

**PC 459/24**

## **NEW FOREST NATIONAL PARK AUTHORITY**

### **PLANNING COMMITTEE MEETING – 21 MAY 2024**

#### **RINGWOOD NEIGHBOURHOOD PLAN – NPA DECISION STATEMENT**

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

#### **Summary:**

Following the final period of consultation on the draft Ringwood Neighbourhood Plan held in August – September 2023, the draft Plan, supporting information and all the representations received were subject to independent examination. The examination was undertaken by a suitably qualified person and at the end of February 2024 the final Examiner's Report was received. In this report the Examiner concluded that subject to a series of policy modifications, the Plan meets the Basic Conditions and should proceed to referendum.

Under the relevant regulations, the Authority must decide what action to take in response to the Examiner's Report and publish a 'Decision Statement'. This report therefore seeks approval of the 'Decision Statement' (Annex 1) and the subsequent amendments to the Neighbourhood Plan. New Forest District Council are currently going through the same process for the part of the parish within their planning jurisdiction and once both authorities have agreed their responses the revised Plan will proceed to local referendum (it is currently envisaged this will take place in early July 2024). Subject to the Plan being supported at the referendum, it will be presented to a full Authority meeting for formal adoption later this year.

#### **1. Introduction**

- 1.1 Neighbourhood Plans were introduced by the Localism Act 2011 to give communities direct power to shape the development of their local area. Neighbourhood Plans are planning documents that, once adopted, form part of the statutory 'development plan'. In February 2021 the National Park Authority confirmed the designation of the area of Ringwood parish that falls within the New Forest National Park as a 'Neighbourhood Area'. This enables Ringwood Town Council to prepare a Neighbourhood Plan and over the last 3 years Town Council, New Forest District Council and National Park Authority officers have worked together on the preparation of the Neighbourhood Plan, led by the Town Council. Around half of the parish of Ringwood lies within the National Park, including the areas of Hightown Common, Hangersley, Crow Hill, Shobley and Bisterne.
- 1.2 Work on the emerging Ringwood Neighbourhood Plan has been driven by the Town Council. They have employed a range of techniques to engage people in the Plan, including surveys, workshops, presentations and drop-in sessions, as well as attending local school assemblies. The Town Council also established four working groups that drew in local people with specialist knowledge on issues including ecology and built heritage. Following consultation on earlier iterations of the draft Neighbourhood Plan, the Plan was subject to a final 6-week public consultation between 18 August – 29 September 2023. During this public consultation, the Authority submitted a limited number of representations focusing on suggested factual updates to the Plan regarding references to the Green Belt, heritage assets and rural exception sites.

## **2. Independent Examination and the Examiner's Report (February 2024)**

- 2.1 During the final 6-week public consultation held on the draft Plan, representations were received from 17 organisations and individuals. These included representations from the Environment Agency, the National Park Authority, Hampshire County Council, New Forest District Council, local residents and several developers.
- 2.2 All of the representations made during this final consultation and various supporting documents (including a Consultation Statement and a Basic Conditions Statement) were submitted to the independent Examiner<sup>1</sup> for their consideration. The examination was dealt with by written representations and the Examiner undertook a site visit in December 2023. The Examiner is required to assess whether the Plan meets the Basic Conditions and legal tests and is then required to produce a Report recommending:
  - (a) the Neighbourhood Plan proceeds to a referendum without modifications; or
  - (b) that modifications are made and that the modified Neighbourhood Plan then proceeds to referendum; or
  - (c) that the Neighbourhood Plan does not proceed to a referendum as it does not meet the necessary legal requirements.
- 2.3 The Examiner's Report on the Ringwood Development Plan 2023 – 2036 (February 2024) can be viewed [here](#). The main findings are set out in the 'Executive Summary' on page 4, with the key recommendation being that subject to the policy modifications set out in the report, the Plan meets the Basic Conditions and can proceed to referendum as it meets the relevant legal requirements. This is a positive recommendation and reflects the hard work Ringwood Town Council and their partners have put into the preparation of the draft Neighbourhood Plan since work commenced in early 2021.
- 2.4 Where necessary the Examiner has recommended modifications to the Plan in order that it meets the Basic Conditions and other legal requirements. The 22 recommended modifications to the submitted Neighbourhood Plan are listed in the appendix to the Examiner's Report (pages 21 – 25) and it is common for modifications to be required to draft Neighbourhood Plans following independent examination.

## **3. National Park Authority response to the Examiner's recommendations**

- 3.1 Under Neighbourhood Planning (General) Regulations 2012 (as amended), it is the responsibility of the local planning authority to ensure the Plan meets the Basic Conditions and to determine whether it proceeds to referendum, with or without modifications. The local authority is responsible for deciding whether the voting area should be the Neighbourhood Area or should include other areas too.
- 3.2 The National Park Authority must also: (i) decide what action to take in response to each recommendation made in the Examiner's Report; and (ii) publish their decision and the reasons for it in a 'Decision Statement'. National guidance indicates that if the local planning authority can make modifications to the Plan to meet the Basic Conditions and allow it to proceed to referendum, they should do so. Modifications will normally follow the Examiner's recommendations and clear justification would be required for departing from the Examiner's recommendations.

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<sup>1</sup> The independent Examiner was appointed by New Forest District Council and the National Park Authority, with the agreement of Ringwood Town Council.

- 3.3 Officers from the National Park Authority, New Forest District Council and Ringwood Town Council met in March 2024 to consider the Examiner's recommendations. Having considered each of the modifications proposed by the Examiner, it is recommended that the Authority accepts in full the Examiner's modifications to the draft Plan. The Decision Statement set out in Annex 1 to this report therefore outlines the alterations made to the draft Plan under paragraph 12(6) of Schedule 4B to the 1990 Act (as applied by Section 38A of 2004 Act) in response to each of the Examiner's recommendations.
- 3.4 Key recommendations from the Examiner that it is proposed to accept include:
- A revised version of the National Planning Policy Framework (NPPF) was published in December 2023 – after the Neighbourhood Plan was submitted for examination. Although the changes to the NPPF are relatively minor, it is nevertheless important that references to the Framework within Ringwood Neighbourhood Plan reflect the most recent version and the Examiner has recommended accordingly.
  - In response to representations from the Environment Agency, the Examiner has recommended reference to flood risk is included in relation to Town Centre Opportunity Areas A (Ringwood Market Place) and G (Ringwood Trading Estate).
  - The Examiner recommended modifications to policy R5 on smaller housing to make it clear that on schemes of 5 or more dwellings, 50% should comprise 'smaller dwellings'. This wording was already in the supporting text and the Examiner has recommended it is moved to the main policy text to improve clarity.
  - Modifications to policy R6 on affordable housing and the provision of 'First Homes' to remove the statement that priority for First Homes (for the first two months of marketing) will be given to people who have a local connection to Ringwood. The Examiner concluded that there is no strategic policy hook in the New Forest District Local Plan on which to hang this requirement and the Town Council's approach is therefore not consistent with the aims of New Forest District Local Plan.
  - Clarification that the term 'major development' in the draft Neighbourhood Plan refers to development of 10 or more dwellings, rather than the alternative definition of 'major development' that applies to National Parks and the requirements of national policy. This modification is in line with the Authority's representations.
  - Appendix D to the draft Plan contained an extensive list of Local Heritage Assets (over 145). The Examiner's Report highlights concerns that the Plan contains little substantive evidence on how the assets have been identified and that consultation with the owners has not been undertaken. The Examiner has therefore recommended the deletion of policy R9, the supporting text and Appendix D; and recognises that this modification, "...will be a disappointment to the Town Council."
- 3.5 The Examiner's Report (paragraph 4.54) helpfully confirms that amendments to the text of the Plan can be made consequential to the recommended modifications, alongside any other minor non-material changes, factual up-dates, or corrections if there is agreement between the Town Council, District Council and National Park Authority.
- 3.6 In accepting the modifications set out by the Examiner in full, the draft Ringwood Neighbourhood Plan will be altered and it is this revised version of the Plan which will proceed to referendum. It should be noted that New Forest District Council are also going through the same approval process, with their response to the Examiner's Report being considered at a Cabinet meeting and then by the full Council in May 2024.

#### 4. Conclusions and the next stages

4.1 The Examiner's Report commends the work on Ringwood Town Council over the last three years on the Neighbourhood Plan and concludes in paragraph 5.5, "...among the objectives of the Town Council is the desire to revitalise the town centre economy; the encouragement of high quality and sustainable design; the maximisation of opportunities for young people; and the regeneration of the town centre. I particularly commend the Town Council's Working Groups, alongside all those that have had an input into the preparation of the Plan. I therefore consider that there is an excellent prospect that the implementation of the policies within the Ringwood Neighbourhood Plan (when 'made') will ensure that all the stated objectives will be successfully achieved." The Authority is committed to working alongside New Forest District Council to support the final stages in the Plan-making process – as set out below.

*(i) Local Referendum*

4.2 The Examiner concluded that the Ringwood Neighbourhood Plan has no policy or proposals significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend beyond that boundary. The Examiner recommend that the boundary for the future referendum on the Plan should be the boundary of the designated Ringwood Neighbourhood Plan Area and this conclusion is supported by the two planning authorities and Ringwood Town Council.

4.3 As the 'relevant council' as defined in the Town and Country Planning Act 1990, it is the responsibility of New Forest District Council to make arrangements for the referendum to take place. The Neighbourhood Planning (Referendums) Regulations 2012 (as amended) provide coverage of the referendum process and confirm that a person is entitled to vote if, at the time of the referendum, they meet the eligibility criteria to vote in a local election for the area and if they live in the referendum area. It is envisaged that the referendum on the Neighbourhood Plan will be held in early July 2024.

*(ii) Future adoption as part of the 'development plan' for the National Park*

4.4 If the majority of those who vote in a referendum are in favour of the Neighbourhood Plan, then the Plan must be 'made' by the National Park Authority and District Council. This would be a decision of the full Authority and the current intention is to present the final Plan for adoption at the 25 July 2024 Authority meeting. The Neighbourhood Plan will then become part of the statutory 'development plan' for the part of the National Park within the parish of Ringwood; forming the basis of planning decisions in that area.

#### Recommendations:

##### Members:

- (a) **note the recommendations made in the Examiner's Report into the draft Ringwood Neighbourhood Plan (February 2024); and**
- (b) **endorse the 'Decision Statement' in Annex 1 to this report setting out the Authority's responses to the Examiner's Report; and**
- (c) **note that the formal 'making' (i.e. adoption) of the Ringwood Neighbourhood Plan will be a decision for the full Authority meeting, subject to the majority of voters (i.e. more than 50%) voting in favour of the Plan at local referendum.**

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<b>Papers:</b>	<b>PC 459/24</b> – cover paper  <b>Annex 1</b> – Ringwood Neighbourhood Plan Examiner's Report – NPA Decision Statement
<b>Equality Impact Assessment:</b>	No impacts have been identified. The referendum process is prescribed in the relevant national regulations and the making of the Ringwood Neighbourhood Plan will be a decision for the full Authority meeting in due course.