



New Milton Neighbourhood Plan – NPA Decision Statement (23 January 2020)

1. Introduction

- 1.1 The New Forest National Park Authority has a statutory duty to assist local communities in the preparation of Neighbourhood Development Plans and Orders. As the planning authority for the National Park area, the Authority is also required to support draft Neighbourhood Plans through the Examination process towards local Referendum.
- 1.2 The draft New Milton Neighbourhood Plan was submitted for independent Examination in Autumn 2019 and the final Examiner's Report was issued on 19 December 2019. Under the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended), the National Park Authority must: (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'.
- 1.3 This statement confirms that the modifications proposed by the Examiner's report have been accepted, the draft New Milton Neighbourhood Development Plan has been altered as a result of it; and that this plan may now proceed to referendum.

2. Background

- 2.1 The New Milton Neighbourhood Plan relates to the area that was designated by the National Park Authority and New Forest District Council in February 2015. This 'Neighbourhood Area' corresponds with the New Milton Town Council boundary and includes land within the remit of both the New Forest National Park Authority and New Forest District Council.
- 2.2 Following the submission of the draft New Milton Neighbourhood Plan to the National Park Authority and New Forest District Council, the Plan was publicised and representations were invited for a 6-week period, closing on 21 October 2019.

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- 2.3 David Hogger BA MSc MRTPI MCIHT was appointed by the New Forest National Park Authority and New Forest District Council – with the agreement of New Milton Town Council - to undertake the examination of the draft Neighbourhood Plan and to prepare a report of the independent examination.
- 2.4 The Examiner’s Report (19 December 2019) concludes that subject to the policy modifications set out, the draft Neighbourhood Plan meets the Basic Conditions. The Examiner recommends that the Plan, once modified, should proceed to Referendum on the basis that it has met all the relevant legal requirements. The Examiner also concluded that the Referendum area does not need to be extended beyond the designated area to which the Plan relates.

3. Decision

- 3.1 As outlined above, the Neighbourhood Planning (General) Regulations 2012 (as amended) require the National Park Authority to outline what action to take in response to the recommendations made in the Examiner’s Report.
- 3.2 The National Park Authority, New Forest District Council and New Milton Town Council have considered each of the recommendations made in the Examiner’s Report. Ultimately it is the responsibility of the planning authorities to decide what modifications should be made to the Neighbourhood Plan. Having considered each of the recommendations made by the Examiner’s report (and the reasons for them), the New Forest National Park Authority has decided to accept the modifications to the draft Plan. Table 1 on the following pages outline 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.

Table 1

Report Ref.	Examiner’s recommended modification	Examiner’s Justification	NPA Decision
<i>Chapter 6 – Land Use Policies</i>			
PM1	Policy NM3, Page 36 Insert a Concept Plan of the Caird Avenue site which identifies those land use requirements that are referred to in Policy NM3.	The Town Council has prepared a more detailed Illustrative Masterplan for land at Caird Avenue (the ‘Concept Plan’) which makes it clear what is expected on the site. I recommend the Concept Plan is included in the Neighbourhood Plan.	Agree. Concept Plan to be inserted after Policy NM3 – Land east of Caird Avenue.

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<p>PM2</p>	<p>Policy NM3 c iii, Page 36</p> <p>Correct the wording of NM3 c.iii to read: “...Habitat Regulations and the relevant adopted New Forest Special Protection Area Mitigation Strategies or any future relevant requirements...”</p>	<p>Criterion iii. of Policy NM3 should be corrected in the interests of accuracy and further clarified to specify that the ‘future requirements’ referred to, should be relevant and I recommend accordingly.</p>	<p>Agree to amend criterion c (iii) of Policy NM3 in accordance with the Examiner’s recommendation.</p>
<p>PM3</p>	<p>Paragraph 6.14, Page 37</p> <p>Specify the Local Plan referred to in the first sentence as the New Forest District (outside the National Park) Local Plan Part 2: Sites and Development Management (2014) and delete The residential element of the site, as set out in Policy NMT4 (54 homes), will be addressed on opportunity sites in the town centre regeneration area as set out in the supporting text to Policy NM5.”</p>	<p>It would be helpful to clarify which Local Plan is being referred to; Polices NMT4 and NMT5 are part of the New Forest (outside the National Park) Local Plan Part 2: Sites and Development Management (April 2014); and secondly, the last sentence should be deleted because it is misleading and unclear.</p>	<p>Agree to amend paragraph 6.14 in accordance with the Examiner’s recommendation.</p>
<p>PM4</p>	<p>Policy NM4, Page 38</p> <p>Amend criterion vi. to read: “vi. Does not cause significant harm to the amenities, health and well-being of existing nearby residents...”</p>	<p>In order to further strengthen the policy and more accurately reflect the National Design Guide (for example see pages 1 and 123 of the Guide), it is recommended that Policy NM4 vi. should refer to ‘health and well-being’.</p>	<p>Agree to amend criterion (vi) of Policy NM4 in accordance with the Examiner’s recommendation.</p>
<p>PM5</p>	<p>Paragraph 6.21, Page 39</p>	<p>In order to ensure that the most up-to-date advice on the matter is acknowledged, it is recommended that a new paragraph be</p>	<p>Agree to insertion of additional paragraph referring to the</p>

	<p>Insert a new paragraph after paragraph 6.21 to read:</p> <p>“Where appropriate the design of proposed development should be informed by the 10 characteristics of well-designed places as explained in Part 2 of the National Design Guide (October 2019).”</p>	<p>inserted after 6.21 to make reference to the National Design Guide (2019).</p>	<p>National Design Guide (2019) and make corresponding changes to subsequent paragraph numbering.</p>
<i>Policies Maps</i>			
PM6	<p>Town Centre Policies Inset Map, Page 77</p> <p>Clarify the plan on page 77 by differentiating between the open Recreation Ground and the area for the cultural and community hub.</p>	<p>In the interests of clarity, I recommend that the Plan differentiates between the open Recreation Ground and the area for the cultural and community hub.</p>	<p>Agree to amend the Town Centre Policies Inset Map on page 77 as recommended.</p>
<i>Chapter 6 – Land Use Policies</i>			
PM7	<p>Policy NM7, Page 50</p> <p>Amend title of policy to read:</p> <p>“Policy NM7 Cultural & Community Hub and War Memorial Recreation Ground.”</p>	<p>In order that this clarity in the Town Centre Policies Inset Map is reflected in the policy, it is also recommended that the title of the policy be amended accordingly.</p>	<p>Agree to amend the title of Policy NM7 as recommended by the Examiner. This also affects the policy wording on page of the Plan.</p>
PM8	<p>Policy NM13, Page 59</p>	<p>Policy NM13 includes references to three areas: Seafront, Gardens and Becton Bunny but it is unclear to the reader what</p>	<p>Agree to the insertion of the word ‘Barton’ in Policy</p>

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	Insert ' Barton ' before the two sub-headings of 'Seafront' and 'Gardens'.	the boundaries of these areas are. I therefore recommend, in the interests of clarity that the titles of the two areas: 'Seafront' and 'Gardens', are clarified by the inclusion of the word 'Barton' before them.	NM13 as recommended by the Examiner.
PM9	Paragraph 6.77, Page 60 Add a footnote to the paragraph stating: "See the New Milton Local Distinctiveness Supplementary Planning Document for more advice."	In the interests of clarity cross-reference to the New Milton Local Distinctiveness SPD should be included in a footnote to paragraph 6.77.	Agree to the insertion of a new footnote reference to the New Milton Local Distinctiveness SPD as recommended.
PM10	Policy NM15, Page 63 Insert the word satisfactorily before the word 'demonstrated'.	The loss of employment land should only be supported in exceptional cases and therefore the employment policy should be as clear as possible. To that end, it is recommended that the word 'satisfactorily' be inserted before 'demonstrated', thus removing any doubt.	Agree to the insertion of 'satisfactorily' in Policy NM15 in accordance with the Examiner's recommendation.
PM11	Paragraph 6.92, Page 69 Insert a new paragraph 6.92 to read: "In an area where there is likely to be significant change, it is important that the adopted policies are appropriately monitored to ensure that any change in circumstances can be properly addressed. To that end New Milton Town	It is important that plans, of whatever scale, are appropriately monitored in order to ensure that they remain effective. There is an important role for New Milton Town Council in this process, but this is not reflected in the text on page 69. It is therefore recommended that a new paragraph is inserted before paragraph 6.92 to more accurately reflect the situation.	Agree to the insertion of a new paragraph on monitoring in accordance with the Examiner's recommendation.

	Council, with the support of the District Council and the National Park Authority, will continue to act as guardian of the Neighbourhood Plan and keep the content and implementation of the policies under review.”		
PM12	<p>Paragraph 6.92, Page 69</p> <p>Renumber the paragraph 6.93 and amend the wording to read:</p> <p>“There will be a role for the Plan will be monitored by New Forest District Council...”</p>	<p>It is important that plans, of whatever scale, are appropriately monitored in order to ensure that they remain effective. There is an important role for NMTC in this process, but this is not reflected in the text on page 69. It is therefore recommended that a new paragraph is inserted before paragraph 6.92 to more accurately reflect the situation and that accordingly the current paragraph 6.92 is renumbered and amended in the interests of clarity.</p>	<p>Agree to the re-numbering of the paragraph and the revised wording to provide clarity on the monitoring section of the Neighbourhood Plan.</p>
<i>Chapter 3 – Planning Policy Context</i>			
PM13	<p>Paragraph 3.7, Page 22</p> <p>Amend the sub-title above paragraph 3.7 to read:</p> <p>“The New Forest District Local Plan Review Part 1 2016-2036.”</p> <p>Update the wording of paragraph 3.7 to reflect the most up-to-date situation with</p>	<p>There are a small number of changes required to ensure that there is consistency between the New Forest District Local Plan Review Part 1 and the New Milton Neighbourhood Plan and thus to improve clarity. The Local Plan should be correctly titled above paragraph 3.7, and that paragraph itself should be updated to reflect the current status of the New Forest District Local Plan Review Part 1.</p>	<p>Agree to amend the sub-title above paragraph 3.7 in accordance with the Examiner’s recommendation. Paragraph 3.7 will be updated to reflect the most up to date situation on the NFDC Local Plan</p>

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	regard to progress on adopting the aforementioned Local Plan.		Review Part 1 prior to the Neighbourhood Plan being presented for referendum.
PM14	Paragraph 3.8, Page 23 In the third bullet point, insert the word around between 'for' and 'an'.	There are a small number of changes required to ensure that there is consistency between the New Forest District Local Plan Review Part 1 and the New Milton Neighbourhood Plan and thus to improve clarity. The reference in paragraph 3.8 should be to 'around' an additional 200 homes.	Agree to amend paragraph 3.8 in accordance with the Examiner's recommendation to ensure consistency with the NFDC Local Plan Review Part 1.
PM15	Paragraph 3.8, Page 23 Amend the fourth bullet point to read: "All open market Housing on developments of 100 homes or more to include provision of at least three non-standard types/tenures a broad mix of new homes."	Bullet point 4 in paragraph 3.8 should be amended to reflect a proposed Main Modification to the Local Plan 2016-2036 Part 1.	Agree to amend paragraph 3.8 in accordance with the Examiner's recommendation to ensure consistency with the NFDC Local Plan Review Part 1.
PM16	Paragraph 3.8, Page 23 Amend the fifth bullet point to read: "A target of 50% affordable housing..."	The fifth bullet point in paragraph 3.8 should refer to 'a target' to reflect a proposed Main Modification to the Local Plan 2016-2036 Part 1.	Agree to amend paragraph 3.8 in accordance with the Examiner's recommendation to ensure consistency with the NFDC Local Plan Review Part 1.

<p>PM17</p>	<p>Paragraph 3.8, Page 23</p> <p>In the last bullet point replace Suitable Alternative Natural Greenspace (SANG) with Alternative Natural Recreational Greenspace (ANRG).</p>	<p>In the last bullet point in paragraph 3.8 the reference to Suitable Alternative Natural Greenspaces (SANG) should be replaced with Alternative Natural Recreational Greenspace (ANRG) to reflect a proposed Main Modification to the Local Plan 2016-2036 Part 1.</p>	<p>Agree to amend paragraph 3.8 in accordance with the Examiner’s recommendation to ensure consistency with the NFDC Local Plan Review Part 1.</p>
<p><i>Glossary</i></p>			
<p>PM18</p>	<p>Glossary, Page 89</p> <p>Replace the sub-heading of Suitable Alternative Natural Greenspace (SANG) with Alternative Natural Recreational Greenspace (ANRG) and insert a revised definition to read:</p> <p>“Greenspace used as mitigation or avoidance to reduce recreational use of the New Forest Special Protection Area.”</p>	<p>In the last bullet point in paragraph 3.8 the reference to Suitable Alternative Natural Greenspaces (SANG) should be replaced with Alternative Natural Recreational Greenspace (ANRG) to reflect a proposed Main Modification to the Local Plan 2016-2036 Part 1. This in turn will require the Glossary to define ANRG rather than SANG.</p>	<p>Agree to amend paragraph 3.8 in accordance with the Examiner’s recommendation to ensure consistency with the NFDC Local Plan Review Part 1.</p>
<p><i>Chapter 3 – Planning Policy Context</i></p>			
<p>PM19</p>	<p>Paragraphs 3.9 and 3.10, Page 23</p> <p>Delete paragraphs 3.9 and 3.10, as the document has been superseded.</p>	<p>Paragraphs 3.9 and 3.10 refer to the superseded National Park Core Strategy and Development Management Policies DPD (2010) and should therefore be deleted.</p>	<p>Agree to the deletion of paragraphs 2.9 and 3.10 in accordance with the Examiner’s recommendation.</p>

PM20	<p>Paragraphs 3.11 to 3.13, Page 23</p> <p>These paragraphs should be updated to reflect the situation regarding the NFDLPR Part 1 at the time that the NMNP is made. As it is a matter of factual accuracy, I will leave the exact wording to NMTC to decide.</p>	<p>Paragraphs 3.11 to 3.13 should be updated to reflect the fact that the New Forest National Park Local Plan has now been adopted.</p>	<p>There is a discrepancy between paragraph 4.48 of the Examiner’s Report – which correctly refers to the NPA’s adopted Local Plan (August 2019); and PM20 which instead refers to the NFDLPR Part 1. As the Examiner is content to leave the exact revised wording to the Town Council, it is decided that paragraphs 3.11 – 3.13 should be updated to correctly refer to the NPA’s adopted Local Plan (2019).</p>
<i>Chapter 2 – The Neighbourhood Area</i>			
PM21	<p>Paragraph 2.13</p> <p>Remove the reference to Totton.</p>	<p>It has been confirmed by the New Milton Town Council that there is no university at Totton and therefore that reference in paragraph 2.13 should be deleted.</p>	<p>Agree to the revision to paragraph 2.13 in accordance with the Examiner’s recommendation.</p>

<i>Chapter 6 – Land Use Policies</i>			
PM22	Paragraphs 6.50 and 6.51, Page 48 Insert footnotes with regard to a link to 'Pedestrian Pound' and 'The Grimsey Review 2'.	In the interests of clarity, it is recommended in PM22 that appropriate footnotes are provided with regard to the 'Pedestrian Pound' report and the 'Grimsey Review' as referred to on page 48	Agree to insert footnotes to paragraphs 6.50 and 6.51 in accordance with the Examiner's recommendation.
<i>Appendix E – Flood Risk</i>			
PM23	Appendix E, Page 83 Insert Fluvial before both references to flood risk.	In the interests of clarity, Appendix E should be entitled Fluvial Flood Risk	Agree to amend the wording in Appendix E in accordance with the Examiner's recommendation. This revision will also be reflected on the Contents page on page 3 of the Plan.
<i>Glossary</i>			
PM24	The Glossary, Page 86 Delete references to Department of Communities and Local Government and replace with Ministry for Housing, Communities and Local Government .	There are a number of references in the Glossary that should be updated, and the role of the National Park Authority should be explained. I am content to leave the exact wording to the New Milton Town Council as the modifications relate to matters of fact.	Agree to the revisions to the Glossary in accordance with the Examiner's recommendations. These are factual updates and will include an entry for

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	<p>Update the entry under 'Examination' to reflect, if possible, the situation when the NMNP is made.</p> <p>Add a new paragraph under NFNPA to explain the role of the National Park Authority as one of the two statutory planning authorities for the Neighbourhood Plan Area.</p>		<p>the New Forest National Park Authority.</p>
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3.3 In addition to the modifications recommended in the Examiner's Report (December 2019), the National Park Authority, New Forest District Council and New Milton Town Council have identified two further minor amendments required to the version of the Neighbourhood Plan submitted for independent examination. Neither of these affect the 'Basic Condition' assessment but help to improve the clarity of the Neighbourhood Plan and the consistency with the respective Local Plans prepared by the National Park Authority and District Council. For clarity this 'Decision Statement' therefore also sets out these amendments.

Report Ref.	Examiner's Report Extract	Commentary	NPA Decision
PM25	<p>Paragraph 4.49 of the Examiner's Report states,</p> <p><i>"Paragraph 6.82 refers to Policy CP11 of the Core Strategy. This has now been superseded by Policy SP28 of the recently adopted NFNPLP. Earlier PM16 recommends that this paragraph be updated accordingly."</i></p>	<p>This constitutes a factual update. However, PM16 in the Examiner's Report refers to the New Forest District Council Submission draft Local Plan, rather than the National Park Authority's Local Plan. It is therefore agreed that paragraph 6.82 of the Neighbourhood Plan is updated outside of the Examiner's proposed modifications to correctly refer to Policy SP28 in the adopted New Forest National Park Local Plan (August 2019).</p>	<p>Paragraph 6.82 of the Plan is updated to correctly refer to Policy SP28 in the adopted New Forest National Park Local Plan (August 2019). This is a factual update.</p>

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<p>PM26</p>	<p>Paragraph 4.50 of the Examiner’s Report states,</p> <p><i>“Policy 6.11 refers to submission Local Plan Policy 17. This may need to be updated depending on the final wording of the policy on adoption of the NFDLPR Part 1. Indeed, I would invite the NMTC to ensure that any references to that document in the supporting text of the NMNP do reflect the most up-to-date version of the Local Plan review at the time the NMNP is made.”</i></p>	<p>The Examiner’s Report invites New Milton Town Council to ensure that any references to the New Forest District Local Plan Review Part 1 reflect the most up to date version of the Local Plan review at the time the Neighbourhood Plan is made (although there is no corresponding proposed modification).</p> <p>It is concluded that these factual cross-references can be made at the discretion of the Town Council, working with New Forest District Council and the National Park Authority.</p>	<p>In accordance with PM13, the Neighbourhood Plan will be updated to reflect the most up to date situation on the NFDC Local Plan Review Part 1 prior to the Neighbourhood Plan being presented for referendum.</p>
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