

## **NEW FOREST NATIONAL PARK AUTHORITY**

### **REPORT TO THE EXECUTIVE DIRECTOR STRATEGY & PLANNING AND CHAIR OF PLANNING DEVELOPMENT CONTROL COMMITTEE (PDCC)**

#### **DESIGNATING THE WELLOW NEIGHBOURHOOD AREA AS IT RELATES TO THE AREA WITHIN THE NEW FOREST NATIONAL PARK**

**Report by:** David Illsley, Policy Manager

#### **1. INTRODUCTION**

- 1.1 Neighbourhood Plans were introduced by the Localism Act 2011 to allow local communities to prepare a plan for development and land use in their area. Neighbourhood Plans are statutory documents that, once adopted, form part of the 'development plan' for the area. As the New Forest is a parished area, neighbourhood plans can be undertaken by parish or town councils if they choose to prepare one. The National Park Authority has a role in supporting communities in preparing a neighbourhood plan by giving advice and assistance to the town/parish council.
- 1.2 Under the relevant Neighbourhood Planning Regulations (2012), in order to start the formal process of preparing a Neighbourhood Plan a town/parish council first makes an application to the local planning authority for the designation of the area that their Neighbourhood Plan will cover (Regulation 6).

#### **2. APPLICATION BY WELLOW PARISH COUNCIL**

- 2.1 In a letter dated 17 March 2016, Wellow Parish Council applied to Test Valley Borough Council and the New Forest National Park Authority for the area of their proposed Neighbourhood Plan to cover the whole of the parish area. Around 15% of the parish lies within the New Forest National Park - and therefore under the Authority's planning remit - including Wellow Common, Canada Common and the small settlements at Canada and Blackhill. In accordance with the Neighbourhood Planning (General) Regulations 2012, the letter from Wellow Parish Council was accompanied by a map showing the area to be designated and included a statement explaining: (i) why the area is considered to be appropriate; and (ii) confirming that Wellow Parish Council are the relevant body to make such a request.
- 2.2 The Parish Council justified the inclusion of the whole of their Parish by explaining;  
  
*"Wellow Parish Council is a relevant body in accordance with section 61G of the Town & Country Planning Act 1990 and is an approved body for the purposes of preparing a Neighbourhood Development Plan and furthermore, as an identifiable individual organisation in Test Valley, has undertaken many varied community and local government activities for over 80 years and now wishes to assume greater responsibility for influencing planning and community matters within the Parish boundary."*
- 2.3 The National Park Authority and Test Valley Borough Council ran a concurrent statutory consultation on the designation of the Neighbourhood Area for a period of six weeks, running from 1 April to 13 May 2016. In accordance with Regulation 6, the National Park Authority and Borough Council publicised the request to designate the Neighbourhood Area on their respective webpages. In addition a significant number of

consultees were directly notified of the consultation and a joint press release was issued by the National Park Authority and the Borough Council at the start of the six-week consultation. At the end of this consultation period the two planning authorities became aware that a small number of statutory consultees had not been included in this original consultation. The decision was therefore made to repeat the consultation to ensure all of the legal requirements had been fully met. This second public consultation ran from 20 May to 17 June 2016. In summary, the Authority fulfilled the requirements of the Neighbourhood Planning (General) Regulations 2012 in publicising the application to designate the Wellow Neighbourhood Area.

2.4 During the two periods of public consultation, a total of five representations were received by the National Park Authority and the Borough Council in relation to the proposed Neighbourhood Area. The responses were as follows:

- **Historic England** confirmed that they have no objection to the proposed Neighbourhood Area boundary. They usefully outlined the designated and non-designated heritage assets within the proposed neighbourhood plan area, including a number of listed buildings and the Registered Park and Garden at Embley Park (in the Test Valley Borough Council area of the parish).
- **Highways England** responded as the highways authority for the strategic road network (SRN). In the case of the Wellow area, this includes the A36 route and Highways England confirmed they would be concerned with proposals that have the potential to impact the safe and efficient operation of the strategic road network. *“We have reviewed the consultation and have no comments.”*
- **Natural England** helpfully highlighted the information sources that the local community may wish to use in developing the neighbourhood plan for Wellow, and highlighted some of the potential environmental risks and opportunities that neighbourhood plans may present. Advice was also given on opportunities for enhancing the natural environment through the Plan-making process.
- **The Health & Safety Executive** highlighted that neighbourhood plans must be in general conformity with the strategic policies in the relevant Local Plan(s) and must be compatible with European obligations, as incorporated into UK law. They confirmed that there is potential for land in the area around Wellow to encroach on a number of consultation zones and advised on the compatibility issues raised. *“The potential for encroachment is being brought to your attention at an early stage so that you can assess the actual extent of any incompatibility on future developments.”* These consultation comments will be helpful in developing the Plan itself, but do not object to the geographical area proposed.
- **Gladman Developments** confirmed that *“At this stage Gladman have no specific comments to make on the application for the Neighbourhood Area designation.”* They went on to highlight a number of key requirements to which an emerging neighbourhood plan should have regard. These include: (i) the positive role that neighbourhood plans should play in meeting the development needs of the local area; (ii) the need for neighbourhood plans to be in general conformity with the strategic policies of the Local Plan; (iii) the request that Wellow Parish Council considers the benefits that development in West Wellow would provide through a housing allocation. As above, Gladman’s comments focus on the next stages of Plan-preparation, rather than the geographical area to be covered by the Plan, and therefore the Neighbourhood Plan Area can be designated.

### 3. CONCLUSION AND RECOMMENDATION

- 3.1 As the local planning authority, the Authority is required to formally designate the Neighbourhood Area. It is considered that for the reasons the Parish Council has set out, allied to the lack of public and consultee opposition, the most appropriate area for the Wellow Neighbourhood Plan is that which coincides with the parish boundary. There is logic and consistency in the Neighbourhood Plan covering the same geographic area as the parish. It should be noted that the Authority's decision only relates to the part of the Parish within the National Park, focused on the settlement at Canada and the surrounding commons. This area in the New Forest National Park amounts to around 1 square mile, as illustrated in Annex 1. The remaining 5 square miles of the Parish lie outside the Authority's planning remit and therefore it is for Test Valley Borough Council to formally designate the Neighbourhood Area here.
- 3.2 In accordance with the Authority's Scheme of Delegation, it is recommended that the Executive Director (Strategy & Planning) and the Chair of the Authority's Planning Development Control Committee accept the case made by Wellow Parish Council and formally designate the boundary of the Wellow Neighbourhood Area as it relates to the area of the Parish within the New Forest National Park. Once the Neighbourhood Area has been formally designated, the Parish Council will continue work on developing the draft Plan which will be the subject of future public consultation.

#### RECOMMENDATION:

**The Executive Director (Strategy & Planning) and the Chair of the Authority's Planning Development Control Committee formally designate the Wellow Neighbourhood Area as it relates to the area of the Parish within the New Forest National Park (illustrated in Annex 1).**

**Signature:** Steve Avery      **Steve Avery, Executive Director (Strategy & Planning)**

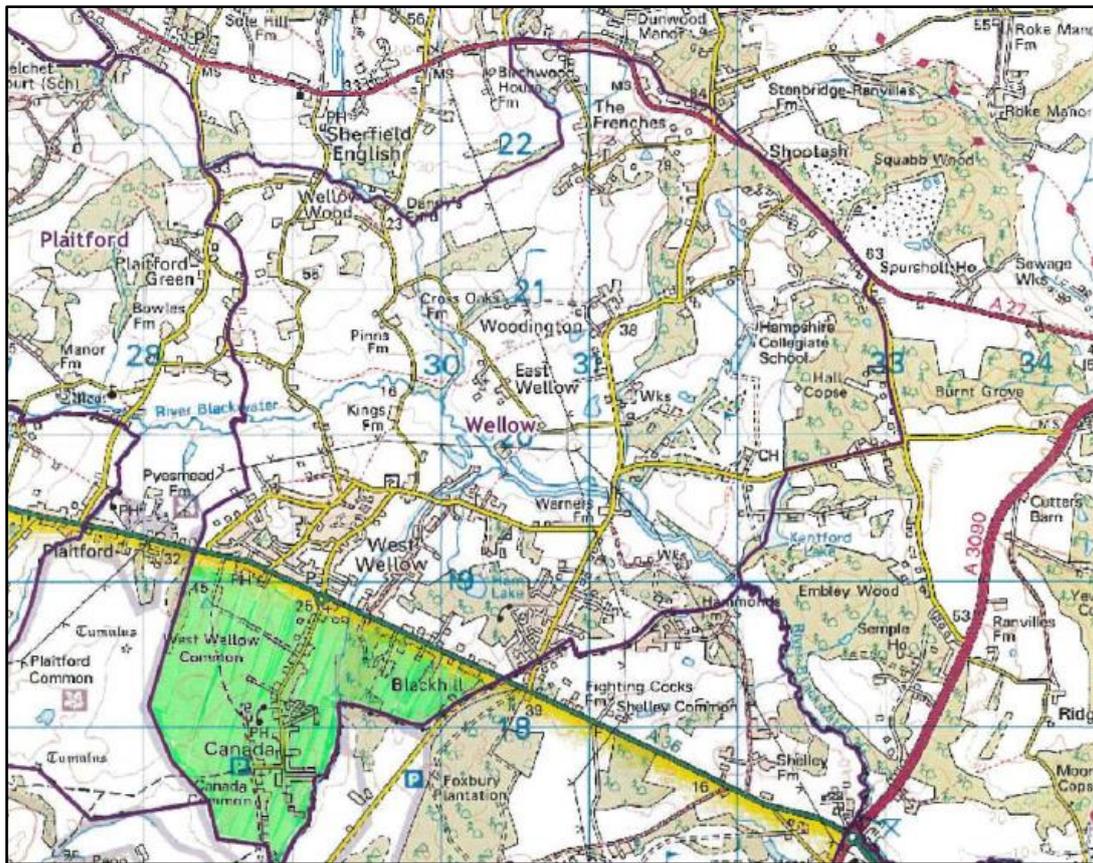
**Signature:** Pat Wyeth      **Pat Wyeth, Chair of PDCC**

#### Contact:

David Illsley, Policy Manager

Tel: 01590 646672; Email: [david.illsley@newforestnpa.gov.uk](mailto:david.illsley@newforestnpa.gov.uk)

**Annex 1 – Area of the Wellow Neighbourhood Area formally designated within the New Forest National Park (21 June 2016)**

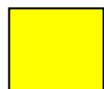


**KEY**

**Parish/Town Council Boundary:**



**New Forest National Park Boundary:**



**Wellow Neighbourhood Area designation within the National Park:**

