurant. Each ground floor flat would have a private garden and each flat above would have a balcony. Pedestrian access to the building would be via the west. The ground floor includes car and bicycle parking areas and refuse/recycling stores.

15.11 The length of the building is broken up by the massing, façade design and use of materials. Each of the three sub-blocks would incorporate light bronze powder coated aluminium vertical framing elements, carsington cream brick and earthy toned cladding. Glazed balconies would give a lightweight appearance to the north east (sea-facing) elevation of the buildings, whilst providing suitable amenity for residents. The north west elevation which faces towards Newtons Road is a key façade, being located at the gateway to the site. The elevation incorporates a mix of materials that break up the six-storey element and provide visual interest. The consistent use of brick at ground floor level would unify the building and respond to the former listed brick buildings on the site. The glazed frontage to outdoor seating areas of the restaurant would terminate the southern

tip of the building and introduce a suitable level of activity next to the publicly accessible public realm.

15.12 Given the site is a cleared site, Block 1 would impact on the important view identified in the emerging Weymouth Neighbourhood Plan from Nothe Gardens. The visual effects of the layout, scale and massing were considered as part of the outline planning process. The modern design and use of materials is considered to appropriately respond to the context of the site, including the Nothe, the nearby conservation area and adjacent WHS. Importantly, as secured through the approved Parameter Plan, the height of Block 1 would be limited and stepped. The single storey elements would have green roofs which would soften the appearance of the building. The design and appearance of the building is considered to sit appropriately within the site and would not compete with the adjacent cliffs or Nothe Fort.

Character Area 2 - Apartment Block 2

15.13 Block 2 is located to the west of Block 1, fronting Portland Harbour. Views of the building from across Newtons Cove from Nothe Gardens would be limited by the presence of Block 1. The mass of the building is broken up by two sub-blocks (2A and 2B) linked at ground floor level. The five storey height accords with the outline planning permission.

15.14 Block 2 includes 43 flats. Each ground floor flat would have a private garden and each flat above would have a balcony or terrace. Pedestrian access to the building would be via the north. On the east of the ground floor would be a gym, swimming pool and spa. The ground floor also includes car and bicycle parking areas and refuse/recycling stores.

15.15 The design takes a similar approach to Block 1, with light bronze powder coated aluminium vertical framing elements, carsington cream brick and earthy toned cladding. A stepped roofline and single storey brick elements add visual interest and consistency across the building and wider development. The leisure element of the building would be single storey and constructed in brick. The north east elevation provides visual interest to users approaching the building from the pedestrian/cycle route.

Character Area 3 – Care Home

15.16 The care home is located in the centre of the site between the cliffs and Block 1. The building would be three storeys in height and would provide 60-bed spaces. Parking would be provided at basement level.

15.17 The long rectangular shape of the building with angular front elevation is similar to the former QinetiQ buildings which occupied the site. The more extensive use of brick and more varied mystique brick differentiates the building from the residential buildings, responds appropriately to the immediate setting of the adjacent cliffs and adds visual interest. The incorporation of aluminium framing and cladding would ensure a unified design approach across the development.

15.18 Full height windows would ensure sufficient outlook, daylight and sunlight for residents.

Character Area 4 – Home Zone

15.19 The home zone character area comprises the 8 townhouses between Block 2 and the Office Building. Each would be served by two car parking spaces, either on-plot or within a garage. The townhouses would be alternately two / three storeys in height and each would have a rear garden facing towards Portland Harbour. Each townhouse would have a first floor terrace and the three-storey townhouses would also have a second floor terrace.

15.20 The ground and first floors of the townhouses would be faced in Carsington cream brick. The third floors would be clad in vertical cladding to the sides and rear, with bronze coloured aluminium cladding facing towards Portland Harbour. The repetitive façade design and more

limited palate of materials is appropriate for the residential character of the character area. The associated garage block would be constructed in brick to match the townhouses.

15.21 The alternating height of the townhouses and horizontal banding responds to the former industrial buildings on the site which included buildings with a sawtooth roof profile.

Character Area 5 - Employment Block

15.22 The four-storey employment block is located at the south of the site. It would be gable fronted towards the interior of the site and Portland Harbour. The building would be constructed in the more varied mystique (buff) brick, which aligns with the care home.

15.23 The architectural style of the building and use of brick is informed by former warehouse buildings in Weymouth. The window frames would be light bronze powder coated aluminium which would unify with the palette of materials across the wider site. A number of the windows would feature arched headers. The design of the building is clearly and appropriately distinguishable from the residential buildings.

Public toilets/changing rooms and sauna

15.24 At the entrance to the site is the public toilets/changing rooms block, including sauna. The single storey building would be constructed in Siberian Larch vertical gladding with a mystique brick chimney. The sauna would be fronted with single way privacy glass. The limited scale of the building and use of natural materials ensures the building would be subservient to the wider development and be unobtrusive at the entrance of the site. The building would be fully accessible.

Summary

15.25 Overall, the appearance of the development is considered to enhance the character of the site and surrounding area. The contemporary design, sensitive use of materials and cohesive design approach across the development demonstrate high quality design which positively responds to local character and context, including the adjacent WHS, Nothe Fort and Weymouth Conservation Area. The Council's Urban Design Officer supports the proposals and notes that the quality of materials and the considered distribution of the external finishes will help to achieve a high quality design appropriate to its waterside location and the unique history of the site, in accordance with the objectives of Local Plan Policy WEY9.

15.26 Overall, the appearance is acceptable and complies with Local Plan policies ENV10, ENV12 and WEY9 and emerging Neighbourhood Plan policies W13, W36, W37 and W44 and the requirements of the NPPF. In the interests of design quality, a planning condition requiring details of minor artifacts – vents, flues, pipes etc. is considered reasonable. Samples of external facing materials are required to be submitted pursuant to outline planning permission condition 10.

Landscaping

15.27 Landscaping means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

- a) screening by fences, walls or other means;
- b) the planting of trees, hedges, shrubs or grass;
- c) the formation of banks, terraces or other earthworks;
- d) the laying out or provision of gardens, courts, squares, water features,
- e) sculpture or public art; and
- f) the provision of other amenity features.

15.28 The NPPF (Para. 135) notes decisions should ensure developments have appropriate and effective landscaping, are sympathetic to local character and history and establish a strong sense of place. Paragraph 136 acknowledges that trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. It states that decisions should ensure that new streets are tree-lined (unless, in specific cases, there is clear, justifiable and compelling reasons why this would be inappropriate) and that opportunities are taken to incorporate trees elsewhere in the development. Applicants and local planning authorities are encouraged to work with highways officers and tree officers to ensure that the right trees are planted in the right places.

15.29 Local Plan Policy ENV1 requires that exceptional landscapes will be protected, taking into account the objectives of the World Heritage Site Management Plan. Development should not detract from local landscape character and proposals are encouraged to conserve and enhance locally distinctive landscape features. Where proposals relate to sites where existing development is of visually poor quality, opportunities should be taken to secure visual enhancements. Development that significantly adversely affects the character or visual quality of the local landscape or seascape will not be permitted. Appropriate measures are required to moderate the adverse effects of development on the landscape and seascape.

15.30 Policy ENV10 requires development to provide sufficient hard and soft landscaping to successfully integrate with the character of the site and its surrounding area. Developments should be informed by the character of the site and its surroundings, and contribute positively to the maintenance and enhancement of local identity and distinctiveness. Policy HOUS5 states that new care homes should provide sufficient private amenity within the site for the likely future occupants, normally comprising at least 20% of the site area.

15.31 Of relevance to landscape, emerging Weymouth Neighbourhood Plan Policy W16 notes that major housing sites should provide for: (iv.) sufficient open space, including private gardens, play areas, multi-functional public amenity and community space, to satisfy Dorset Council's standards of provision, and integrated into the development; (vii) a legible street network; (ix) safe footpaths and cycle routes; (xi) satisfactory street lighting. Policy W50 notes that development proposals to improve or extend existing cycle routes and link them to the wider network will be supported. Policy W55 notes that development proposals that will enhance the public realm, such as streets, squares, pavements, through the provision of street furniture and planting will be supported provided it is demonstrated that the proposals will enhance the character, appearance, and sense of place in their immediate locality. It further states external lighting should be limited, unobtrusive, energy efficient, and minimise light pollution and that innovative design and art installations in the public realm are encouraged.

15.32 The landscaping proposals comprise a series of publicly accessible, private and communal open spaces, as follows:

1. Public promenade – including shared 3m cycle route and seating areas
2. Gateway open space
3. Restaurant – outdoor dining area
4. Promenade viewing area – to the east of the townhouses
5. Heritage area – to the north of the townhouses
6. Communal gardens associated with the Care Home
7. Private gardens associated with the ground floor apartments and the townhouses

15.33 In addition, the open spaces accommodate parking areas and incidental landscaped areas across the site. The hard landscaping consists of a range of proposed materials which differentiate

the routes and spaces within the site. Green roofs are proposed on the single storey elements of Block 1, Block 2 and part of the care home.

15.34 The proposed landscaping strategy has been designed in response to pre-application advice and feedback received from the Council's Senior Landscape Architect during the consideration of this reserved matters application. The amended landscaping proposals resolve the officer's initial concerns related to tree planting, soil volumes, footpaths, parking design, street lighting, accessible parking bays and cycle routes.

15.35 The defining feature of the landscape strategy is the promenade which links the site with the coastal path and knits the various open spaces of the site together. The design complies with highways guidance and would prioritise pedestrians and cyclists to encourage active travel.

15.36 Owing to the coastal location of the site, the need to accommodate flood defences and private residential amenity spaces, the lack of tree lined streets is considered to be acceptable in this instance. Whilst tree-lined streets and additional tree planting along the coastal/harbour edge of the site would have been desirable, the proposed soft landscaping across the site is considered to successfully integrate the site with the surrounding area and soften the appearance of street parking; which is generally located away from the promenade within the centre of the site.

15.37 In the interests of marine ecology and flood risk, it has been necessary for the flood defences to be provided in-land rather than in the harbour, as originally intended at the outline stage. This has resulted in a squeezed internal arrangement with more dominant car parking than would ideally have been the case. Nevertheless, parking areas have been broken up with soft landscaping and the provision of a basement car park beneath the care home reduces pressures on open space within the site to an acceptable degree. This is considered to optimise the development of the site having regard to the need to provide suitable amenity.

15.38 The landscape proposals incorporate a radar themed water fountain, space for a sculpture/artwork and fossil paving. This responds to the history of the site and will contribute to the enhancement of local identity and distinctiveness. The Landscape Design Strategy also outlines proposals for sea life inspired mosaics and ammonite paving along the promenade. The detailed design of the public art proposals are secured via planning condition on the outline permission.

15.39 Adequate amenity spaces would be provided to residents of the apartments, townhouses and care home, and each residential unit would meet the minimum Nationally Described Space Standards. The amenity space for the care home accords with Policy HOUS5. Screening between the public promenade and the ground floor private amenity spaces would be achieved through hedging. Screening would be provided between balconies via privacy screens. In the interests of privacy and residential amenity, a planning condition requiring screening between balconies of adjacent units to be obscured is necessary.

15.40 Whilst the landscape proposals do not include formal play space, the publicly accessible areas would include areas of public recreation and residents of the site would have access to nearby open spaces at Nothe Gardens, Newtons Cove and Bingleaves open space. The open space is therefore considered to be acceptable from an amenity perspective.

15.41 There would be a range of boundary treatments across the development, including post and rope fencing, post and wire fencing, steel railings, brick walls and close board fencing. The proposals are appropriate and the materials of boundary treatments are secured via planning condition on the outline permission.

15.42 The lighting design includes column lights, low level lighting, spotlight lighting, integrated seating lighting and strip light. It has been designed to limit light spill towards the adjacent SSSI/coast and reduce potential conflicts with underground services. The detailed design is secured via a condition on the outline planning permission.

15.43 Overall, the landscaping of the site is considered to be acceptable and would deliver appropriate landscaping and biodiversity enhancements appropriate for the site in compliance with Local Plan Policies ENV1, ENV2 and ENV10 and emerging Neighbourhood Plan Policies W16, W39, W50 and W55.

Heritage impacts

15.44 At the outline stage it was concluded that the proposals would not harm the significance of any heritage assets. Given the reserved matters provide details of appearance and landscaping, it is appropriate to revisit the heritage conclusions.

15.45 As identified in the constraints section of this report, there are a number of listed buildings in the local vicinity of the site and the Weymouth Town Centre and Belle Vue Road Conservation Areas are located north and west respectively. The relevant aspects of the significance of nearby heritage assets are summarised below followed by an assessment of the impacts of the reserved matters application.

Summary of significance

Nothe Fort Complex

15.46 Nothe Fort Complex is Grade II* listed and a registered Scheduled Ancient Monument. It is located approximately 800m north east of the site across Newtons Cove. Its significance relates to:

- Its topographical position on a prominent and defensible headland, reflecting its suitability as a location for a gun fort (since at least the Tudor period);
- the intentional sweeping views in a wide arc from north to south east indicating its effective angle of fire to protect both Weymouth and Portland harbours;
- associated long views towards the monument/asset from these directions, all of which permit an understanding and appreciation of its historic purpose and use; and
- its spatial and functional relationship with the other coastal defences, such as the breakwater forts and Castles, all of which form a group with a shared intention of protecting the approaches to the harbour and naval base over several centuries.

Sandsfoot Castle

15.47 Sandsfoot Castle is Grade II* listed and a registered Scheduled Ancient Monument located approximately 1km south west of the site. Its significance relates to its spatial, visual, historical and functional relationship with Portland Castle, which formed the other one of the pair of Henrician 'Device' forts to guard Portland Roads and the visual experience of the Castle across the harbour from Portland, the Coast Path and Chesil Beach, from all of which it is a notable visual feature, although to some extent diminished by the modern development around it.

Verne Citadel

15.48 Located across Portland Harbour on the Isle of Portland, the significance of this Scheduled Monument relates to:

- its topographical position on the crown of the highest point in Portland, reflecting its suitability for a defensive enclosure from the Iron Age through to the developments of the 19th century;
- its spatial and functional relationship with the associated defensive installations within and around the monument, in particular the gun batteries and the other coastal defences around the harbour, such as the breakwaters, forts and historic Castles; and

- the long views towards and from the monument in a wide arc from the east through north to the west, which permit its dominating stronghold purpose, use and character to be understood and appreciated.

Bincleaves Groyne & North-Eastern Breakwater

15.49 Bincleaves Groyne & North-Eastern Breakwater is Grade II listed. The Groyne is accessed via the site to the south east. Its significance relates to:

- the spatial and functional relationship with the inner and outer breakwaters, including the forts, jetties and coastal defences, all of which form a group defining the historic harbour and naval base;
- their expansive setting within the harbour, which permits an understanding and appreciation of their huge scale; and
- the associated visual experience of the breakwaters from public vantage points, such as the footpaths around the north east side of the Verne and, on the north side of the harbour, Nothe Fort, from where the sheer scale of the arms can be appreciated and their purpose understood.

Portland House

15.50 Portland House is a Grade II listed building located to the west of the site above the cliff. Its significance lies in its intentional long views over the harbour towards Portland, reflected in the large south-southeast facing external terrace and the central axial corridor which frames these views on both floors; and its position within a large, spacious plot, largely screened from land by mature foliage, emphasising both status and privacy.

Weymouth Town Centre Conservation Area

15.51 Located immediately to the north of the site and extending north, the significance of the Weymouth Town Centre Conservation Area lies in its spatial relationship with the coast, which forms a distinctive and dramatic boundary to the south east of the Conservation Area, defined by a rocky shoreline and undeveloped clifftop of the Nothe Gardens; the long views south and south east from Nothe Gardens and the clifftop over the harbour and Portland, as identified on the Conservation Area Appraisal Assets Map.

Bell Vue Road Conservation Area

15.52 Located to the west of the site above the cliff top, the significance of the Conservation Area lies in its undeveloped and verdant character of the boundary along the clifftop, which follows this general pattern between Sandsfoot Castle and Nothe Fort and which can be experienced from PRoW S1/125; and its spatial relationship with the coast and the associated intentional views from the large dwellings on the south side of Belle Vue Road over the harbour towards Portland.

Sir Thomas Fowell Buxton Monument

15.53 A monument to Sir Thomas Fowell Buxton was installed in Bincleaves Green in 2016. The monument was designed by Peter Loizou who together with students at Weymouth College Masonry Department undertook the carvings. The monument is not listed but can be considered a Non Designated Heritage Asset. Buxton was elected Member of Parliament for Weymouth in 1818 and from 1819 took a prominent role in the parliamentary campaign against slavery. Buxton's persistence paid off when the level of support for his private bill in 1832 prompted Lord Grey's government to take up the measure. The abolition of slavery in British dominions was given royal assent in August 1833, and the law came into force on 1 August 1834. Buxton also worked to soften the penal code for which the death penalty applied to many minor crimes. The significance of the monument lies in its commemoration of Buxton through inscribing on each of the four sides of the plinth, including two elephants (symbols of Buxton) one tearing apart some manacles and

the other a hangman's noose. A noticeboard next to the monument provides details celebrating his achievements. The setting within Bingleaves Green with views towards the sea and Portland Harbour makes a positive contribution to the setting of the monument. The setting is defined by the surrounding open space, long distance views and nearby residential properties.

Impacts on Significance

15.54 The reserved matters proposals would not have any direct impacts on the above heritage assets. However, the proposals would impact upon the setting of the identified heritage assets. The proposals insofar as they concern appearance and landscaping have been considered by the council's Senior Conservation Officer. Through appropriate design, choice of materials and colour palette, the proposals are not considered to harm the significance of any identified heritage assets.

15.55 Overall, the reserved matters accord with Policy ENV4 and would result in no heritage harm in respect of the above heritage assets.

Highways

15.56 Matters of access and highway impacts were considered at the outline stage. The Highways Authority has assessed the landscaping of the proposals, including the proposed surfacing, internal routes and parking areas. Highways has no objection to the proposals and notes the cumulative highway impacts cannot be thought to be "severe" when considered against the NPPF. Indeed, the quantum of development sits below the "up to" maximum approved at the outline stage.

15.57 The proposed internal layout, pedestrian and cycling routes, deliveries and servicing are found to be acceptable and accord with guidance. The provision of a basement car park serving the care home has been considered having regard to the potential implications of reduced car parking and/or landscape impacts in the absence of a basement car park being provided. Having regard to car parking management arrangements being secured via planning condition on the outline planning permission, the parking proposals are considered to be acceptable. Specific details of cycle parking are secured via planning condition on the outline permission.

15.58 Overall, the reserved matters are considered acceptable in respect of relevant highway considerations in accordance with Local Plan Policy COM7.

Flood risk

15.59 As the application is for reserved matters, the acceptability of development against the risk of flooding has previously been considered within the outline application. The outline planning permission includes planning conditions in respect of flood defences and emergency evacuation.

15.60 Alongside this application the applicant has submitted an updated Flood Risk Assessment considering the basement of the care home. Following an initial objection from the Environment Agency (EA), the proposals for the floor levels of the basement were updated to the satisfaction of the EA. The EA removed its objection subject to conditions requiring the ground floor level to be set at least 6.10m AOD and for the vehicle entrance threshold for the basement to include passive design measures to mitigate against flooding. Subject to these conditions, the proposals are considered acceptable in respect of flood risk in accordance with Local Plan Policy ENV5.

Other Matters

Affordable housing

15.61 Consultees raise concern with the lack of affordable housing. However, the viability of providing affordable housing was assessed at the outline planning stage in accordance with Local Plan Policy HOUS1 and a financial contribution in lieu of affordable housing was secured via Section 106 legal agreement. As this application is a reserved matters application for appearance and landscaping, affordable housing is not a material planning consideration.

Community Infrastructure Levy

15.62 The development would be CIL liable at prevailing rates, plus indexation.

Solar panels

15.63 Public Health Dorset comment that solar panels should be considered. The Part L and Energy Report considers renewable energy and low-carbon energy options and recommends the use of air source heat pumps. As the provision of solar panels was not secured as part of the outline planning permission, provision of solar panels cannot be insisted upon at this reserved matters stage.

Overheating

15.64 Building Control note that glazing and glazing orientation should be considered for compliance with Part O (overheating) of the Building Regulations to avoid design changes later in the process. In response, the applicant has submitted an Overheating Review for Block 2 given it is orientated due south. It explains that the majority of flats would have balconies above south-facing windows which would create an element of shade which would reduce potential overheating. This demonstrates consideration has been given to overheating albeit the proposals will be considered against Building Regulations at the Building Regulations stage.

Sewer capacity

15.65 Wessex Water has raised concern with the limited foul sewer capacity in the catchment area. As this reserved matters application relates to the appearance and landscaping of the proposals, foul drainage is not a material planning consideration for this application. Details of foul drainage are secured via planning condition on the outline planning permission.

16. Summary of issues

- 16.1 This application for reserved matters approval follows the grant of outline planning permission for comprehensive residential-led mixed use development of the site in March 2024. The outline permission provided details of access, layout and scale with matters of appearance and landscaping reserved for later determination. This application provides the details of appearance and landscaping.
- 16.2 Overall, the proposed details of appearance and landscaping are considered to be acceptable and would positively respond to the site and surrounding area in a way which integrates the development into the surrounding area and positively responds to the history of the site.

17. Recommendation

17.1 Grant subject to the following planning conditions:

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

9464/200 Site Location Plan

9464/201 Rev L Proposed Site Plan - Lower Half

9464/202 Rev K Proposed Site Plan - Upper Half

9464/203 Rev H Block 1 - Proposed Floor Plans - Sheet 1

9464/204 Rev F Block 1 - Proposed Floor Plan - Sheet 2

9464/205 Rev F Block 1 - Proposed Elevations

9464/206 Rev G Block 2 - Proposed Floor Plans

9464/207 Rev F Block 2 - Proposed Elevations

9464/208 Rev B Town Houses - Proposed Floor Plans

9464/209 Rev C Town Houses - Proposed Elevations

9464/210 Rev C Office Building - Proposed Floor Plans

9464/211 Rev C Office Building - Proposed Elevations

9464/212 Rev G Care Home - Proposed Floor Plans

9464/213 Rev B Care Home - Proposed Elevations

9464/216 Rev I Outbuildings - Proposed Floor Plans and Elevations

9464/218 Rev A Proposed Roof Plans

PRI24558_11 Sheet 1 Rev L Landscape Proposals

PRI24558_11 Sheet 2 Rev L Landscape Proposals

PRI24558_11 Sheet 3 Rev K Landscape Proposals

PRI24558_11 Sheet 4 Rev K Landscape Proposals

PRI24558_11 Sheet 5 Rev K Landscape Proposals

PRI24558_12 Sheet 1 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 2 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 3 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 4 Rev L Hard Landscape Proposals

PRI24558_12 Sheet 5 Rev L Hard Landscape Proposals

PRI24558_15 Sheet 1 Rev G Landscape Sections

PRI24558_15 Sheet 2 Rev G Landscape Sections

PRI24558_15 Sheet 3 Rev G Landscape Sections

PRI24558_15 Sheet 4 Rev G Landscape Sections

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Balconies of adjoining flats above ground floor level within Block 1 and Block 2, as shown on the relevant approved floorplans (drawings 9464/203 Rev H, 9464/204 Rev F and 9464/206 Rev G) shall be fitted with obscure glazing screens to a height which prevents overlooking between the balconies of adjoining flats. Thereafter, the obscure glazing screens shall be retained for the lifetime of the development.

Reason: In the interests of residential amenity.

3. No development above damp proof course level within a phase of development shall take place until a scheme showing details of all external vents, flues, soil and vent pipes for the relevant phase has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved scheme.

Reason: In order to ensure that the details are of sufficient standard and design quality.

4. The approved soft landscaping works for each phase of development must be carried out in full during the first planting season (November to March) following commencement of the relevant phase or within other timescales agreed under the terms of this planning condition. The soft landscaping for each phase shall be maintained in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to development above damp proof course level within the relevant phase. Any trees or plants which, within a period of 5 years from the completion of the relevant phase, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the satisfactory landscaping of the site and enhance the visual amenity and character of the area.

5. The finished ground floor level of the care home building shall be set at least 6.10m AOD. #

Reason: To reduce the risk of flooding to the proposed development and future occupants.

6. The basement car park vehicular entrance serving the care home shall include passive failsafe ramped designs with a continuous crest level set no lower than 6.10m AOD. The basement car park shall be fully tanked to at least 6.10m AOD. Pedestrian entrance thresholds and all other entrances to the care home and flow paths (venting/ducting etc.) shall be set on or above the care home ground floor planform level of at least 6.10m AOD. The flood risk mitigation measures for the care home shall not include any operational structures. These measures shall be fully implemented and completed prior to occupation of the care home. The measures shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development, future occupants and elsewhere.

Informatives:

1. Informative: The associated outline permission (P/OUT/2022/00852) is subject to an agreement made pursuant to Section 106 of the Town and Country Planning Act 1990 dated 8 March 2023 relating to: Affordable Housing Off Site Contribution; Waterfront pedestrian and cycle route; Public WCs and changing facilities, including provision, public access and management; and Travel Plans.

2. Informative: The applicant is reminded of the need to ensure all relevant conditions on the outline permission (P/OUT/2022/00852) are addressed.
3. Informative: This development constitutes Community Infrastructure Levy 'CIL' liable development. CIL is a mandatory financial charge on development, and you will be notified of the amount of CIL being charged on this development in a CIL Liability Notice. To avoid additional financial penalties, it is important that you notify us of the date you plan to commence development before any work takes place and follow the correct CIL payment procedure.
4. Informative: Street Naming and Numbering
The Council is responsible for street naming and numbering within our area. This helps to effectively locate property to deliver post and for access by emergency services. New or changed addresses must be registered with the Council. This link has more information.
<https://www.dorsetcouncil.gov.uk/planning-buildings-land/street-naming-and-numbering/street-naming-and-numbering>
5. All detailed engineering designs, specifications and construction associated with the care home basement shall be approved and overseen by qualified structural/civil engineers.
6. 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 was updated of any issues and provided with the opportunity to address issues identified by the case officer.
 - The applicant was provided with pre-application advice.