

Lymington and Pennington Neighbourhood Plan

Decision Statement

October 2025

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Introduction

- 1.1. New Forest District Council has a statutory duty to assist local communities in the preparation of neighbourhood plans. As the planning authority for the area outside the National Park, the council is also required to support draft neighbourhood plans through the Examination process towards local Referendum.
- 1.2. The draft Lymington and Pennington Neighbourhood Plan was submitted for independent Examination on 13th June 2025 and the Examiner’s Report was issued on 25th September 2025. Under the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended), the District Council 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 by the district council and the draft Lymington and Pennington Neighbourhood Plan has been modified as a result. Therefore the Plan may now proceed to referendum.

Background

- 1.4. The Lymington and Pennington Neighbourhood Plan relates to the area that was designated by New Forest District Council and New Forest National Park Authority in October 2015. This ‘Neighbourhood Area’ corresponds with the Lymington and Pennington Parish boundary and includes land within the administration of both New Forest District Council and New Forest National Park Authority as local planning authorities.
- 1.5. Following the submission of the draft Lymington and Pennington Neighbourhood Plan to New Forest District Council and the National Park Authority, the Plan was publicised and representations were invited for a 6-week period, closing at the end of May 2025.

- 1.6. Mr Andrew Mead BSc (Hons) MRTPI MIQ was appointed by New Forest District Council and New Forest National Park Authority – with the agreement of Lymington and Pennington Town Council - to undertake the examination of the draft Neighbourhood Plan and to prepare a report of the independent examination.
- 1.7. The Examiner’s report concluded that subject to the modifications set out in Table 1 below, the draft Neighbourhood Plan meets the basic conditions. The Examiner recommended that the Plan, once modified, should proceed to Referendum on the basis that it 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.

Decision

- 1.8. As outlined above, the Neighbourhood Planning (General) Regulations 2012 (as amended) require the District Council to outline what action to take in response to the recommendations made in the Examiner’s Report.
- 1.9. New Forest District Council, New Forest National Park Authority and Lymington and Pennington Town Council have considered each of the recommendations made in the Examiner’s report. Ultimately it is the responsibility of the local planning authorities (New Forest District Council and New Forest National Park Authority) 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), New Forest District Council has decided to accept the modifications to the draft Plan. Table 1 on the following pages outline the alterations to be 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 – Modifications

Report reference	Examiner’s recommended modification	Examiner’s Justification	New Forest District Council Decision
PM1 (Policy LP2)	<p>Amend Clause C by the addition of:</p> <p>“... Town Centre Vision, provided the contributions make the proposals acceptable in planning terms and are directly related to the development.”</p>	<p>Ensures compliance with national guidance on planning obligations and aligns with strategic policies.</p>	<p>Accept modification. Strengthens the policy and ensures alignment with national policy.</p>
PM2 (Policy LP3)	<p>Amend the final paragraph to:</p> <p>“For the avoidance of doubt, strategic policy requirements of Bird Aware Solent, the Mitigation for Recreational Impacts on New Forest European Sites SPD, NFDC air quality monitoring and nutrient neutrality will continue to apply.”</p> <p>Amend the boundary for site e) on the Policies Map (Inset 2) to match the Hampshire County Council ownership as shown on the map submitted at paragraph 1.11 of the NFDC response to examiner’s questions dated 18 July 2025.</p> <p>Rephrase the final sentence of paragraph 5.11 of the Plan to:</p> <p>“The Solent Mead site is in split ownership between Hampshire County Council (HCC) and NFDC. A decision was made by HCC in 2025 to close its part of the site and it is therefore likely that that part of the site will become available for development during the Plan period. The NFDC housing on the site will remain.”</p>	<p>Enhances clarity and ensures alignment with habitat mitigation requirements and air quality monitoring, supporting sustainable development.</p>	<p>Accept modification. For improved clarity and accuracy.</p>

Report reference	Examiner’s recommended modification	Examiner’s Justification	New Forest District Council Decision
<p>PM3 (Policy LP4)</p>	<p>Amend paragraph 5.15 of the Plan by the inclusion of the following third sentence: “This approach aims to ensure that residents can access day to day services and amenities, for example, convenience shops, education and healthcare facilities.”</p> <p>Amend paragraph 5.17 of the Plan by the inclusion of a new penultimate sentence: “Uses which are considered to meet day-to-day needs include Class E(a) convenience food retail for up to a total of 500 sq.m of net internal retail floorspace, Class E(b) café, Class E(d) indoor sport and recreation, Class E(e) medical services, Class E(f) day centre or nursery, Class F1 learning and non-residential institution; and/or a Class F2 local community use of an appropriate scale.”</p>	<p>Improves clarity for development management and aligns with national and local retail policies.</p>	<p>Accept modification. Strengthens the policy and ensures alignment with national policy.</p>
<p>PM4 (Policy LP5)</p>	<p>Amend Clause C to: “Proposals including uses which are intended to meet the local communities’ day to day needs may be delivered as ground floor units in a scheme with housing on upper floors …”.</p> <p>Amend the second sentence of Clause D to: “Within this context, clustering of uses intended to meet day-to-day community needs in each broad location is preferred.”</p>	<p>Enhances clarity and legal precision, ensuring the policy is usable and enforceable.</p>	<p>Accept modification. For improved clarity and accuracy.</p>

Report reference	Examiner’s recommended modification	Examiner’s Justification	New Forest District Council Decision
	<p>Amend Clause E to:</p> <p>“Proposals including uses which are intended to meet the local communities’ day-to-day needs must demonstrate that the site is located and accessible by walking, ...”.</p> <p>Amend Clause F to:</p> <p>“Proposals to change the use of land or premises in a walkable community from a use which contributes to meeting the local communities’ day-to-day needs to another use will not be supported.”</p>	<p>Enhances clarity and legal precision, ensuring the policy is usable and enforceable.</p>	<p>Accept modification. For improved clarity and accuracy.</p>
<p>PM5 (Policy LP6 - Paragraph 5.20)</p>	<p>Delete the final sentence and substitute:</p> <p>“LTC will seek to work with NFDC and local community groups in the preparation of a District wide Design Code which is intended to retain the emphasis on local distinctiveness. The Code will be consulted upon as part of a separate process in due course.”</p>	<p>Aligns with national policy which treats SPDs as material considerations, not Development Plan documents.</p>	<p>Accept modification. For improved accuracy.</p>
<p>PM6 (Policy LP7)</p>	<p>Add the following phrase to the end of Clause B:</p> <p>“... taking into account the viability of the scheme.”</p>	<p>Addresses concerns about deliverability and aligns with strategic housing policies.</p>	<p>Accept modification. Strengthens the policy and ensures alignment with national policy.</p>

Report reference	Examiner’s recommended modification	Examiner’s Justification	New Forest District Council Decision
PM7 (Policy LP8)	Amend Clause C to: “All appropriate development should embed Green Infrastructure ...”	Makes the policy more realistic and implementable while supporting nature recovery.	Accept modification. Provides clarity
PM8 (Policy LP11)	Amend Clause A to: “All development (except for householder development) should be “zero carbon ready” ...”. Amend Clause B to: “Where feasible, buildings should aim to be certified to a Passivhaus or equivalent standard with a space heating demand of less than 15KWh/m2/year.” Amend Clause C to: “All planning applications for new or refurbished buildings should include a demonstration to show that their energy efficiency has been tested to ensure that the buildings will perform as predicted at the design stage.”	Post Occupancy Evaluation could affect viability and is difficult to enforce via planning conditions. Modifications ensure the policy remains effective and legally sound.	Accept modification. Strengthens the policy and ensures alignment with national policy.

1.10. New Forest District Council, the National Park Authority and Lymington and Pennington Town Council have also identified further minor amendments (in addition to the modifications recommended in the Examiner’s Report). Neither of these affect the ‘Basic Condition’ assessment and are factual updates or minor clarifications to help the accuracy of the document. For clarity this ‘Decision Statement’ provides these amendments (as set out in Table 2 below).

Table 2 – Additional minor amendments

Neighbourhood Plan section	Commentary	New Forest District Council Decision
<p>Policy LP3 – Amend examiners modification (PM2) to include the National Park mitigation strategy:</p> <p>“For the avoidance of doubt, strategic policy requirements of Bird Aware Solent, the Mitigation for Recreational Impacts on New Forest European Sites SPD in New Forest District, the revised New Forest Habitats Mitigation Scheme SPD in the National Park area, NFDC air quality monitoring and nutrient neutrality will continue to apply.”</p>	<p>The HRA recommended that the policy includes references to the strategic requirements of Bird Aware Solent, the Mitigation for Recreational Impacts on New Forest European Sites SPD and nutrient neutrality which was incorporated into the final sentence of the Submission plan. NFDC asked that a reference is made to air quality monitoring too, and the examiner recommended this (PM2). However, during its 8 October 2025 meeting to agree the examiner modifications, it was noted that for the sake of completeness and accuracy there should also be a reference to the mitigation strategy that addresses development in the parts of the parish that are within the National Park.</p>	<p>Factual updates required to reflect the mitigation scheme in the NPA area.</p>
<p>Policy LP6 (Paragraph 5.20) – Amend examiners modification (PM5) to the correct acronym:</p> <p>Delete the final sentence and substitute:</p>	<p>The examiners modification is accepted, however the acronym that he has used (LTC) is not factually correct and omits the Pennington element: an amendment is made to the proposed modification to reflect the full name of the parish council.</p>	<p>Factual update required to improve accuracy.</p>

<p>"LTC (LPTC) will seek to work with NFDC and local community groups in the preparation of a District wide Design Code which is intended to retain the emphasis on local distinctiveness. The Code will be consulted upon as part of a separate process in due course."</p> <p>Inset acronym into paragraph 1.1 to provide the explanation for what LPTC stands for:</p> <p>"Lymington and Pennington Town Council (LPTC) is preparing a Neighbourhood Plan..."</p>		
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