

New Milton Neighbourhood Plan - Frequently Asked Questions

March 2025

General

What is neighbourhood planning?

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area, including where new homes, shops and offices should be built, and what those new buildings should look like. Neighbourhood planning can identify what infrastructure should be provided, and in some cases grant planning permission for the new buildings they want to see go ahead (Neighbourhood Development Orders). Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

Paragraph: 001 Reference ID: 41-001-20190509 (Neighbourhood Planning PPG)

What is a neighbourhood plan?

A neighbourhood plan guides future development, regeneration and conservation of an area. It is about the use and development of land which typically includes a vision, aims, planning policies, and specific proposals for improving the area or providing new facilities.

It can focus on one or two issues such as heritage, transport or housing or can cover a wide range of issues. It can allocate sites for specific kinds of development, but it doesn't have to. It is up to those producing the plan to decide on its scope and content.

A neighbourhood plan, once made, will become part of the statutory development plan for the area. This statutory status is important as it means neighbourhood plans have more weight than other local documents such as village design statements or parish plans.

Can a neighbourhood plan or order be produced before or at the same time as the local planning authority is working on a new Local Plan?

Yes. Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before, at the same time as the local planning authority is producing its Local Plan.

A draft neighbourhood plan or order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic conditions. So, whilst a draft neighbourhood plan or order is not tested against the policies in an emerging Local Plan, the reasoning and evidence informing the Local Plan process is likely to be relevant and useful in developing the plan or order. For example, up to date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or order contributes to the achievement of sustainable development.

Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:

- the emerging neighbourhood plan



- the emerging Local Plan
- the adopted development plan

With appropriate regard to national policy and guidance, the parish, town council or forum and the local planning authority should work together positively to share evidence, resolve any issues or conflicts and produce complementary plans. It is important to minimise conflicts between policies in an emerging neighbourhood plan and those in an emerging Local Plan because if there is any conflict between the plans, then the conflict has to be resolved in favour of the policy in the last i.e. most recent document to become part of the development plan.

Do town and / or parish councils make the final decision on all new development in their area if they have a neighbourhood plan?

Decision making on planning applications rests with the local planning authority. The community leads on preparing the neighbourhood plan and setting out the policies for development in their area, but it is the LPA (in this case NFDC for New Milton and Barton-on-Sea or the New Forest National Park Authority for Bashley) that will grant planning permission in accordance with those policies and be responsible for enforcing them.

What are the benefits to a community of developing a neighbourhood plan or Order?

Neighbourhood planning enables communities to play a much stronger role in shaping the areas in which they live and work and in supporting new development proposals. This is because a neighbourhood plan forms part of the development plan and sits alongside the local plan prepared by the local planning authority. Decisions on planning applications will be made using both the local plan and the neighbourhood plan, and any other material considerations.

Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people. They can put in place planning policies that will help deliver that vision or grant planning permission for the development they want to see.

To help deliver their vision, communities that have neighbourhood plans will benefit from 25% of the revenues from the Community Infrastructure Levy (CIL) arising from the development that takes place in their area, where their authority collects contributions using this method.

The use of neighbourhood CIL funds should therefore match priorities expressed by local communities, including priorities set out formally in neighbourhood plans.

Paragraph: 003 Reference ID: 41-003-20190509 (Neighbourhood Planning PPG)

Does a neighbourhood plan have the same legal status as the local plan?

Yes. A neighbourhood plan attains the same legal status as a local plan (and other documents that form part of the statutory development plan) once it has been approved at a referendum. At this point it comes into force as part of the statutory development plan. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (see section 38(6) of the Planning and Compulsory Purchase Act 2004).

Paragraph: 006 Reference ID: 41-006-20190509 (Neighbourhood Plan PPG)



In what ways can a neighbourhood plan or order be changed?

There are 3 types of modification which can be made to a neighbourhood plan or order. The process will depend on the degree of change which the modification involves:

Minor (non-material) modifications to a neighbourhood plan or order are those which would not materially affect the policies in the plan or permission granted by the order. These may include correcting errors, such as a reference to a supporting document, and would not require examination or a referendum.

Material modifications, which do not change the nature of the plan or order, would require examination but not a referendum. This might, for example, entail the addition of a design code that builds on a pre-existing design policy, or the addition of a site or sites which, subject to the decision of the independent examiner, are not so significant or substantial as to change the nature of the plan.

Material modifications, which do change the nature of the plan or order, would require examination and a referendum. This might, for example, involve allocating significant new sites for development.

Do neighbourhood plan updates require a referendum?

Where material modifications do not change the nature of the plan, a referendum is not required. A local planning authority will be required to make the modified plan within 5 weeks following receipt of the examiner's report, or such later date as agreed in writing between the local planning authority and the qualifying body.

Where material modifications do change the nature of the plan, the local planning authority would publish and consider the examiner's report in line with the procedure for making a new neighbourhood plan. A decision may be made whether to proceed to referendum so that, if the referendum is successful, the neighbourhood plan becomes part of the development plan.

How is the decision on whether modifications change the nature of the plan made?

Whether modifications change the nature of the plan is a decision for the independent examiner. The examiner will consider the nature of the existing plan, alongside representations and the statements on the matter made by the qualifying body and the local planning authority.



New Milton Neighbourhood Plan

Who leads the New Milton Neighbourhood Plan Review?

New Milton Town Council is the qualifying body. They have appointed a Steering Group of Councillors and Community Representatives to co-ordinate the process of reviewing the neighbourhood plan. The Council has also appointed a planning consultancy ONH, who provided support for the original Neighbourhood Plan to guide the review process.

What is the process of reviewing the NMNP and how long will it take?

The development of the Plan.	Statutory terms.
Formally consulting residents on the draft review of the Neighbourhood Plan (6 weeks). Early Summer 2025	Regulation 14 (Pre-submission)
Submission of the Plan and accompanying documents to NFDC for legal compliance check. Later Summer 2025	Regulation 15
NFDC carry out a further public consultation on the Neighbourhood Plan (6 weeks). Autumn 2025	Regulation 16 (Submission)
The Neighbourhood Plan is submitted to an Independent examiner for scrutiny. Winter 2025/26	Examination
Examiners report is submitted to NFDC. Plan adopted, unless change of nature test* results in referendum being required. Winter 2026	Adoption

* See **Do neighbourhood plan updates require a referendum?** above for whether a referendum is required.

Why are we updating the Neighbourhood Plan now?

New Forest District Council took the decision in early 2024 to update their Local Plan. This includes a review of the Green Belt around New Milton and a requirement to bring forward more housing than in previous Local Plans.

This was the initial driver for New Milton Town Council to approve a review the Neighbourhood Plan, which commenced at the beginning of 2024, with three main objectives:

- 1) Review the efficacy of existing policies, modifying policy wording and update evidence bases as required.
- 2) Introduction of new policies where needed.
- 3) Seek to identify opportunities for brownfield development sites to reduce the amount of greenbelt release required by NFDC in their emerging Local Plan.



Further to that decision being made, the change of government in July 2024 has impacted the planning system significantly, including a threefold increase in the housing number sought for the New Forest District. This has increased the pressure on NFDC to find additional locations for development and as such, the work being undertaken by the Neighbourhood Plan to identify and maximise the amount of appropriate brownfield sites available for development, will help reduce the overall amount of greenfield development which may otherwise be required. The Neighbourhood Plan also seeks to protect locations that would be inappropriate for redevelopment and ensure that the community has the right mix of employment, residential, commercial and community spaces and facilities to maintain a sustainable town for the future. That is not to say that the Neighbourhood Plan will negate the need for any further Greenbelt release, but it will try to demonstrate that brownfield options are both plausible and deliverable by highlighting what would be supported locally to minimise what may be required.

The review of the NMNP also responds to the increasing importance and emphasis on the impacts of climate change and how these can be mitigated at a local level through the introduction of new policies supporting energy efficiency, green infrastructure and further support for active travel and walkable communities.

When does the Neighbourhood Plan carry weight in the planning process?

The original New Milton Neighbourhood Plan (NMNP) which was adopted in 2021 carries full weight in the planning process at the moment. However, since its publication, there have been a number of changes to the planning system and a decision made by NFDC to review their Local Plan and the review of the NMNP will take account of these changes. The changes will start to carry limited weight once the Plan is submitted to NFDC and will carry more weight once it goes to the examiner with full weight after examination once it is adopted.

An emerging neighbourhood plan is likely to be a material consideration in many cases. Paragraph 48 of the revised National Planning Policy Framework sets out that weight may be given to relevant policies in emerging plans in decision taking. Factors to consider include the stage of preparation of the plan and the extent to which there are unresolved objections to relevant policies.

Section 70(2) of the Town & 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.

Are any of the existing policies in the NMNP changing?

Yes, the engagement material identifies which of the existing policies are changing, due to changes in local circumstances or because the policy would work better with a change of emphasis.

These include identifying specific sites within the employment policy to seek to protect them from redevelopment to residential and changes to the town centre policy to reflect the identification of new potential development sites. It also includes updating the design policy now supported by New Milton Design Codes and Guidance report and providing more extensive walking and cycling opportunities.

Please see each policy area online or in the slide pack for further information.

There are also a number of policies which are proposed to remain unchanged as they are working well in their current form.

Are there any new policies proposed?



Yes, there are six new policies proposed:

- NM20 Biodiversity
- NM21 Energy Efficiency
- NM22 Maintaining and enhancing the conservation area.
- NM23 Local Shops
- NM24 Brownfield Sites
- NM25 Area of Special Character

Can you tell me about the new policies?

NM20 **Biodiversity** - focuses on nature, wildlife and green infrastructure. The original NMNP included this within NM4 Design Guidance but with the increasing importance of nature to our health and wellbeing and the introduction of the Environment Act 2021, it was felt this area should be a stand-alone policy in its own right.

NM21 **Energy Efficiency** - this looks principally at addressing the performance gap between how new build properties perform on paper and in real life once built. It ensures that all new buildings are zero carbon by design and the whole life emissions of a building. It is also more cost effective to embed these factors at the build stage rather than having to undertake a costly retrofit at a later date in order to reduce energy consumption. We have been asked if there is an EPC equivalent value for this policy. The answer is no, as [EPC measures different metrics](#) but as a guide PassivHaus properties are rated A.

NM22 **Conservation Area** - maintenance and enhancement - this policy seeks to protect and enhance the existing conservation area around Old Milton by introducing a retrofit policy which can assist with introducing sustainable energy adaptations to buildings in an area where this can be difficult due to the designation. This ensures there is no reason for the decline of buildings in the conservation area because they are too costly to run. It also supports proposals from applicants who seek to undertake work to buildings in this area which are currently detracting from the appearance of the conservation area by encouraging them to make positive changes.

NM23 **Local Shops** - whilst the NMNP has a strong focus on reinforcing the functions of the town centre and seeking to allocate brownfield sites for redevelopment to help the vitality of the core of the town, this policy seeks to ensure that residents also have a walkable option for everyday convenience goods, so they don't have to rely on use of a car for essential items and can "pop to the shops" within their neighbourhood on foot or by bicycle. It therefore identifies where these shops are and seeks to protect them where possible. Whilst a number of changes of use do not need planning permission, where it is required, this policy is designed to demonstrate the need for these facilities to be retained /consequences for local neighbourhoods of their loss.

NM24 **Brownfield Sites** - as part of the assessment of previously developed land across the parish, these sites have been identified outside of the town centre as potential sites for redevelopment to residential. As such, the policy is effectively indicating which employment use sites may be suitable for this purpose, located in areas which would not adversely impact the main employment sites in the town but may also help reduce the amount of greenfield sites which are required to meet local housing needs in the district.

NM25 **Area of Special Character** - The Town Council previously identified this area around the Station as a



potential new conservation area in 2014. Whilst an NP cannot designate a conservation area, there is sufficient heritage and historic interest in this area to identify as a non-designated heritage asset. This does not stop development or redevelopment in this area but seeks to ensure that any sites coming forward for residential led or mixed-use schemes under the town centre recognise and take account of the special qualities of this area and the buildings within it.

Are any policies being deleted and why?

There are two policies which potentially may be deleted -

NM8 Health and Wellbeing Centre

NM9 Business and Innovation Centre

Since the adoption of the NMNP in 2021 there has been no progress in respect of the two centres being delivered in the specified locations. As such, the suggestion is that one or both of these facilities could be provided at Caird Avenue, near the new supermarket under policy NM3. Discussions are on-going with the land interests, but we welcome your thoughts, particularly in relation to the Health and Wellbeing Centre which needs an expanded facility in the coming few years.

What is the need for housing in New Milton?

This is a difficult question to answer currently. The Steering Group has commissioned a Housing Needs Survey from consultants AECOM, which looks at housing stock, cost of living, house prices, demographic information etc to consider the local requirement for different types and sizes of houses and whether new housing should be to support older people or those looking to buy their first home or those looking to rent either privately or through a housing provider. What we do know is that the housing requirement figure for NFDC which is issued to them has risen from 575 per annum to 1,501 per annum across the district. We also know that currently nowhere near 575 per annum are being delivered, it is less than half of that figure, so there is a chronic need to find suitable, sustainable locations to build houses. The Steering Group has therefore taken the decision to try and help bring forward as many appropriate brownfield sites as possible to reduce the amount of greenfield sites and Greenbelt release needed by NFDC to try and meet their housing requirement. Brownfield sites alone will not be enough but encouraging those to come forward and supporting their development for residential particularly in town centre locations where they can also help sustain the High Street with additional footfall, will all help.

But what about our community? We don't want more houses everywhere!

The NMNP, much like the Local Plan, seeks to find a balance between housing and other planning related matters which are important to communities, such as nature and biodiversity, local facilities and the setting, look and feel of neighbourhoods. The NP seeks to protect what is important to the community, defines and retains the character and heritage of New Milton of today and yesterday as well as making it resilient to climate change and environmental impacts of tomorrow and ensuring its setting between the forest and the beach is maintained and strengthened, helping to reduce health inequalities and facilitating access to services and jobs.

Other Matters

What can the neighbourhood plan cover?

A neighbourhood plan is a planning document that guides future development in the plan area. It can only deal with the development and use of land. Neighbourhood plans cannot deal with non-planning matters.

Neighbourhood plans did not have to include policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need.

A neighbourhood plan can also allocate sites for development, including housing. A qualifying body should carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.

Although neighbourhood plans cannot deal with non-planning issues, often other issues and community projects or actions will have been considered through the community engagement process. Whilst these issues cannot be delivered through the planning system and therefore cannot be included as planning policies, non-planning content can be included separately from the plan, for example in a separate section or in an appendix.

Should a Neighbourhood Plan look to engagement with landowners and developers?

Early and ongoing engagement with landowners and developers can help to deliver your plan and minimise objections or issues at later stages.

Why engage with landowners and developers?

- Identify potential suitable sites for development
- To help identify any constraints on a site such as contamination or access
- To get agreement that site / land is available for development or a designation such as a Local Green Space
- To avoid surprises at later stages of plan making
- To ensure that development is viable and can be delivered on a site
- To help with drawing up schemes
- To get information about the local market and demand for housing in your area

Once you have identified the landowners and developers, the next step is to talk to them. This can be nerve racking and often is resisted by local residents. The key is to engage with them in an open and transparent way. Engage as soon as you can and continue that engagement throughout the process as this will allow discussions and issues to be resolved sooner rather than later.

Be transparent; invite landowners and developers for a meeting but set an agenda and take notes. These can be published and form part of your evidence base. Ensure that more than one person from the Group attends the meetings and ideally a third party is there.

Recognise there will be commercial sensitivities and that often the conversations will take place in confidence. Make sure the community is aware of what is happening and understands the need for development; outcomes - rather than the details - may still be recorded.

Sometimes, developers can be invited to address the community via an open day. Invite comments from landowners, developers and businesses as an integral part of your engagement.

What are Basic Conditions?



In order to be made, or adopted, the neighbourhood plan must meet “basic conditions”. These include compliance with European and national legislation, contributes to the achievement of sustainable development, having appropriate regard to national policy and being in general conformity with existing strategic local planning policy. There are also two additional ones that apply to neighbourhood development orders, and these relate to listed buildings and their settings and conservation areas.

What are the basic conditions?

- having regard to national policies and advice
- contributing to the achievement of sustainable development
- being in general conformity with the strategic policies in the development plan
- not being in breach of, and being otherwise compatible with, EU obligations
- not likely to have a significant effect on a European site

General conformity means that the neighbourhood plan should support and uphold the principle of the strategic policy. If there is any conflict, the degree of conflict will be considered. The rationale and evidence for the neighbourhood plan policy will also be taken into account as it might provide a distinct local approach or additional layer of detail without undermining the strategic policy.

How is a Neighbourhood Plan examined?

An independent examiner will test whether the draft neighbourhood plan or order meets the basic conditions and other matters which are:

- the plan has been prepared and submitted for examination by a qualifying body
- it has been prepared for an area that has been properly designated
- it does not relate to more than one neighbourhood area
- it specifies a time period
- it does not include provision about excluded development
- its policies relate to the development and use of land for a designated neighbourhood area.

Usually, the examiner should be able to undertake the examination by written representations. This means that the documents accompanying the plan and any representations made during the consultation period on the draft plan will be the main source of information for the examiner.

However, if the examiner considers it necessary to give a person a fair chance to put a case or to make sure there is adequate examination of an issue, a hearing can be held. The examiner will set the agenda for this, selecting the issues s/he wishes to discuss and invite the participants which will always include the parish or town council or forum and the local planning authority. Hearings will always be held in public.

The examiner must make one of three recommendations: a) that the plan can proceed to a referendum on the basis it meets all the necessary legal requirements or b) that the plan can proceed to a referendum subject to modifications or c) the plan should not proceed to a referendum on the basis it does not meet the necessary legal requirements.

If the examiner considers the plan can proceed to referendum with or without modifications, the referendum area is also considered, and the examiner can recommend the referendum area be extended beyond the neighbourhood area.

The examiner must send their report to the local planning authority and the qualifying body.

Is an environmental assessment required of a neighbourhood plan?

A neighbourhood plan may require a strategic environmental assessment if the draft neighbourhood plan falls within the scope of the Environmental Assessment of Plans and Programmes Regulations 2004. This may be the case if it is likely to have a significant effect on the environment. This may be the case, for example, where a neighbourhood plan allocates sites for development.

Neighbourhood plans may also require assessment in relation to the Habitats Regulations 2017. A neighbourhood plan proposal must provide sufficient information to enable a competent authority to undertake an appropriate assessment or to screen it to determine whether an appropriate assessment is necessary. If an appropriate assessment is required, then this will engage the need for a strategic environmental assessment.

Paragraph: 073 Reference ID: 41-073-20190509

How should planning applications be decided where there is a neighbourhood plan in force, but the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites?

If the local planning authority cannot demonstrate a 5-year supply of deliverable housing sites, a neighbourhood plan may benefit from the protections set out in paragraph 14 of the National Planning Policy Framework. Paragraph 14 states that the adverse impact of allowing a development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits provided the neighbourhood plan:

- a) became part of the development plan 2 years or less before the date on which the decision is made
- b) contains policies and allocations to meet its identified housing requirement; and
- c) the local planning authority has at least a 3-year supply of deliverable housing sites and housing delivery was at least 45% of that required over the previous 3 years.

The NPPF also states that where a planning application conflicts with an up-to-date neighbourhood plan (as part of the development plan), permission should not usually be granted.

Paragraph: 083 Reference ID: 41-083-20190509

How should a neighbourhood plan allocate sites for development?

Where a neighbourhood planning body intends to allocate sites for development, it will need to carry out an appraisal of options and an assessment of individual sites against clearly identified criteria.



Guidance on general principles for assessing sites and on viability can provide the framework for the assessment of sites. The neighbourhood planning toolkit on site assessments may also be used. A strategic environmental assessment may be required if the plan is likely to have a significant effect on the environment. A neighbourhood planning body is strongly encouraged to consider the environmental implications of its proposals at an early stage, and to seek the advice of the local planning authority.

The site being allocated should be shown on the policies map with a clear site boundary drawn on an Ordnance Survey base map. A policy in the plan will need to set out the proposed land uses on the site, an indication of the quantum of development appropriate for the site and any appropriate design principles that the community wishes to establish.

Paragraph: 098 Reference ID: 41-098-201