

RINGWOOD NEIGHBOURHOOD PLAN

2023 - 2036

JUNE 2023

BASIC CONDITIONS STATEMENT

Published by Ringwood Town Council under the Neighbourhood Planning (General) Regulations 2012
(as amended)

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1.INTRODUCTION

1.1 This statement has been prepared by Ringwood Town Council ("the Town Council") to accompany its submission of the Ringwood Neighbourhood Plan ("the Neighbourhood Plan") to the local planning authority, New Forest District Council ("the District Council"), under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012 ("the Regulations").

1.2 The Neighbourhood Plan has been prepared by the Town Council, the 'Qualifying Body' for the Neighbourhood Area ("the Area"), which coincides with the boundary of the Parish of Ringwood, shown on Plan A below. The District Council designated the Area in February 2021.

1.3 The policies described in the Neighbourhood Plan relate to the development and use of land in the designated Area. They do not relate to 'excluded development', as defined by the Regulations. The plan period of the Neighbourhood Plan is from 2023 - 2036, which corresponds with the plan period of New Forest District Council Local Plan 2016 – 2036 Part 1 and the New Forest National Park Local Plan 2016 - 2036.

1.4 The statement addresses each of the 'Basic Conditions', which are relevant to this plan, required of the Regulations and explains how the submitted Neighbourhood Plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Town & Country Planning Act.

1.5 The Regulations state that a Neighbourhood Plan will be considered to have met the Conditions if:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Development Plan,
- b) (Not relevant for this Neighbourhood Plan),
- c) (Not relevant for this Neighbourhood Plan),
- d) The making of the Neighbourhood Development Plan contributes to the achievement of sustainable development,
- e) The making of the Neighbourhood Development 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),
- f) The making of the Neighbourhood Development Plan does not breach and is otherwise compatible with retained EU obligations.

1.6 The responsibility for determining if a Neighbourhood Plan has had regard to national policy and is in general conformity with strategic policy rests with a combination of the qualifying body, the local planning authority and the independent examiner

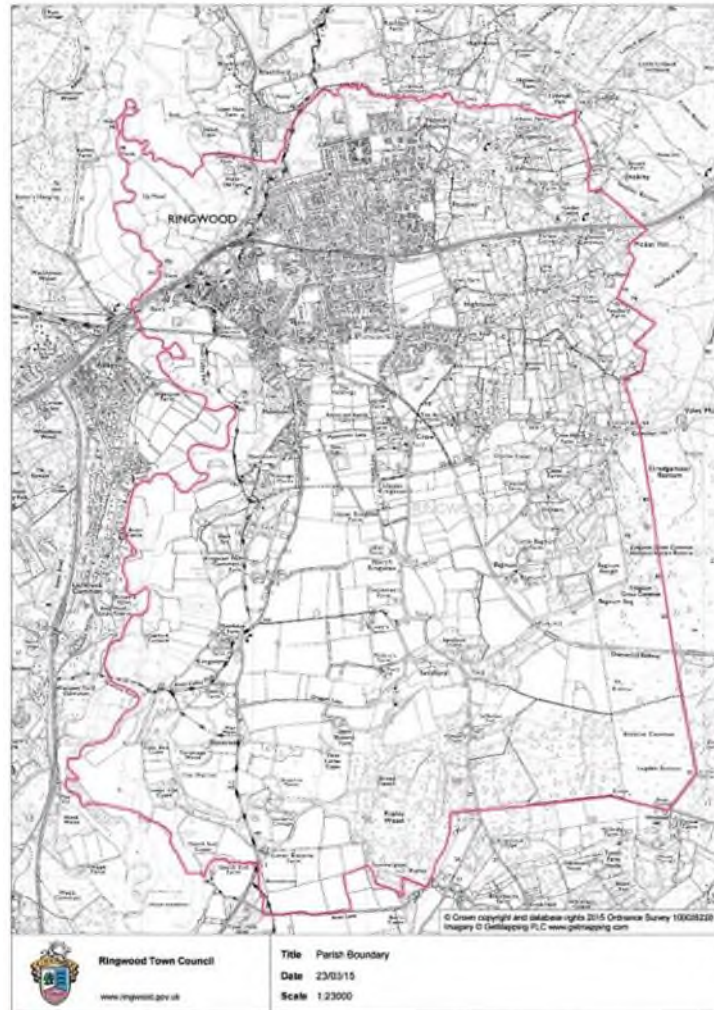
(Planning Practice Guidance §41-070 and §410-074). Case law, established in the Tattenhall Neighbourhood Plan in 2014 (see §82 of EWHC 1470) but endorsed by the Courts on a number of occasions since, makes clear that:

“... the only statutory requirement imposed by Condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted Development Plan as a whole ... any tension between one policy in the Neighbourhood Plan and one element of the ... Local Plan (is) not a matter for the Examiner to determine.” (our emphasis)

1.7 The case acknowledged that there will often be tensions between different strategic policies when considered against the non-strategic policies of a specific local area covered by a Neighbourhood Plan. It sensibly concluded that such tensions can only be resolved by the qualifying body using its planning judgement to strike an appropriate balance across the plan as a whole. The examination tests the extent to which the qualifying body has exercised its judgement in a reasonable way.

1.8 It is noted that the case law has not yet explicitly established the same principle for Condition (a) in respect of the regard to national policy, but it seems reasonable to expect the Courts would reach the same conclusion, given there will also be a range national policies influencing plan making, and that some of those policies may also be in tension. It is therefore expected that the examination of this Condition will take the same approach as Condition (e).

1.9 For these reasons, sections 3 and 5 of this Basic Conditions Statement highlight how policies of the Neighbourhood Plan are considered to meet Conditions (a) and/or (e), explaining how the qualifying body has exercised its judgement in those cases “where different parts of national policy need to be balanced” (§070) and how it has taken into account the criteria of §074 on general conformity. Finally, it explains how the Neighbourhood Plan as a whole meets Conditions (a) and (e).



Plan A: The Ringwood Designated Neighbourhood Area

2.BACKGROUND

2.1 The decision to proceed with a Neighbourhood Plan was made by the Town Council in 2020. The key driver of this decision was a sense of wanting to plan positively for the future of the Parish, with the encouragement of the District Council to local communities to prepare Neighbourhood Plans. The Town Council considered having a Plan would improve the way in which future development proposals, however modest, are managed.

2.2 A steering group was formed comprising residents and Town Council representatives. The group has been delegated authority by the Town Council to make day-to-day decisions on the preparation of the Neighbourhood Plan. However, as the qualifying body, the Town Council approved the publication of the Pre-Submission plan in February 2023 and the Submission Plan now.

2.3 The Town Council has consulted the local community extensively over the duration of the project. It has also sought to work closely with officers of the District Council, and where relevant officers of the National Park, to collate and examine the evidence base, to design and iterate policy proposals and to define the proper relationship between the Neighbourhood Plan and the Local Plan. The nature and outcome of these various publicity and consultation exercises are set out in the separate Consultation Statement.

2.6 The Neighbourhood Plan contains 12 land use policies (R1 – R12), which are defined on the Policies Map where they apply to a specific part of the Area. The Plan has deliberately avoided containing policies that duplicate saved or forthcoming development plan policies or national policies that are already or will be used to determine planning applications. The policies are therefore a combination of site-specific allocations or other proposals and of development management matters that seek to refine and/or update existing policies.

3. CONDITION (A): REGARD TO NATIONAL PLANNING POLICY

3.1 The Neighbourhood Plan has been prepared with full regard to national policies as set out in the National Planning Policy Framework (NPPF) and is mindful of the Planning Practice Guidance (PPG) in respect of formulating Neighbourhood Plans, as set out in Table A. In overall terms, there are four NPPF paragraphs that provide general guidance on neighbourhood planning, to which the Neighbourhood Plan has directly responded:

General Paragraphs

3.2 The Town Council believes the Neighbourhood Plan “support(s) the delivery of strategic policies contained in local plans ... and ... shape(s) and direct(s) development that is outside of these strategic policies” (§13). It considers the Neighbourhood Plan contains only non-strategic policy proposals or proposals that refine strategic policy to fit the circumstances of the Area without undermining the purpose and intent of those strategic policies (§18). It considers that the Neighbourhood Plan sets out more “detailed policies for specific areas” including “the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies” (§28).

3.3 The Town Council considers that its Neighbourhood Plan has provided its communities the power to develop a shared vision for the Area that will shape, direct and help to deliver sustainable development, albeit in a modest way, by influencing local planning decisions as part of the statutory development plan. The Neighbourhood Plan contains no site allocation proposals nor any other policies that will result in less development than set out in the strategic policies for the area (§29). In this regard, the NPPF provisions of meeting local housing needs (as per §65/§66) are not relevant to this Neighbourhood Plan.

Specific Paragraphs

3.4 Each policy engages one or more specific paragraphs of the NPPF. Those that are considered to be of the most relevance and substance are identified in Table A below.

Table A: Neighbourhood Plan & NPPF Conformity Summary

No.	Policy Title	NPPF Ref.	Commentary
R1	A Spatial Plan for Ringwood	16, 21, 86, 93, 120, 147, 176	Ringwood is expected to fulfil its role in the District of a town centre, the most sustainable location for more new development, however such development needs to be consistent with maintaining and enhancing their character as set out in the District Council's Local Plan Policies STR1, STR2 and STR4. The Neighbourhood Plan uses this definition of the town in the settlement hierarchy as a 'clear starting point' for its 'non-strategic policies' (§21).The policy seeks to establish a clear spatial strategy for Ringwood so it is evident how a decision maker should react to development proposals (§16). The spatial strategy seeks to focus development on brownfield land and developable land within the settlement boundary as per NPPF provisions for the efficient use of land (§120) which will protect the surrounding Green Belt (§147) and the New Forest National Park (§176) and ensuring the self-containment of the town centre (§86). The policy also recognises the local centre at Poulner serving that part of the community further away from the town centre (§93).
R2	Maintaining a Successful and Prosperous Town Centre	86, 93, 190	This policy, through a series of measures, seeks to promote the retention and development of the town centre to secure its vitality and viability in line with §86 and §93, in conjunction with protecting its sensitive historic character (§190).
R3	Making Better Use of Opportunity Areas in the Town Centre	86, 122, 102	This policy establishes specific regeneration opportunities to grow and diversify the town centre as set out by the Ringwood Strategic Masterplan Report and in accordance with §86. The Masterplan Report also identifies opportunities to promote walking and cycling (§102) and the policy requires proposals to take this into account.
R4	Shops and Parades Within and Outside Defined Local Centres	84, 93	This policy seeks to promote the retention and development of the defined Local Centre in Poulner, as well as individual shops in the Parish located outside of the Local Centre, which play an important

			role in serving the local community.
R5	Smaller Housing	61	These policies seek to influence housing mix for housing developments to deliver a wide choice of homes that reflects local demand and to create a demographically balanced community (§61). Policy R6 also seeks to ensure that the requirement for the provision of First Homes set out in a Written Ministerial Statement on 24 May 2021, and subsequently incorporated into planning practice guidance, is provided where applicable. As the Parish is 'washed over' by Green Belt, First Homes Exception Sites are unable to come forward in the parish, and so the 25% requirement is important to secure, to allow this product to come forward in the town.
R6	First Homes		
R7	The Ringwood Design Code	127, 128, 176	'Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development' (§127). The policy seeks to bring 'clarity about design expectations' within Ringwood town and the wider Parish (§128) as well as its location within and adjoining the National Park (§176). The specific matters included in the policy 'provide a framework for creating distinctive places' to deliver a 'consistent and high-quality standard of design' (§128).
R8	Building for a Healthy Life	133	This policy seeks to ensure that proposals consider the health of residents by applying the Building for Healthy Life design assessment tool (or equivalent) in accordance with §133.
R9	Conserving Local Heritage Assets	203	This policy identifies a number of local heritage assets to engage the provisions of §203. They have been derived from local history analysis and have been evaluated against the criteria advocated in the guidance published by Historic England.
R10	Creating a Green Infrastructure and Nature Recovery Network	153, 174, 179	The policy defines the green infrastructure network as one means of ensuring the future resilience to climate change impacts and to support nature recovery (§153 and §174). The policy contributes to and enhances the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by

			establishing coherent ecological networks that are more resilient to current and future pressures through identifying, mapping, and safeguarding these components. It is therefore consistent with the aims of §174 and §179 in these respects.
R11	Zero Carbon Buildings	56, 152, 155, 157	<p>This policy is a local response to a global challenge, the local community being convinced by the international evidence that ensuring zero carbon building performance through the PassivHaus standard is the most simple and cost-effective approach to take. It does not require that this standard is met but instead seeks to incentivise its use by exempting applicants using the standard from the requirement of the policy to provide a Post Occupancy Evaluation report. This provision for buildings is consistent with PINS model conditions of this type and is therefore considered in line with the use of planning conditions, as per §56.</p> <p>In doing so, it is consistent with the explicit climate change aims and provisions of §152, §155 and §157. It is inspired by innovative development plan making work in other parts of the country that has demonstrated this type of provision is necessary and possible in managing development proposals until national policy provisions are implemented. Other neighbourhood plans that have included this identical provision have been successfully examined and made elsewhere.</p>
R12	Encouraging Active and Healthy Travel	104	The policy requires that transport issues are considered from the earliest stages of development proposals so that opportunities to promote walking and cycling are identified and pursued (§104).

3.5 It is considered that all of the policies have had full regard to national policy, with no incidence of two or more national policies being in tension, nor of the Town Council having to strike a balance between them. As a result, the Neighbourhood Plan, as a whole, meets Condition (a).

4. CONDITION (D): CONTRIBUTING TO ACHIEVING SUSTAINABLE DEVELOPMENT

4.1 As neither a Sustainability Appraisal nor Strategic Environmental Assessment Report have been required of the Neighbourhood Plan, the Statement sets out in Table B below how each of the policies contribute to the achievements of sustainable development. It does so by identifying the potential of each policy to lead to significantly positive (++), minor positive (+), neutral (0), minor adverse (-) or significant adverse (--) effects, taking into account the proposed mitigation measures.

Table B: Neighbourhood Plan & Sustainable Development					
Policy		Social	Economic	Environmental	Commentary
R1	A Spatial Plan for Ringwood	+	0	++	The policy will have a major positive environmental effect in directing development towards the built-up area rather than the Green Belt. It will have a minor positive social effect in containing and managing the sustainable growth of the town. Its economic effect is neutral although the plan restates the distinct role Ringwood has in being an important place to shop and to access local services.
R2	Maintaining a Successful and Prosperous Town Centre	+	+	+	The policy town will have a minor positive social, economic and environmental effect in protecting and retaining the historic character of the Town Centre and retaining a critical mass of shops and services in the town centre.
R3	Making Better Use of Opportunity Areas in the Town Centre	+	+	+	The policy will have a minor positive social, economic and environmental effect in promoting the regeneration of the town and a range of Town Centre Uses including retail, cultural environmental, residential and business investment.
R4	Shops and Parades Within and Outside Defined Local Centres	+	0	0	The policy will have a minor positive social effect in promoting the retention of shops outside the Town Centre, which play an important part in supporting the community. Its economic and environmental effects are neutral although this ought to lead to fewer car trips.

R5	Smaller Housing	+	0	0	The policy will have a minor positive social effect by addressing a current imbalance in the range of housing types in the village, that may result in a more balanced demographic profile in the Parish longer term. Its economic and environmental effects are neutral.
R6	First Homes	++	0	0	The policy will have a significantly positive social effect by addressing a current imbalance in the range of housing types in the village, that may result in a more balanced demographic profile in the Parish longer term. Its economic and environmental effects are neutral.
R7	The Ringwood Design Code	++	0	+	The policy will have a significantly positive environmental effect and a minor positive social effect in conserving the essential character of the town and the Conservation Area. Its economic effect is neutral.
R8	Building for a Healthy Life	++	0	0	The policy will have a significantly positive social effect in ensuring that proposals consider the health of residents. Its economic and environmental effects are neutral.
R9	Conserving Local Heritage Assets	++	0	+	The policy will have a significant positive environmental effect and a minor social effect in ensuring that features of local historic and/or architectural value are understood and kept as far as possible in new development proposals as part of retaining the character of the town, for the enjoyment of the local community. Its economic effect is neutral.
R10	Creating a Green Infrastructure and Nature Recovery Network	+	0	++	The policy is likely to have a significant positive environmental effect in ensuring that development proposals contribute to the multi-functional roles of green infrastructure assets including their recreational, ecological and climate change roles. It will have moderate social effect as the network comprises a range of publicly accessible spaces that will benefit from the policy provisions. Its economic effect is neutral.
R11	Zero Carbon Buildings	+	++	++	The policy will have a significant positive environmental effect in maximising the zero carbon performance of all new buildings. It will have increasingly positive social and economic effects in the ongoing financial savings to the building (residential and commercial) occupiers in very low energy costs.
R12	Encouraging Active and Healthy Travel	+	0	+	The policy will have minor positive social and environmental effects in promoting sustainable travel modes in the Parish, which will contribute to the reduction of carbon emissions and provide opportunities for exercise. Its economic effect will be neutral.

5. CONDITION (E): GENERAL CONFORMITY WITH THE STRATEGIC POLICIES OF THE DEVELOPMENT PLAN

5.1 The Neighbourhood Plan has been prepared to ensure its general conformity with the strategic policies of the development plan for the District, that primarily comprises the New Forest District (NFDC) Local Plan Part 1 2016 – 2036 and the New Forest National Park Authority (NFNPA) Local Plan 2016 – 2036 and saved policies of the New Forest District Council Core Strategy (2009) and the New Forest District Council Local Plan Part 2 (2014), as well as separate Minerals and Waste plans, taken as a whole.

5.2 The NFDC Local Plan defines Ringwood as a 'principal settlement' in the settlement hierarchy of the District. NFDC has provided an indicative housing target for the town of 1300 dwellings for the Local Plan period including the three allocated strategic sites, which combined accounts for a minimum of approximately 850 dwellings. The NFDC has not yet resolved whether to proceed with a Local Plan Part 2 2016 - 2036 or undertake a full Local Plan Review. The NFDC indicative housing target for Ringwood to contribute to the fulfilment of the Local Plan part 1 requirement can be met from existing allocations.

5.3 An assessment of the general conformity of each policy is contained in table C below.

Table C: Neighbourhood Plan & Development Plan Conformity Summary

No.	Policy Title & Refs	Commentary
R1	A Spatial Plan for Ringwood	The policy is consistent with the broader spatial strategy of the NFDC and NFNPA Local Plans in meeting most development needs within the settlement boundary in a manner that is appropriate for and proportionate to the nature and size of Ringwood as per Policy STR1 – STR5 of the NFDC Local Plan, which includes the three allocated strategic sites of Policies SS13 – SS15, and protecting the countryside, and adjoining New Forest National Park whilst providing a wide range of services, facilities and employment opportunities for National Park residents as per Policy SP4 of the NFNPA Local Plan. It does not attempt to revise the way in which development plan policies apply to the area, it simple refines the spatial plan in more details by defining distinct areas of the town.
R2	Maintaining a Successful and Prosperous Town Centre	This policy replaces NFDC Local Plan policies ECON5 and ECON6 which no longer complies with national planning policy or the Use Class Order 2020. It retains the boundary of Ringwood Town Centre with the intent to protect the town's primary shopping area from unsympathetic and harmful change which his consistent with the intent and aims of NFDC Local Plan policies ECON5 and ECON6 and NFNPA Local Plan Spatial Strategy retaining the town's ability to provide a wide range of services, facilities and employment opportunities for National Park residents.
R3	Making Better Use of Opportunity Areas in the Town Centre	This policy is consistent with the broader spatial strategy of the NFDC and NFNPA Local Plans, as well as the 'town centre first' approach set out in NFDC Local Plan policy ECON5, in identifying redevelopment opportunities in the town centre, improving connectivity (as per NFDC Local Plan Policy CCC2) and in providing high quality spaces (as per NFDC Local Plan ENV3) to enable Ringwood to retain its existing role.
R4	Shops and Parades Within and Outside Defined Local Centres	The policy is consistent with NFDC Local Plan Part 2 policy DM19 in its intent to ensure that development proposals do not result in the loss of shops in the identified local centre in Poulner or individual shops in the Parish. It also brings up to date the principles of NFDC Local Plan Policy ECON6 and refines the aims of policy STR8 in retaining community facilities.
R5	Smaller Housing	The policy refines NFDC Local Plan Policy HOU1 through encouraging an emphasis on one or-two-bedroom homes reflecting the identified need for smaller homes. The policy does not exclude the provision of larger dwellings and therefore continues to seek diversification of the current housing

		stock to achieve an overall balance.
R6	First Homes	The policy updates NFDC Local Plan Policy HOU2 by setting out the requirement to deliver affordable homes in line with the evolution of national policy since the adoption of the Local Plan, notably the launching of the 'First Homes' affordable housing as an affordable sale product and the requirement for a minimum of 25% provision.
R7	The Ringwood Design Code	The policy is a response to the Government's encouragement that neighbourhood plans should set out local design guidance. The policy refines NFDC Local Plan Policy ENV3 and NFNPA Local Plan Policy DP18 and works alongside the Ringwood Local Distinctiveness SPD by identifying local context and specific design features of the town and Parish.
R8	Building for a Healthy Life	The policy is consistent with and updates NFDC Local Plan policy ENV3 to align with NPPF §133.
R9	Conserving Local Heritage Assets	The policy identifies Local Heritage Assets for the provisions of NFDC saved Policy DM1 and NFNPA Local Plan Policy SP16.
R10	Creating a Green Infrastructure and Nature Recovery Network	This policy refines NFDC Local Plan policy ENV4 in identifying the existing Green Infrastructure network in the Parish.
R11	Zero Carbon Buildings	The policy complements and updates NFDC Local Plan Policy IMPL2, NFDC saved Policy DM4 and NFNP Local Plan Policies SP1 and SP11 to bring this policy context up to date with contemporary thinking and to align with national climate change policy through the energy performance of new buildings.
R12	Encouraging Active and Healthy Travel	The policy is consistent with NFDC Local Plan Policy CCC2 and NFNPA Local Plan Policies SP54 and SP55 in promoting safe and sustainable travel modes in the Parish.

5.5 It is considered that all the policies are in general conformity with the strategic policies of the adopted development plan. None of the policies of the Neighbourhood Plan have required a balancing exercise to be undertaken in having regard to general conformity with strategic policy as none are considered to be inconsistent with strategic policy. As a result, the Neighbourhood Plan, as a whole, meets Condition (e).

6. CONDITION (F): COMPATABILITY WITH EU-DERIVED LEGISLATIONS

6.1 The District Council and National Park Authority confirmed in their final screening opinion that a Strategic Environmental Assessment is not required, following consultation with statutory bodies, as per Regulation 9 of the Environmental Assessments of Plans and Programmes Regulations 2004 (as amended). A copy of the screening opinion is published separately. The Town Council has therefore met its obligations in relation to the EU Directive 2001/42 in respect of assessing the potential for significant environmental effects of the policies of the Neighbourhood Plan.

6.2 The Town Council has also met its obligations in relation to the habitat provisions of EU Directive 92/43/EEC (and the associated Conservation of Natural Habitats and Wild Flora and Conservation of Habitats and Species Regulations 2017 (as amended)). In this regard, the Town Council provided the District Council and National Park Authority with all the necessary information it required for the purposes of determining whether an Appropriate Assessment was required or to carry out the Appropriate Assessment if one was required. The District Council and National Park Authority's Habitats Regulations Screening Assessment concludes that the making of the Neighbourhood Plan is not likely to have a significant effect on a European site (as defined in the 2017 Regulations) either alone or in combination with other plans or projects.

6.3 The Town Council has been mindful of the fundamental rights and freedoms guaranteed under the European Convention on Human Rights in process of preparing the Neighbourhood Plan and considers that it complies with the Human Rights Act. The Neighbourhood Plan has been subject to extensive engagement with those people local to the area who could be affected by its policies and their views have been taken into account in finalising the Plan.