



Sandleheath Neighbourhood Plan

Regulation 16 consultation on
Submission version

Response of New Forest District Council

March 2026

Version	Author	Date	Changes made
1.0	Andrew Herring	11 March 2026	

Contents

Policy SAN1 (Spatial Strategy)	3
Policy SAN2 (Local Gap)	3
Policy SAN3 (Design Guidance and Codes)	3
Policy SAN4 (Housing Mix, Type, and Tenure).....	4
Policy SAN5 (Site Allocations).....	5
Policy SAN6 (Local Business and Employment)	5
Policy SAN7 (Green Infrastructure)	5
Policy SAN8 (Connecting the Village).....	6
Policy SAN9 (Dark Skies).....	6
Policy SAN10 (Mitigating Effects of European Sites)	7
Policy SAN11 (Non-Designated Heritage Sites)	7
General Comments	7
 General Comments.....	

The submission Sandleheath Neighbourhood Development Plan (NDP) contains 11 policies aimed at shaping development and protecting local character, several policies are overly restrictive, duplicate higher tier policy, or rely on requirements outside planning control. Targeted modifications are recommended to ensure the Plan meets the Basic Conditions and aligns with national policy and the adopted Local Plan.

A summary of key issues is set out below, and the detailed policy-by-policy comments are provided in Annex A.

Policy SAN1 (Spatial Strategy)

1.1. SAN1 sets the spatial strategy for the parish but is currently drafted in a restrictive way, particularly through Clause B, which conflicts with the flexibility in the adopted Local Plan by effectively preventing forms of countryside development that are otherwise acceptable in principle. The supporting text reinforces this restrictive tone, giving the impression of a development limiting approach rather than one aligned with strategic policy. Clarification is needed to ensure the policy reflects national policy, the Local Plan, and the statutory decision-making framework.

Policy SAN2 (Local Gap)

1.2. SAN2 designates a Local Gap but relies on historic evidence and operates as a blanket prohibition on development. This effectively creates a strategic-level designation, which neighbourhood plans cannot introduce. The policy should instead focus on preventing harmful coalescence, using proportionate and criteria-based wording consistent with the NPPF and Local Plan.

Policy SAN3 (Design Guidance and Codes)

1.3. SAN3 provides for design guidance and codes but incorrectly states that the design code holds full development plan weight. Documents accessed only via a weblink cannot form part of the statutory development plan, and the code must be treated as guidance supporting the Plan's policies. The supporting text requires correction to reflect this.

Policy SAN4 (Housing Mix, Type, and Tenure)

- 1.4. SAN4 addresses housing mix and accessibility standards. Clause A needs minor wording correction, as identified at Regulation 14. Clause B's blanket requirement for M4(2) and M4(3) accessibility standards is disproportionate and may impact viability, as such standards are normally applied selectively rather than to all dwellings.

Policy SAN5 (Site Allocations)

- 1.5. SAN5 allocates two development sites but is very prescriptive, including several requirements that rely on third-party landowner consent, which undermines deliverability. Parking and connectivity expectations appear unjustified and potentially undeliverable, and the policy includes overdetailed masterplanning, particularly Figure 4, which should be simplified. Evidence also shows that shared ownership is now more affordable than First Homes, which should be reflected.

Policy SAN6 (Local Business and Employment)

- 1.6. SAN6 supports local business and employment but includes wording that is unclear or overly rigid. "Compatible" requires clearer definition, the transport assessment requirement risks capturing minor applications, and the marketing and reprovision tests are disproportionate for a rural parish. Clause D also introduces a wellbeing-mitigation test that is not a measurable planning requirement.

Policy SAN7 (Green Infrastructure)

- 1.7. SAN7 on green infrastructure includes elements that operate as absolute prohibitions and do not allow for proportionate mitigation or biodiversity net gain. Minor wording changes are required to make the policy clearer, more flexible and deliverable.

Policy SAN8 (Connecting the Village)

- 1.8. SAN8 addresses connectivity but duplicates higher-tier transport policies and includes requirements outside the control of development, including reliance on third-party landowners. References to emerging documents should be softened to reflect their non-statutory status, and the Active Travel Network must be clearly defined on the Policies Map.

Policy SAN9 (Dark Skies)

- 1.9. SAN9 on dark skies ties development to “current” versions of external guidance, which risks becoming quickly out of date. Some clauses function as blanket restrictions or require specific technologies that may be unviable or conflict with Building Regulations. A more proportionate, effect-based approach is needed.

Policy SAN10 (Mitigating Effects of European Sites)

- 1.10. SAN10, relating to European sites, aligns broadly with Local Plan policy but ties itself too tightly to fixed versions of SPDs and nutrient calculators. Wording should instead refer to the mitigation requirements and methodologies in force at the time of the planning application.

Policy SAN11 (Non-Designated Heritage Sites)

- 1.11. SAN11 concerns non-designated heritage assets but uses wording that treats them similarly to designated assets, setting an unduly high bar. Adjustments are needed to reflect the NPPF’s proportionate approach and avoid implying replication or pastiche.

General Comments

- 1.12. To strengthen the plan and ensure clarity, robustness, and compliance with national and local policy, NFDC recommends the following general improvements:
- a. Include a glossary explaining technical terms and acronyms (e.g., ARNG, SANG, LCWIP, SPD, M4(2), BNG) to aid understanding for non-specialist readers.
 - b. Ensure all supporting evidence (Housing Needs Survey, Site Assessment Report, SEA/HRA) is easily accessible via hyperlinks or appendices for examination and public scrutiny.
 - c. Consolidate information on how key infrastructure improvements (active travel routes, bus connectivity, biodiversity net gain) will be funded and delivered, including reliance on CIL, S106, or third-party agreements.
 - d. Strengthen references to climate adaptation and carbon reduction measures beyond renewable energy mentions in SAN5. Consider cross-cutting principles such as sustainable drainage, energy efficiency, and nature-based solutions.
 - e. Add a clear commitment to monitor policy effectiveness and review the plan within five years, in line with best practice and NPPF guidance (Paragraph 33). Many examiners and best practice guides recommend a commitment to review within three to five years, especially for Neighbourhood Plans, because local circumstances and housing requirements can change quickly.
 - f. Include a statement that the plan will be reviewed for conformity once NFDC's new Local Plan progresses, to avoid future conflicts.

Annex A

New Forest District Council

Sandleheath Neighbourhood Plan 2024 to 2044

Regulation 16 Consultation – Response of New Forest District Council

Neighbourhood Plan Policies	NFDC Comments
Document layout	<p>The submission version of the Sandleheath Neighbourhood Development Plan (NDP) does not currently meet accessibility requirements, and its layout differs from the clear, policy-focused format normally used in development plan documents. Although this is not a legal barrier, it is recommended that the Plan is reformatted so that policies are presented more distinctly, the document has a uniform and accessible appearance, and visual elements are used consistently. At present, the Plan closely resembles other neighbourhood plans submitted to the Council, making it difficult to distinguish visually; introducing a clearer design identity would improve usability. Maps already contain colour, so subtle accessible palettes can be incorporated into tables and text boxes. In addition, the Plan has no front cover photograph; while not mandatory, most neighbourhood plans use a cover image that reflects the parish’s character and provides a distinct visual identity, helping the document stand out and meet expected presentation standards.</p>

<p>NPIERS health-check</p>	<p>A NPIERS health-check is recommended prior to Regulation 15 Submission to allow the pre-submission Plan to benefit from independent scrutiny. NPIERS provides comprehensive guidance on the purpose and advantages of this process. While not a legal requirement, the Council encourages parishes preparing neighbourhood plans to undertake a health-check to help ensure the robustness of their submission draft. In this case a health-check was not undertaken.</p>
<p>Overview of the Sandleheath NDP</p>	<p>Some policies in the Sandleheath NDP contain restrictive wording, unnecessary duplication of higher tier policies, and internal inconsistencies. The Council therefore recommends the policy-specific modifications set out below.</p>
<p>Chapter Background (page 5, Sandleheath NDP)</p>	<p>Para 2.6 needs to be amended to reflect that the Local Plan Regulation 18 consultation finishes on 20 March 2026, and an expected submission to government in December 2026.</p>
<p>SAN1 SPATIAL STRATEGY</p>	<p><u>Clause A</u></p> <p>Planning decisions must follow the development plan, so there is no need to restate this legal test within the Neighbourhood Plan. The Neighbourhood Plan should be read alongside other statutory elements of the development plan and national policy and guidance. However, if the decision making test is to be restated, the wording should be amended to reflect the NPPF’s requirement for positively framed policies (NPPF §29) e.g. “Development within the defined settlement boundary is supported in principle, subject to the policies of the Development Plan, including this Neighbourhood Plan” or “...supported where they are consistent with the Development Plan...”.</p>

	<p>While the Sandleheath NDP will be examined against the current National Planning Policy Framework, the Draft NPPF (December 2025) signals a clear direction of travel that qualifying bodies should be aware of for future reviews. The draft Framework places stronger emphasis on avoiding duplication of national or higher-tier policies, including a proposed requirement under Policy PM6 that plans should not replicate or restate national decision-making policies unless explicitly directed by national policy. It also reinforces the Government’s broader intention to streamline policy and reduce unnecessary duplication across the planning system. While these emerging changes are not applicable to this examination, the Parish Council may wish to have regard to them in any subsequent update of the Plan to ensure continued alignment with higher-tier policy.</p>
--	--

	<p><u>Clause B</u></p> <p>The wording of Clause B (“will only be supported where...”) reads as a blanket restriction on all development outside the settlement boundary. As drafted, it automatically excludes forms of development that the adopted Local Plan permits in the countryside subject to criteria, such as householder extensions, replacement dwellings, redevelopment of sustainable previously developed land (PDL), rural exception housing, essential utilities and infrastructure, tourism or recreation proposals, and affordable housing-led rural schemes. These forms of development are expressly supported in NFDC strategic policies STR2, STR3, ENV3 and ENV4, none of which operate as absolute prohibitions. Consequently, SAN1(B) is more restrictive than the Development Plan.</p> <p>The policy also lacks clarity over how sustainable forms of countryside development should be considered, including the reuse of PDL. The adopted Local Plan provides flexibility to assess such proposals through STR1–STR4 and environmental policies including ENV3 and ENV4. As drafted, SAN1(B) appears not to provide this flexibility.</p> <p>Furthermore, the policy does not explain how it should operate when development plan policies are out of date, or where material considerations require a different outcome. NFDC’s Local Plan is explicit that decision-making must be undertaken in accordance with the Development Plan unless other material considerations apply. SAN1(B) does not recognise this statutory context.</p> <p>Overall, the Submission Version appears more restrictive than both the Local Plan and national policy. The policy could therefore benefit from clarification to ensure that it:</p>
--	---

	<p>1.13. does not inadvertently prohibit householder development, replacement dwellings or other forms of countryside development normally acceptable in principle;</p> <p>1.14. allows for sustainable PDL proposals outside the boundary; and</p> <p>1.15. explains the relationship with NPPF paragraph 11(d) and the wider statutory decision-making framework.</p> <p>Such amendments would ensure the policy remains positively framed, consistent with the strategic policies of the Local Plan, and compliant with the Basic Conditions.</p> <p><u>Clause C</u></p> <p>The phrase “sufficiently prominent” is unclear. While the text in brackets explains <i>how</i> prominence should be judged i.e. by siting or scale, it does not explain when development becomes “sufficiently” prominent to trigger the policy. This creates uncertainty in interpretation and application.</p> <p>The requirement that proposals “will need to demonstrate that [they] would not adversely affect the setting” amounts to a zero-harm test. This is more restrictive than both the Local Plan and the NPPF, which apply proportionate, effects-based tests, typically requiring proposals to conserve and enhance landscape character, or to avoid, minimise, and mitigate adverse effects where possible, rather than requiring an absolute absence of harm.</p>
--	--

	<p><u>Supporting Text (Paras 3.4–3.7)</u></p> <p>When read as a whole, Policy SAN1 currently appears restrictive, giving the impression of a development-limiting spatial strategy, even though this may not be the group’s aim. The supporting text reinforces this restrictive interpretation, particularly in relation to Clause B.</p> <p>Para 3.4: The statement that development should be “cumulatively proportionate” is unclear and risks implying an additional cap on growth. It does not acknowledge that the Local Plan already manages cumulative growth, nor that the settlement boundary is primarily a <i>focus</i> for directing development rather than a tool for restricting it.</p> <p>Para 3.5: The wording comes across as unhelpfully negative and appears to undermine the settlement hierarchy and strategic housing approach. It would benefit from a balanced line confirming that growth is appropriate where it accords with the Local Plan and is proportionate to the role and function of Sandleheath.</p> <p>Para 3.6: The text reads as if the settlement boundary has been redrawn solely to constrain development. This reinforces the restrictive interpretation of SAN1(B), rather than explaining that the boundary reflects the Local Plan strategy for directing sustainable growth.</p>
SAN2: LOCAL GAP	<p>The policy relies heavily on older evidence (2000, 2005), and it is unclear why a defined Gap is considered necessary <i>now</i> rather than historically. The justification needs to explain the current purpose and relevance of the Gap, rather than relying solely on legacy documents.</p>

	<p>If SAN2 is interpreted as allowing “no development at all”, it effectively functions as a strategic-level Gap policy. Neighbourhood plans cannot introduce new strategic designations of this nature; this is a matter for the Local Plan.</p> <p>As drafted, SAN2 reads as a blanket prohibition. The wording that “no development will be permitted in this area” if it results in the closer proximity of settlements amounts to an absolute bar, meaning that any proposal within the defined Gap would be refused, even small-scale or otherwise acceptable countryside development. This approach is not positively worded and does not reflect the proportionate, effects-based approach expected by the NPPF or the Local Plan.</p> <p>Overall, SAN2 is restrictive and inflexible, focusing on preventing <i>all</i> development rather than only that which would harm the separate identity of settlements. The policy would benefit from rewording to ensure it is proportionate, criteria-based, and focused on preventing harmful coalescence, rather than imposing an absolute restriction.</p>
<p>SAN3: DESIGN GUIDANCE AND CODES</p>	<p><u>Supporting Text</u></p> <p>Para 3.17: while the use of design codes is strongly encouraged, the statement that <i>“the Code... carries the full weight of the development plan and is not subordinate or supplementary guidance”</i> is incorrect.</p> <p>A neighbourhood plan cannot elevate an appendix, design code, or any external document to have independent development plan status. Only the policies of the neighbourhood plan, once made, form part of the development plan. Supporting documents and appendices do not carry the same statutory weight, and the neighbourhood plan cannot grant them that status.</p>

	<p>The Sandleheath Design Guidance and Codes (Appendix A) is currently hosted separately via a weblink. While this is increasingly common for large documents, weblinks can change over time. Documents that are accessible only online cannot reliably form part of the statutory development plan. Any documents intended to carry development plan weight must therefore be incorporated within the Plan itself, or provided as a fixed, static appendix that will remain accessible for the lifetime of the Plan.</p> <p>The supporting text should be amended to clarify that the design code is guidance intended to support interpretation of the neighbourhood plan’s design policies, but it does not independently carry development plan status.</p> <p>Note: The existing LP policy ENV3 refers to local distinctiveness SPDs but does not elevate them to DPD status.</p>
<p>SAN4: HOUSING MIX, TYPE AND TENURE</p>	<p><u>Clause A</u></p> <p>As set out in the Council’s Regulation 14 pre-submission consultation comments on the Sandleheath NDP, it would be more appropriate to amend the wording to: “Proposals for residential development will be expected <u>seek</u> to”.</p> <p><u>Clause B</u></p>

	<p>As set out in the Council’s Regulation 14 pre-submission consultation comments on the Sandleheath NDP, NFDC would only apply M4(2) or (3) for the reasons set out in paragraphs 0.3 – 0.6 of the Building Regulations Approved Document M. NFDC suggests that if this was policy for <u>all</u> development it could impact the development potential of sites, as both M4(2) and (3) require larger internal areas to accommodate the required adaptations. Requiring all dwellings to meet M4(2)/M4(3) accessibility standards is therefore disproportionate.</p>
<p>SAN5: SITE ALLOCATIONS</p>	<p>SAN5 is very prescriptive. Multiple elements depend on third-party landowner consent, such as links requiring permission from Forres Sandle Manor School, which raises deliverability concerns. Both allocations require village hall parking on opposite sides of the road, which appears unjustified and potentially undeliverable, and should instead be framed as general contributions to community parking. The policy is also overly detailed in specifying pedestrian crossings and masterplan-level layouts, particularly in Figure 4, which should be reduced to high-level principles to ensure flexibility.</p> <p>Note: Following on from the Council’s Regulation 14 pre-submission consultation response, given that the NPPF no longer defines First Homes as affordable housing and the NFDC Housing Needs Assessment indicates that other affordable homeownership models are more affordable, NFDC is now of the clear view that shared ownership is likely to be more affordable, more accessible, and better aligned with local demand and need.</p>
<p>SAN6: LOCAL BUSINESS AND EMPLOYMENT</p>	<p><u>Clause A</u></p>

	<p>The term “compatible” is subjective. Clause A should provide clarity on the impacts being assessed e.g. noise, traffic, amenity to ensure the policy is clear and enforceable.</p> <p><u>Clause B</u></p> <p>The blanket requirement for a transport assessment could unintentionally capture minor proposals. This should defer to Local Plan, national guidance or Highway Authority thresholds, so that only developments meeting the appropriate scale trigger a Transport Statement/Assessment.</p> <p><u>Clause C</u></p> <p>The requirement for either re-provision of employment floorspace within the parish or a fixed 12month marketing period is overly rigid and disproportionate for a small rural settlement. A more appropriate approach would refer to a <i>proportionate</i> marketing period at a realistic price.</p> <p>Clause C also currently applies a uniform test to four very different land uses (the village shop, the industrial estate, the independent school and the Rockbourne Road commercial premises) which may not be appropriate given their differing planning functions and policy considerations.</p> <p><u>Clause D</u> is also too prescriptive as it implies applicants must “mitigate” community wellbeing impacts, which is not a measurable planning test; it should instead require evidence on viability and consideration of alternative community-serving uses.</p>
--	--

<p>SAN7: GREEN INFRASTRUCTURE</p>	<p>SAN7 requires some refinement to ensure clarity and deliverability. Parts of the policy currently operate as absolute prohibitions i.e. “will not be supported”, which should be amended to allow proportionate mitigation and biodiversity net gain.</p>
<p>SAN8 CONNECTING THE VILLAGE</p>	<p>The policy is overly detailed, repeats elements already addressed through Local Plan transport policies, and includes requirements that lie outside the control of development. Several provisions depend on third-party landowner consent, such as securing enhanced access via Lady’s Walk.</p> <p>References to emerging strategic documents, such as the LCWIP and the Bus Service Improvement Plan, should be re-worded to reflect their non-statutory status, with development expected only to have regard to them.</p> <p>The Active Travel Network needs to be clearly and unambiguously defined on the Policies Map to meet NPPF clarity and usability requirements.</p>
<p>SAN9: DARK SKIES</p>	<p>The policy should avoid binding development to “current” external guidance (such as Cranborne Chase notes or ILP standards). It may refer to these as good practice but should instead require compliance with the relevant standards in force at the time of the planning application.</p> <p><u>Clauses A and B</u> risk operating as a blanket restriction on lighting rather than a proportionate, design-led approach to minimising light pollution.</p> <p><u>Clause F</u> references to internal blinds, smart-glass and other internal lighting controls may be overly prescriptive in requiring specific technologies that may be unviable or conflict with Building Regulations.</p>

<p>SAN10: MITIGATING EFFECTS OF EUROPEAN SITES</p>	<p>SAN10 is broadly aligned with Local Plan Policy ENV1 but requires minor wording changes to avoid tying the policy to fixed versions of external documents or technical tools.</p> <p><u>Clause A</u> currently refers to mitigation “as outlined” in the NFDC Revised Habitat Mitigation Scheme, but neighbourhood plan policies cannot lock themselves to a specific SPD that may be updated without examination. The wording should instead refer to the mitigation requirements in force at the time a planning application is determined.</p> <p><u>Clause B</u> similarly mandates use of a particular iteration of Natural England’s nutrient calculator, which may be replaced or revised. The policy should therefore refer to the nutrient budget methodology agreed with Natural England at the time of the application.</p>
<p>SAN11: NON-DESIGNATED HERITAGE ASSETS</p>	<p>SAN11 would benefit from minor refinement to ensure full alignment with the NPPF approach to non-designated heritage assets. Parts of the policy read as though these assets are being treated as designated heritage assets, particularly the use of “preserve and enhance,” which sets an unduly high bar. The policy should instead reflect NPPF § 211, requiring decisionmakers to take account of the effect of development on the significance of non-designated heritage assets, applying a proportionate response to the scale of harm and significance.</p> <p><u>Clause B (ii)</u> is also overly prescriptive, implying replication of historic fabric and detailing, whereas design should respond proportionately to significance rather than require pastiche.</p>

Final Comments	<p>The draft Neighbourhood Plan contains 11 policies that aim to manage development, protect local character and guide growth, but several require refinement to ensure they are clear, proportionate and consistent with national and Local Plan policy. A number of policies are more restrictive than the strategic framework, some introduce requirements beyond planning control, and others are overly detailed, duplicative or dependent on third party actions. Targeted adjustments to the policies would improve deliverability, reduce ambiguity and ensure that each policy meets the Basic Conditions while still achieving the community's objectives.</p>
----------------	--