

**Portfolio holder decision – Portfolio holder for Planning and Economy – 18 March 2026**

**Sandleheath Neighbourhood Plan Public Consultation Response**

Purpose	For Decision
Classification	Public
Executive Summary	<p>Sandleheath Parish Council submitted its draft Neighbourhood Plan for public consultation and subsequent examination. The consultation ran from 5 November to 17 December 2025.</p> <p>New Forest District Council has the opportunity to respond to the draft plan before it is appraised by an independent examiner.</p>
<b>Recommendation</b>	<b>To agree the proposed response to the Sandleheath Neighbourhood Plan consultation provided as Appendix B</b>
Reasons for recommendation	To enable Sandleheath Parish Council to move forward with the examination of its Neighbourhood Plan.
Wards	Downlands and Forest North
Portfolio Holder	Councillor Derek Tipp – Planning and Economy
Interim Strategic Director	Tracey Coleman – Place, Operations and Sustainability
Officer Contact	Andrew Herring Senior Policy Planner 023 8028 5471 andrew.herring@nfdc.gov.uk

**Introduction and background**

1. The purpose of this report is to agree the Council’s response to the Sandleheath Neighbourhood Plan, for consideration by an independent examiner.
2. The main focus of the recommended response is to confirm whether the Sandleheath Neighbourhood Plan is considered to fully meet the

'basic conditions'. These are legal tests set out in regulations that the examiner will assess the Sandleheath Neighbourhood Plan against (these tests are reproduced in Appendix A below). Other comments are suggested where helpful, e.g. to improve clarity or to identify practical considerations. Appendix B sets out the proposed response in full and the main points are summarised in the 'Commentary and Key Matters' section of this report below.

3. Sandleheath Parish was designated a neighbourhood area on 14 March 2024 by New Forest District Council (NFDC).
4. After much preparation work including informal consultation and advisory discussions with NFDC, a Pre-Submission version of the Sandleheath Neighbourhood Plan went out for a 'Regulation 14' consultation period which ran from the 25 June - 19 August 2025.
5. Following additional work to refine the plan, on 18 October 2025 the Sandleheath Neighbourhood Plan was submitted by Sandleheath Parish Council for examination.
6. As the receiving authority, NFDC is required to organise the formal public consultation stage and the subsequent independent examination. The 6-week public consultation ran from 5 November to 17 December 2025.
7. Following consultation, the Sandleheath Neighbourhood Plan and representations received during the public consultation will be considered by an independent examiner at a hearing. Subject to the examiner supporting the plan (including any changes they recommend), the plan will then be voted on in a parish referendum and adopted (by NFDC) if a majority are in support.
8. Once adopted (or 'made'), the Sandleheath Neighbourhood Plan would become part of the NFDC development plan and used alongside the adopted local plan when determining planning applications in the designated Sandleheath Neighbourhood Area.

### **The Sandleheath Neighbourhood Plan (SNP) documents**

9. The focus of the SNP is to protect the unique village identity and way of life and enhance it by ensuring its future is sustainable and community-led, with development sympathetic to the rural character and distinctiveness of Sandleheath. The SNP seeks to maintain the identity of the village and prevent coalescence with Fordingbridge while delivering appropriate housing to meet local needs. In addition, the SNP seeks to protect green infrastructure and biodiversity, improve active travel and connectivity, safeguard local employment and community facilities, and preserve dark skies and heritage

assets. The main document is the submission draft Sandleheath Neighbourhood Plan, including Policy Maps, and appendices:

- Appendix A Sandleheath Design Guidance and Codes (provided separately as a [weblink](#)) provides detailed design principles and coding to ensure new development responds positively to local character, heritage, and sustainability objectives. It includes guidance on layout, scale, materials, and important local views. This document is integral to Policy SAN3.
- Appendix B Sandleheath Transport Management Plan (published separately [here](#)) sets out measures to improve highway safety and pedestrian environments within the village. It identifies phases of traffic calming, public realm improvements, and opportunities for active travel enhancements. This supports Policy SAN8.
- Appendix C Local List of Non-Designated Heritage Assets (located within the SNP document) lists and describes non-designated heritage assets identified in the plan, including their historical significance and contribution to local character. This underpins Policy SAN11.
- Appendix D Vulnerable Species List (located within the SNP document) provides a record of vulnerable wildlife species found in Sandleheath, including fungi, birds, plants, reptiles, and insects. This supports Policy SAN7 (Green Infrastructure) and informs biodiversity considerations.

10. The SNP has 11 policies listed in Section 3 “Vision, Objectives and Policies”:

- 9.1 SAN1 – Spatial Strategy
- 9.2 SAN2 – Local Gap
- 9.3 SAN3 – Design Guidance and Codes
- 9.4 SAN4 – Housing Mix, Type and Tenure
- 9.5 SAN5 – Site Allocations
- 9.6 SAN6 – Local Business and Employment
- 9.7 SAN7 – Green Infrastructure
- 9.8 SAN8 – Connecting the Village
- 9.9 SAN9 – Dark Skies

## 9.10 SAN10 – Mitigating Effects of European Sites

## 9.11 SAN11 – Non-Designated Heritage Assets

11. Sandleheath Parish Council has also submitted:

- A [Consultation Statement](#), summarising engagement and feedback to date.
- A [Basic Conditions Statement](#) setting out how, in the Parish Council's view, the SNP meets the 'basic conditions' for a neighbourhood plan to be found sound, having regard to national policies and advice contained in guidance issued by the Secretary of State.
- A [Strategic Environmental Assessment](#) which considers the likely effects of the plan, with a view to avoiding and mitigating potential genitive effects and maximising potential positive effects.
- A [Habitats Regulations Assessment](#) which identifies any aspects of the SNP that would result in likely significant effects on any habitats sites, and whether the plan would have adverse effects on the integrity of internationally protected sites/species.
- A range of [evidence base documents](#) that informed the SNP.

### **Commentary and Key Matters**

12. The SNP is a well-structured document that for the most part is supported. However, in places it goes beyond the provisions of this Council's Development Plan, and some of the policies may not be in general conformity with the Development Plan. The examiner will need to take a view on these matters and consider any representations from statutory consultees to the SNP Regulation 16 Consultation submitted to NFDC by 17 December 2025.
13. There are therefore a number of vulnerable policies that it is appropriate to make comments on, summarised below. The full proposed response is provided at Appendix A, including a number of additional comments on points of minor detail not summarised here.
14. Policy SAN2 (Local Gap) - the evidence, while relevant, is dated, and the current wording may be considered overly restrictive if not proportionate. It is important to ensure the policy does not conflict with permitted development rights. NFDC recommends minor editing to aid clarity and updated technical evidence to strengthen

robustness and ensure compliance with national policy and Basic Conditions.

15. Policy SAN3 (Design Guidance and Codes) - the policy requires development proposals to have full regard to the Sandleheath Design Guidance and Codes (Appendix A of the SNP). Giving the Design Code "full development plan weight" without formal adoption could be subject to challenge. NFDC recommends clarifying its status as guidance or adopting it as a Supplementary Planning Document (SPD) to ensure compliance and amending the wording accordingly. Please refer below to paragraph 27 in this report regarding the weight of a 'made' Neighbourhood Plan. Additionally, the current justification for this policy is weak and should be strengthened with evidence of deliverability and proportionality. NFDC will work with the Parish Council to explore a Supplementary Plan route or alignment with the district-wide Code.
16. Policy SAN4 (Housing Mix, Type and Tenure) - NFDC agrees that the delivery of smaller units, both affordable and market, is important and reflects local housing need. However, requiring 50% smaller dwellings on schemes of five or more units may impact viability and reduce flexibility. To ensure compliance with national policy and Basic Conditions, wording such as "must" should be amended to "should seek to" to allow professional judgment on a site-by-site basis.
17. Policy SAN5 (Site Allocations) - current evidence does not demonstrate that all obligations can be delivered without affecting scheme viability. NFDC supports the allocation of two strategic sites delivering around 97 dwellings. Delivery of community land transfers, flood risk mitigation, and ecological constraints will require robust evidence and enforceable mechanisms. There is uncertainty over the delivery of active travel and bus improvements given reliance on CIL and S106, any obligation sought will comply with CIL Regulation 122 and be necessary, directly related, and fairly and reasonably related in scale and kind.
18. NFDC recommends clarifying implementation details, and confirming alignment with NFDC's First Homes advice, and providing robust viability evidence.
19. See Appendix B for further details.

### **Corporate plan priorities**

20. The draft policies of the SNP will contribute to three key priorities of the Corporate Plan - People, Place, and Prosperity. The District Council supports the overall vision and strategic approach; however, there are potential gaps in delivery. For example, the SNP does not

actively promote new economic development or diversification beyond small-scale rural enterprises, may not fully deliver improved public transport, lacks explicit policies to support digital infrastructure, and does not include a comprehensive approach to climate adaptation or a low-carbon economy beyond site-specific measures.

### **Options appraisal**

21. Sandleheath Parish Council are the responsible body for the production of the Neighbourhood Plan. It has made the decision to proceed with the drafting of the SNP. The alternative option would be to cease production and rely on national policies and the local development plan, and that was/is a decision for Sandleheath Parish Council to make.

### **Consultation undertaken**

22. Extensive consultation was undertaken by Sandleheath Parish Council. This is set out in the Parish Council's Consultation Statement (October 2025) and published as part of the public consultation in 2025. See [Background Papers here](#).
23. Key milestones included the establishment of a number of working groups in April 2024, informal engagement in November and December 2024 and January to February 2025, full public consultation June to August 2025 (Regulation 14 plan), and a round of consultation on the submission plan from November to December 2025 (Regulation 16 plan).
24. The consultation statement sets out the methods used, the results, and how this was taken into account in the production of the Neighbourhood Plan. NFDC is satisfied that these arrangements comply with the relevant statutory regulations.
25. While the [Consultation Statement](#) meets the legal requirements of Regulation 15(2), some areas could be improved for clarity and completeness. The designation date should be corrected to 14 March 2024, and technical terms such as "Regulation 14" and "Regulation 15" should be briefly explained for non-specialist readers. The main body could include a short summary of statutory consultee engagement rather than relying solely on appendices. The timeline of events, while comprehensive, would benefit from being condensed into bullet points for readability. Minor inconsistencies in terminology and occasional unclear references e.g. "villagisation" should be addressed to ensure clarity and professionalism.

## **Financial and resource implications**

26. The up-front cost of arranging the SNP examination and referendum falls to the district council. Once the Neighbourhood Plan reaches the point that a referendum can be arranged, NFDC is eligible to reclaim £20,000 administrative costs, a sum set by the government. This sum is insufficient to fully cover the costs of arranging examination, hearings (if necessary), and a referendum. Any costs over and above this funding are expected to be capable of being met from existing budgets.
27. Where a Local Planning Authority operates CIL, communities with a made Neighbourhood Plan will receive 25% of CIL receipts from development in their area (compared to a capped 15% without a plan). NFDC has operated CIL since 2015, so this provision applies.

## **Legal implications**

28. The Neighbourhood Plan has been prepared in accordance with the:
  - Localism Act 2011
  - Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations)
  - Conservation of Habitats and Species Regulations 2017 (as amended), and
  - the Neighbourhood Planning (General) Regulations 2012 (as amended).
29. In accordance with paragraph 28 above, the Sandleheath Neighbourhood Area has been designated, a draft plan prepared and consulted on by Sandleheath Parish Council, and submitted to NFDC. It is currently at the Regulation 16 consultation stage.
30. Whilst there are no direct legal implications from the recommendation, it should be noted that a 'made' Neighbourhood Plan becomes part of the statutory development plan under section 38A of the Planning and Compulsory Purchase Act 2004. Its policies carry significant legal weight in determining planning applications within the designated Neighbourhood Area, unless material considerations indicate otherwise under section 38(6) of the 2004 Act. Therefore, it does not have absolute weight.

## **Risk assessment**

31. The Sandleheath Neighbourhood Plan has been prepared in a relatively short timeframe compared to the national average for Neighbourhood Plans. It was prepared by consultant ONH on behalf of the Sandleheath NDP group, and has been subject to several

rounds of public consultation. The evidence base has been informed by a Sustainability Appraisal and Habitats Regulations Assessment. Post-consultation, the draft plan will proceed to independent examination, where the examiner will assess the preparation process, consultation undertaken, and policy content.

32. There is a risk that the draft plan could be found unsound by the examiner, but in most cases a series of modifications are recommended by the examiner, which in most instances can be relied upon to make the plan sound.

### **Environmental / Climate and Nature implications**

33. The consideration of environmental impacts is an integral part of the Neighbourhood Plan preparation process, and the Sustainability Appraisal and Habitats Regulations Assessment have facilitated a full assessment of the effects. These have been sent to the relevant statutory bodies as part of the present public consultation period.

### **Equalities implications**

34. None arising directly from this decision.

### **Crime and disorder implications**

35. None arising directly from this decision.

### **Data protection/ Information governance/ ICT implications**

36. None arising directly from this decision.

### **New Forest National Park / Cranborne Chase National Landscape implications**

37. The statutory purposes of National Parks are:
- conserving and enhancing the natural beauty, wildlife and cultural heritage of the areas designated;
  - promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public
38. The SNP is situated near to the New Forest National Park and the Cranborne Chase National Landscape and does not affect land within it. Please refer to Policy SAN1 in Appendix B.
39. By focusing growth within the built-up area and improving walkable access and green infrastructure, pressure on the National Park and Cranborne Chase National Landscape should be reduced.

## **Portfolio holder endorsement**

40. I have agreed to the recommendation of this report.

Signed: Cllr Derek Tipp

Dated: 18 March 2026

### **Appendices:**

Appendix A – The 'Basic Conditions' tests for Neighbourhood Plans

Appendix B: Proposed Response of New Forest District Council to Sandleheath NP Reg16 Submission Plan

### **Background Papers:**

Published documents.

[Sandleheath Neighbourhood Plan - New Forest District Council](#)

Date on which notice given of this decision – 18 March 2026

Last date for call in – 25 March 2026

## Appendix A: The 'Basic Conditions' tests for Neighbourhood Plans

National Planning Practice Guidance, Paragraph: 065 Reference ID: 41-065-20140306

### What are the basic conditions that a draft neighbourhood plan or Order must meet if it is to proceed to referendum?

Only a draft neighbourhood Plan or Order that meets each of a set of basic conditions can be put to a referendum and be made. The basic conditions are set out in [paragraph 8\(2\) of Schedule 4B to the Town and Country Planning Act 1990](#) as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. The basic conditions are:

- a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan). Read more about [National policy and advice](#).
- b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. Read more about [Listed buildings and conservation areas](#).
- c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders. Read more about [Listed buildings and conservation areas](#).
- d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development. Read more about [Sustainable development](#).
- e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). Read more about [General conformity with the strategic policies contained in the development plan](#).
- f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with, EU obligations. Read more about [EU obligations](#).
- g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan). Read more about [Other basic conditions](#).

The EU obligations and other basic conditions under tests (f) and (g) seeks to ensure that the NP is consistent with EU Directives (transposed into UK law) relating to environmental impact, environmental assessment, the conservation of natural habitats and of wild fauna and flora, air and water quality.

Tests (b) and (c) apply only to Neighbourhood Development Orders and are not relevant to the Sandleheath Neighbourhood Plan.