

RINGWOOD NEIGHBOURHOOD DEVELOPMENT PLAN – EXAMINER’S REPORT

1. RECOMMENDATION

That Cabinet recommends that the Council agree to:

- i. note the recommendations made in the Examiner’s Report (Appendix 1) into the Ringwood Neighbourhood Development Plan (Appendix 2 shows the submission plan);
- ii. agree the Examiner’s proposed modifications and the NFDC responses to them as set out in the Decision Statement (Appendix 3);
- iii. agree to make the necessary arrangements for the Ringwood Neighbourhood Development Plan to proceed to referendum (the date of the referendum is anticipated to be mid-July 2024).

2. THE PURPOSE OF THE REPORT

- 2.1 This report seeks approval for the modifications recommended by the Examiner of the Ringwood Neighbourhood Development Plan (Appendix 1) and agreement that the Neighbourhood Development Plan can proceed to local referendum.
- 2.2 The referendum is a decision by the residents of Ringwood parish to agree, or not, the Neighbourhood Plan as modified. Therefore in practical terms the decision to approve the Neighbourhood Plan proceeding to referendum would also be an endorsement of the document by the Council in its final form.
- 2.3 It should be noted that as the designated Neighbourhood Plan Area falls partly within the New Forest National Park, the New Forest National Park Authority (NPA) are going through a similar process for the part of the parish within its planning jurisdiction. Once both authorities have agreed their responses to the Examiner’s Report the revised Neighbourhood Plan can proceed to local referendum.

3. BACKGROUND

- 3.1 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, will then become part of the statutory ‘development plan’ for the area alongside the Local Plan. Local planning authorities and planning inspectors considering planning applications or appeals must make their decisions in accordance with the policies of the development plan, unless material considerations indicate otherwise.
- 3.2 The Ringwood Neighbourhood Development Plan ‘Neighbourhood Area’ was designated in February 2021 and covers the whole of the Parish. Just over 50%

of the Neighbourhood Area is within the New Forest National Park, and the remainder is within the District Council's planning area.

- 3.3 Work on the Ringwood Neighbourhood Development Plan has been overseen locally by a steering group of town councillors and community representatives. The Town Council undertook an initial set of surveys and consultations during 2021 and 2022, and published an initial Pre-Submission Neighbourhood Plan in February 2023 for public consultation. Following the submission of the draft Neighbourhood Plan to the two local planning authorities in the summer of July 2023, the Plan was subject to a final 6 week public consultation between 18th August and 29th September 2023.
- 3.4 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 for consideration on 21 November 2023.
- 3.5 The Examiner is required to assess whether the Neighbourhood Plan meets the 'basic conditions', which are that it should:
 - have regard to national policy
 - contribute to the achievement of sustainable development
 - be in general conformity with strategic policies in the development plan
 - be compatible with EU obligations.
- 3.6 The Examiner's role is also, if required, to recommend modifications where they are necessary to enable the basic conditions tests to be met.
- 3.7 The Council (with the National Park Authority) has had a role in providing advice and assistance to the Town Council in producing its Neighbourhood Plan, as required by paragraph 3 of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

4. EXAMINATION

- 4.1 The Ringwood Neighbourhood Development Plan has now been through its Examination and the independent Examiner's report has been received (22 February 2024). Where necessary the Examiner has recommended modifications to the Plan in order that it meets the Basic Conditions and other legal requirements. These are listed at the end of the Examiner's Report (Appendix 1 of this report, pages 21 – 25).
- 4.2 The Examiner's Report concludes that, subject to the modifications set out, the draft Neighbourhood Plan meets the Basic Conditions. The Examiner's Report also recommends that the Plan, once modified, should proceed to Referendum on the basis that it has met all the relevant legal requirements. Ultimately it is the responsibility of the two planning authorities to decide what action to take in response to the Examiner's recommendations. 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. The modifications and the District Councils proposed responses are set out in the Councils Decision Statement (Appendix 3).

- 4.3 Ringwood Town Council met in March 2024 to discuss the Examiner's suggested modifications and agreed that the revisions now proposed to the plan are an appropriate response to the Examiners proposed modifications.
- 4.4 The Examiner concluded that the Referendum area does not need to be extended beyond the designated area to which the Plan relates.
- 4.5 It should be noted that now the Examiner's Report has been received there is a 'duty to have regard' to the post-examination Neighbourhood Development Plan (NDP). Therefore it is a material consideration in the determination of planning applications in Ringwood Parish. If the Referendum result is a 'Yes', and once the Council has formally adopted the NDP, it will become part of the NFDC Local Plan and hold full weight in determining planning applications in Ringwood Parish.

5. NEXT STEPS AND REFERENDUM

- 5.1 Following approval of the Neighbourhood Development Plan and modifications, the Council as 'relevant authority' will:
- publicise the Plan
 - publish the required notices regarding the date of the referendum and
 - Provide information on how people can vote in accordance with the Neighbourhood Planning (Referendums) Regulations 2012.
- 5.2 The Returning Officer is designated as the Counting Officer and is responsible for all arrangements regarding the referendum within the referendum area.
- 5.3 Government guidance confirms that a person is entitled to vote:
- if, at the time of the referendum, they meet the eligibility criteria to vote in a local government election for the referendum area;
 - they have an address at which they are registered to vote within the referendum area and
 - are over the age of 18 years on the date of poll.
- 5.4 If the majority of those who vote (i.e. over 50%) are in favour of the draft Neighbourhood Plan, then the Plan must be 'made' (adopted) by both the District Council and the NPA no later than 8 weeks after the referendum date. It then becomes a part of the statutory Development Plan, alongside the adopted Local Plan.

6. FINANCIAL IMPLICATIONS

- 6.1 Communities that draw up a Neighbourhood Plan and secure the consent of local people in a referendum, will benefit from an increase to 25% (from 15%) of Community Infrastructure Levy monies collected in their area from permissions granted after the plan has been made.

7. CRIME & DISORDER, ENVIRONMENTAL, DATA PROTECTION IMPLICATIONS

- 7.1 The Neighbourhood Plan allows the community to influence local development and facilitates local distinctiveness and granularity to take account of the local environment.

8. EQUALITY & DIVERSITY IMPLICATIONS

8.1 None directly arising.

9. PORTFOLIO HOLDER COMMENTS

9.1 I support the recommendations in the report that the modifications recommended by the Examiner to the Plan be approved and that the Plan should now proceed to a referendum.

For further information contact:

Andrew Herring /

Tim Guymer /

[Plan](#)

Debbie Everett
2023)

andrew.herring@nfdc.gov.uk

tim.guymer@nfdc.gov.uk

debbie.everett@nfdc.gov.uk

Background Papers:

Appendix 1 – Examiners Report

Appendix 2 – [Ringwood Neighbourhood](#)

(Submission Version, July

Appendix 3 – NFDC Decision Statement