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Report on Highcliffe and Walkford Neighbourhood Development Plan 2020 - 2028

An Examination undertaken for Bournemouth, Christchurch and Poole Council with the support of Highcliffe and Walkford Parish Council on the September 2021 submission version of the Plan.

Independent Examiner: David Hogger BA MSc MRTPI MCIHT

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Intelligent Plans and Examinations (IPE) Ltd, 3 Princes Street, Bath BA1 1HL
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Main Findings - Executive Summary

From my examination of the Highcliffe and Walkford Neighbourhood Plan (the Plan/HWNP) and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the Plan meets the Basic Conditions.

I have also concluded that:

- The Plan has been prepared and submitted for examination by a qualifying body – Highcliffe and Walkford Parish Council;
- The Plan has been prepared for an area properly designated – the Designated Area as identified on Map 1 on page 1;
- The Plan specifies the period to which it is to take effect – 2020 to 2028; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the Plan, once modified, proceeds to referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the Plan relates and have concluded that it should not.

1. Introduction and Background

Highcliffe and Walkford Neighbourhood Plan 2020-2028

- 1.1 The Parish of Highcliffe and Walkford, which lies to the east of Christchurch in Dorset, enjoys an enviable position between the New Forest and the coast. Map 9¹ (page 2) in the Highcliffe and Walkford Neighbourhood Plan shows the relatively small amount of development that existed in the area in 1907 – predominantly clustered along Lymington Road. Today much of the area is built-up, with many bungalows and chalet bungalows, but as I saw on my visit there are significant pockets of woodland and hedgerow corridors which contribute significantly to the character of the locality.
- 1.2 The High Street, which includes a range of shops and services, appears to be relatively vibrant, although the level of vehicular movements through the area (on the A337) detracts from the shopping experience. There are two other local shopping centres and other community facilities within the Parish include schools, sports and leisure facilities, churches and a Medical Centre.

¹ This should be Map 2 – see paragraph 4.51.

- 1.3 The preparation of a Neighbourhood Plan for Highcliffe and Walkford commenced in December 2019 with the holding of a workshop to which a range of interested parties were invited. Residents' surveys and other consultation was undertaken, including Regulation 14 consultation commencing in January 2021.

The Independent Examiner

- 1.4 As the Plan has now reached the examination stage, I have been appointed as the examiner of the HWNP by Bournemouth, Christchurch and Poole Council (BCP Council) with the agreement of Highcliffe and Walkford Parish Council (HWPC/the Parish Council).
- 1.5 I am a chartered town planner and former government Planning Inspector, with extensive experience in the preparation, examination and implementation of development plans and other planning policy documents. I am an independent examiner, and do not have an interest in any of the land that may be affected by the draft Plan.

The Scope of the Examination

- 1.6 As the independent examiner I am required to produce this report and recommend either:
- (a) that the neighbourhood plan is submitted to a referendum without changes; or
 - (b) that modifications are made and that the modified neighbourhood plan is submitted to a referendum; or
 - (c) that the neighbourhood plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.
- 1.7 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:
- Whether the plan meets the Basic Conditions;
 - Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the local planning authority;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;

- it does not include provisions and policies for 'excluded development'; and
- it is the only neighbourhood plan for the area and does not relate to land outside the designated neighbourhood area.
- Whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum.
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 (as amended) ('the 2012 Regulations').

1.8 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.9 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the neighbourhood plan must:

- have regard to national policies and advice contained in guidance issued by the Secretary of State;
- contribute to the achievement of sustainable development;
- be in general conformity with the strategic policies of the development plan for the area;
- be compatible with and not breach European Union (EU) obligations (under retained EU law)²; and
- meet prescribed conditions and comply with prescribed matters.

1.10 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a neighbourhood plan. This requires that the making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017.³

² The existing body of environmental regulation is retained in UK law.

³ This revised Basic Condition came into force on 28 December 2018 through the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018.

2. Approach to the Examination

Planning Policy Context

- 2.1 The Development Plan for this part of BCP Council, not including documents relating to excluded minerals and waste development, is the Christchurch Core Strategy (April 2014) and the Saved Policies of the Christchurch Borough Council Local Plan (2001). For the avoidance of doubt, I have been given a list of the adopted strategic policies for the area⁴ and I note that BCP Council has confirmed that it accepts that the HWNP has been drafted to generally conform with the strategic policies of the Development Plan.
- 2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. A revised NPPF was published on 20 July 2021, and all references in this report are to the July NPPF and its accompanying PPG. I have also taken into account the National Model Design code that was also published in July 2021.
- 2.3 Work is underway on the preparation of the Bournemouth, Christchurch and Poole Local Plan.

Submitted Documents

- 2.4 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted⁵ which comprise principally:
- the draft Highcliffe and Walkford Neighbourhood Plan 2020-2028, September 2021;
 - the Map on page 1 of the Plan, which identifies the area to which the proposed Neighbourhood Development Plan relates;
 - the Consultation Statement, May 2021;
 - the Basic Conditions Report, May 2021;
 - the Supporting Evidence documents;
 - the Basic Conditions Assessment undertaken by BCP Council, June 2021;
 - the LGS Ownership Table (BCP Council);
 - all the representations that have been made in accordance with the Regulation 16 consultation;
 - the Strategic Environmental Assessment Screening Determination (incorporating Habitats Regulations Assessment screening) prepared by Dorset Planning Consultant Ltd on behalf of the Parish Council (May 2021); and

⁴ BCP Council response to my Question 5 of my procedural letter of 25 November 2021.

⁵ [Highcliffe and Walkford Neighbourhood Plan \(bcpcouncil.gov.uk\)](https://www.bcpCouncil.gov.uk)

- the request for additional clarification sought in my letter dated 25 November 2021 and the responses dated 15 December 2021 from Highcliffe and Walkford Parish Council and BCP Council.⁶

Statement of Common Ground

2.5 Following my consideration of the responses from HWPC and BCP Council to the questions that I posed in my letter dated 25 November 2021, it was clear to me that a number of outstanding issues remained to be addressed before I could confidently draw conclusions with regard to whether or not the HWNP meets the Basic Conditions. Consequently, in a letter dated 4 January 2022, I raised a number of concerns and requested that a Statement of Common Ground (SoCG) between the two Councils be prepared to address the issues that I raised. I received the SoCG on 6 June 2022 and have taken its contents into account in my examination of the HWNP.⁷

Site Visit

2.6 I made an unaccompanied site visit to the Neighbourhood Plan Area on 9 December 2021 to familiarise myself with the locality, and visit relevant sites and areas referenced in the Plan and evidential documents.

Written Representations with or without Public Hearing

2.7 This examination has been dealt with by written representations. I am not aware of any specific requests to be heard at a hearing session but in any event, I consider such a session to be unnecessary as the Regulation 16 consultation responses clearly articulated the objections to the Plan and presented arguments for and against the Plan's suitability to proceed to a referendum.

2.8 Several of the Regulation 16 responses were largely supportive of the draft Plan but there were a small number that expressed objections, in particular with regard to the designation of Local Green Space. I have considered all the representations submitted, including those regarding the designation of Local Green Space, which I address specifically in paragraph 4.13.

Modifications

2.9 Where necessary, I have recommended modifications to the Plan (**PMs**) in this report in order that it meets the Basic Conditions and other legal

⁶ View at: [Highcliffe and Walkford Neighbourhood Plan Examination \(bcpCouncil.gov.uk\)](https://www.bcpCouncil.gov.uk/Planning-and-building-control/Planning-policy/Neighbourhood-planning/Highcliffe-and-Walkford-Neighbourhood-Submission-Plan/Docs/Statement-of-Common-Ground.pdf)

⁷ View at: <https://www.bcpCouncil.gov.uk/Planning-and-building-control/Planning-policy/Neighbourhood-planning/Highcliffe-and-Walkford-Neighbourhood-Submission-Plan/Docs/Statement-of-Common-Ground.pdf>

requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

- 3.1 The HWNP has been prepared and submitted for examination by the Parish Council, which is the qualifying body for an area that was originally designated by BCP Council on 2 December 2020.
- 3.2 It is the only Neighbourhood Plan for the Parish and does not relate to land outside the designated Neighbourhood Plan Area.

Plan Period

- 3.3 The Plan specifies clearly the period to which it is to take effect, which is from 2020 to 2028.

Neighbourhood Plan Preparation and Consultation

- 3.4 The Consultation Statement (May 2021) clearly sets out the approach that has been taken towards public consultation. The initial workshop in December 2019 covered a full range of issues and a comprehensive and clear summary of the findings is given in Appendix 1 to the Statement (page 65). A well-publicised residents' survey was undertaken in February 2020, with 162 surveys being completed and a further round of consultation took place in November 2020, with 395 surveys being returned.
- 3.5 An appropriate range of consultation methods were employed, including via the internet and through local newspapers. Hard copies of the surveys were available at the Parish Council offices.
- 3.6 The Consultation Statement clearly demonstrates that significant effort has been placed on undertaking the consultations and on assessing the responses that were received. Bearing in mind the restrictions that were in place at times, because of the Covid-19 pandemic, I consider that the consultation process has been well managed and was sufficiently thorough.
- 3.7 I am able to conclude that the opportunity to contribute to the Plan preparation process has been available to all interested parties at the relevant stages, including at both the Regulation 14 stage (22 January - 8 March 2021) and the Regulation 16 stage (1 October - 12 November 2021). I am satisfied that all the relevant requirements in the 2012 Regulations have been met. I also consider that, overall, the approach taken towards the preparation of the HWNP has been conducted in a fair, proportionate and inclusive manner. The relevant PPG advice on plan
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making and community engagement⁸ has been heeded and the legal requirements have been met.

- 3.8 I am mindful that the PPG advises that where a neighbourhood plan is brought forward before an up-to-date local plan is in place, the qualifying body and the local planning authority should discuss and aim to agree the relationship between the various policies.⁹ Whilst there does appear to have been both engagement and best endeavours by both parties to achieve this, there remain a number of matters where an agreed position between the Parish Council and BCP Council has not been reached.

Development and Use of Land

- 3.9 The Plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act.

Excluded Development

- 3.10 The Plan does not include provisions and policies for 'excluded development'.

Human Rights

- 3.11 I have seen no evidence that the Plan breaches Human Rights (within the meaning of the Human Rights Act 1998), and it is not a matter that has been raised by any of the respondents, including BCP Council.

4. Compliance with the Basic Conditions

EU Obligations

- 4.1 The Strategic Environmental Assessment (SEA) Screening Determination prepared by Dorset Planning Consultant Ltd on behalf of the Parish Council (May 2021) concluded that the HWNP is 'unlikely to have significant effects on the environment'. The SEA Screening Determination also incorporates the Habitats Regulations Assessment (HRA) screening, which concludes that 'the Highcliffe and Walkford Neighbourhood Plan would not be likely to result in a significant effect on any European Site, either alone or in combination and therefore further assessment under the Habitats Regulations is not required'. Having read the document and the representations submitted from interested parties, including from Natural England and Historic England, I support these conclusions.

⁸ For example, PPG Reference ID: 61-030-20180913.

⁹ PPG Reference ID: 41-009-20190509.

Main Issues

- 4.2 I have approached the assessment of compliance with the Basic Conditions of the Highcliffe and Walkford Neighbourhood Plan as two main matters:
- General issues of compliance of the Plan, as a whole; and
 - Specific issues of compliance of the Plan policies.

General Issues of Compliance of the Plan

National Policy, Sustainable Development and the Development Plan

- 4.3 The policies in the HWNP are set out under five main headings which are: The High Street; Our Green Spaces; Local Routes – walking, cycling and on-street parking; Community Facilities; and Housing and Design. There is a final section entitled 'Reviewing this Plan'. The Basic Conditions Report (May 2021) clearly explains how the HWNP has met the legal requirements; taken into account national and strategic policies; and not breached EU and sustainability obligations.
- 4.4 Subject to the detailed comments that I set out below, I conclude that the HWNP has had proper regard to national policy and guidance. I also conclude that, subject to the modifications that I recommend:
- The HWNP is in general conformity with the strategic policies of the adopted Development Plan for the area, and that overall the document provides an appropriate framework that will ensure the satisfactory achievement of the Parish Council's vision for Highcliffe and Walkford (as set out on page 5 of the HWNP); and
 - That the policies, as modified, are supported by appropriate evidence, are sufficiently clear and unambiguous and that they can be applied with confidence.¹⁰

Specific Issues of Compliance of the Plan's Policies

Introductory Sections

- 4.5 The first chapter introduces the reader to the characteristics of the locality and sets out the priorities for the area and includes a Vision Statement. The preparation of the Plan is explained, and the existing planning policy framework is clearly set out. These elements of the document enable the reader to understand the background to the Plan.
- 4.6 In the interests of clarity it is recommended in **PM1** that a Text Box be inserted in the Introductory section which describes how to interpret the words 'should' and 'will'.

¹⁰ PPG Reference ID: 41-041-20140306.

The High Street (page 11)

- 4.7 The High Street is designated as a District Centre and on my visit, I saw that there is a reasonable range of shops and services available. However, the ambience of the locality is reduced by the level of traffic on the A337 main road through the area. A High Street Enhancement Study has been undertaken on behalf of the HWPC, which includes a number of potential improvements that could be considered, and I note that the Parish Council will support opportunities to implement appropriate enhancement work where possible.

Policy HWNP1 High Street Environment – the Public Realm (page 13)

- 4.8 The policy provides support for improving the High Street environment but makes specific reference to 'setback, scale and route connections'. I consider that the identification of the 3 'considerations' is unduly restrictive – there may be other matters, for example planting, surfacing and use of materials, that may improve the environment for pedestrians. I am also mindful that policy HE2 of the adopted Core Strategy comprehensively addresses the issue of design (including layout, scale, bulk, materials and amenity). I therefore recommend the deletion of the three specific considerations in **PM2**.

Policy HWNP2 High Street Uses (page 16)

- 4.9 The range of supported High Street uses, as set out in the policy, is clear and justified. However, in the interests of clarity the reference in the first line of the policy should be to the District Centre (rather than the High Street area) and **PM3** is therefore recommended. Similarly, the last sentence of the second paragraph should be clarified with regard to permitted development rights (**PM4**); the first sentence of the third paragraph should be deleted because it is not supported by sufficient evidence (**PM5**); and the reference to 'Local Plan Shopping Area' should be removed from Map 5 for clarity (**PM6**).
- 4.10 The Statement of Common Ground requests the inclusion of additional text primarily regarding permitted development rights. I consider it would be appropriate to replace paragraph 3.12 with the suggested text and recommend accordingly in **PM7**.

Policy HWNP3 Local Centres (page 17)

- 4.11 There are two local centres at Ringwood Road and Saulfland Road. The policy offers support for improvements to the two shopping areas. At the time of my visit there was activity at both the local centres, and they appear to serve a very useful function for the nearby community. The policy, which also provides some protection for the living conditions of nearby residents, meets the Basic Conditions.

Conclusions on The High Street Policies

4.12 The importance of sustaining the role of town centres and other primary shopping areas is confirmed in chapters 7 and 8 of the NPPF. I am confident that the proposed policies, subject to the proposed modifications referred to above, will assist in achieving that objective and that they will contribute to the achievement of sustainable development and meet the other Basic Conditions.

Our Green Spaces (page 18)

4.13 The contribution that open green spaces make to the character of the locality is clear and the evidence suggests that many of them are of importance and value to the local community. Appendix 1 to the HWNP (page 47) is an Assessment of Local Green Spaces (LGS) and Appendix A of the Basic Conditions Report (page 16) also includes consideration of overlapping policies and other LGS issues. I have used both Appendices in my consideration of the matter, together with the representations that relate to LGS (including the LGS Ownership Table that I received on 11 February 2022 from BCP Council, which includes BCP Council comments on each of the sites). However, it is Appendix 1 of the submitted Neighbourhood Plan that has taken precedence in my considerations because it forms part of the submission document. I have also taken into account what I saw on my site visit.

4.14 Before considering the sites that have been identified, I consider it would be valuable to summarise national advice on the matter, as this will assist in understanding the conclusions that I have drawn. The NPPF (paragraph 102) confirms that LGS should be reasonably close to the community; demonstrably special to the community and holding a particular local significance to that community; and local in character. They should also be capable of enduring beyond end of the Plan period (NPPF, paragraph 101).

4.15 The PPG¹¹ confirms that LGS should be areas of particular importance to the local community; they must be demonstrably special to the community; they will need to be consistent with local planning for sustainable development in the area; they should not undermine the aim of plan making; and where land is already protected consideration should be given to whether any local benefit would be gained by designation as LGS.

4.16 I have considered all the requirements for LGS but there are two matters in particular that I consider need closer scrutiny:

- whether the proposed LGS sites are already sufficiently protected by existing policies; and
- whether all the proposed LGS sites can correctly be described as 'demonstrably special'.

¹¹ Starting at Paragraph 005, Reference ID: 37-005-20140306.

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Policy HWNP4 Local Green Spaces (page 19)

- 4.17 A total of 29 Local Green Spaces (LGS) have been identified by HWPC (there appears to be no number 14) and they are listed on page 19 of the HWNP and assessed in Appendix 1 (page 47). Paragraph 4.5 confirms that the coast and cliffs have not been designated as LGS and that they are protected by other designations.
- 4.18 The PPG on Open space, sports and recreation facilities, public rights of way and local green space, advises that 'if land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space'.¹² Appendix 1 to the HWNP includes a column which specifies any overlapping designations. In terms of 'overlapping' I have particularly considered Core Strategy policy HE4 Open Space Provision; Core Strategy policy ME1 Safeguarding Biodiversity and Geodiversity; saved Local Plan policy ENV9 Coastal Area Protection; and saved Local Plan policy ENV15 relating to green corridors. Saved policies L3 (BAE Sports Ground) and L8 (Highcliffe Golf Course) are also relevant.
- 4.19 The Parish Council has commented that Core Strategy policy HE4 refers to the fact that existing open space could be lost to development. However, the policy makes it clear that any open space that would be lost must be replaced in close proximity, unless it can be shown that the open space or facility is not required. I consider this to be an adequate safeguard and there is no evidence that I have seen that would lead me to conclude that there is any significant threat to overall open space provision in the Parish.
- 4.20 I have given very careful consideration to this issue and conclude that a large number of the proposed LGS are satisfactorily protected by existing policies, and I have seen no substantive evidence that would lead me to conclude that additional local benefit would result from their designation as LGS. The following list summarises the existing policy protection (with the exception of Tree Preservation Order (TPOs) which I consider offer protection to the trees and not necessarily to the open space in which they are located). It also includes references to relevant current planning applications:
- LGS03 Nea Meadows: Local Nature Reserve; Site of Nature Conservation Interest; Core Strategy policies HE4 and ME1
 - LGS04 Highcliffe Castle and grounds: setting of listed building; Core Strategy policy HE4; saved policy ENV9
 - LGS04b Rothsay Drive: saved policy ENV9
 - LGS05 Chewton Bunny: Green belt; Site of Nature Conservation Interest (SNCI); saved policy ENV9
 - LGS05b Abingdon Drive: saved policy ENV9
 - LGS06 Steamer Point: Local Nature Reserve; Core Strategy policies ME1 and HE4

¹² PPG Reference ID: 37-011-20140306.

- LGS07 Highcliffe Recreation Ground: Core Strategy policy HE4; saved policy ENV9
- LGS08 Chewton Common: registered common land; Core Strategy policies ME1 and HE4
- LGS09 Cliffhanger: Green belt; adjacent to Site of Special Scientific Interest; saved policy ENV9
- LGS10 Lakewood: None (TPO)
- LGS11 Wingfields Recreation Ground: Core Strategy policy HE4
- LGS 12 Jesmond Avenue Wood: saved policies ENV15 and KS4 and Core Strategy policies HE4 and ME1 (part). Current planning application¹³
- LGS 13 Wharncliffe Road grasses area: saved policy ENV9; Core Strategy policy HE4
- LGS15 Mudeford Wood: part SNCI; Core Strategy policy HE4; saved policy ENV15
- LGS16 Mudeford Wood Recreation Ground: Core Strategy policy HE4; saved policies L3 and ENV15
- LGS17 Green spaces off Saffron Drive: Core Strategy policy HE4 (part)
- LGS18 Woodfield Gardens: None (existing public open space)
- LGS19 Bellflower close play area: None (existing public open space)
- LGS20 St Marks cemetery: saved policy ENV15
- LGS21 Hurst Close: None (existing public open space)
- LGS22 Oakwood Road/Latimer Close greens: None
- LGS23 Haslemere Avenue: None (public highway)
- LGS24 Bramble Lane Copse: registered common land; part within conservation area and most protected by Core Strategy policy HE4
- LGS25 Hoburne Brook: None (public open space)
- LGS26 Hoburne Farm Estate/Verno Lane: current planning application¹⁴ (part within Conservation Area)
- LGS27 Woodhayes Avenue Copse: None (existing open space)
- LGS28 Ashmore Grove Copse: None (existing open space)
- LGS29 The Meadway: None (existing open space)
- LGS30 Walkford Allotments: existing allotments; Core Strategy policy HE4
- LGS31 Roeshot Allotments: existing allotments; Core Strategy policies HE4 and CN1
- LGS32 Highcliffe Castle Golf Course: Core Strategy policy HE4; saved policies L8 and ENV9.

4.21 I turn now to the other requirements regarding LGS (summarised in paragraph 4.14 above) and in particular whether the sites could accurately be described as demonstrably special to the local community.

4.22 Appendix 1 to the HWNP includes a column which identifies the level of support for each of the proposed LGS and a majority of the sites achieved over 88% support in the Household Survey. I consider such an assessment to be relatively subjective in nature because the potential loss

¹³ 8/22/0306/FUL.

¹⁴ 8/21/1210/out.

of any open space is inevitably an emotive subject. However, in the absence of any evidence to the contrary I conclude that the identified LGS sites are special to the local community.

- 4.23 Having considered all the representations submitted and the information contained within Appendix 1 of the HWNP and heeding the advice on LGS in the NPPF and in the PPG, I conclude that there are 10 locations where the designation of LGS is justified, and they are:
1. LGS10 Lakewood (only covered by TPO)
 2. LGS17 Green spaces off Saffron Drive (only part covered by Core strategy policy HE4)
 3. LGS18 Woodfield Gardens (only covered by TPO)
 4. LGS19 Bellflower Close play area (no other designation)
 5. LGS21 Hurst Close (no other designation)
 6. LGS22 Oakwood Road/Latimer Close green spaces – parcels a, b, c and d (only covered by TPO)
 7. LGS25 Hoburne Brook (no other designation)
 8. LGS27 Woodhayes Avenue Copse (no other designation)
 9. LGS28 Ashmore Grove Copse (no other designation)
 10. LGS29 The Meadway (no other designation)
- 4.24 I have not supported the designation of sites LGS12 (covered by saved policy ENV15) and LGS26 (part within and adjoining a Conservation Area) because there are outstanding planning applications on both sites, and they may have the potential to contribute to the delivery of housing. Whilst I acknowledge the views of the Parish Council, I am mindful, firstly, that permission has been granted in the past for up to 38 dwellings at Hoburne Farm and the BCP Council appear to conclude (in the Statement of Common Ground) that both sites would help the delivery of much needed housing in sustainable urban locations, in accordance with Core Strategy policy KS4. Secondly, the SoCG confirms that Christchurch currently has a 2.7 year housing land supply and therefore there is a need to identify more land for housing in order to deliver the housing requirements for the area.
- 4.25 On a further point, I note that the policy would protect LGS from development ‘unless very special circumstances can be demonstrated’. This may be contrasted with the NPPF, which states that policies for managing development within a Local Green Space ‘should be consistent with those for Green Belts’ (NPPF paragraph 103). In addition to development demonstrating very special circumstances, national policy would allow for developments that are ‘not inappropriate’ or which are identified as exceptions. I therefore recommend, in **PMS**, that the list of Local Green Space is revised to remove those sites that are adequately protected through the implementation of other policies, and further recommend amendment to the policy text to achieve the necessary regard to national policy

4.26 In the interests of consistency and clarity Map 7 (page 20) should refer to 'Proposed Accessible Green Spaces' and not 'potential Green Space' (**PM9**).

Policy HWNP5 Green Corridors (page 21)

4.27 The identification of green corridors will contribute to improving the biodiversity of the locality and accords with advice in NPPF paragraph 179 relating to habitats and biodiversity. It was suggested by BCP Council that the designations could impede the provision of certain infrastructure (e.g. digital provision and cycleways). I agree that such a risk exists and therefore I recommend a modification to the policy, in **PM10**, which clarifies the position.

Policy HWNP6 Proposed Accessible Green Spaces (page 21)

4.28 Accessible green spaces are a valuable element in securing sustainable development and will help to achieve the environmental objective as set out in the NPPF. Such provision is to be supported.

4.29 The clarity of Map 7 is referred to in paragraph 4.26 above.

Conclusion on Green Spaces Policies

4.30 Subject to the proposed modifications referred to above, I am satisfied that the Green Spaces policies have regard to national policies and advice and meet all the other Basic Conditions.

Local Routes – walking, cycling and on-street parking (page 21)¹⁵

4.31 The evidence leads me to conclude that walking and cycling are important to the residents of Highcliffe and Walkford, which is not surprising bearing in mind the attractiveness of the area. The provision of new routes and the improvement of existing routes are to be welcomed.

Policy HWNP7 Walking and Cycle Routes (page 24)

4.32 Both parties have agreed (in the Statement of Common Ground) revised wording for policy HWNP7 which I agree provides significantly greater clarity. It should also be made clear in policy HWNP7 that the strong preference is for the separation of walkers and cyclists. These changes are recommended in **PM11**.

4.33 In the interests of consistency and clarity it has been agreed in the Statement of Common Ground that Map 8 should be replaced by the BCP Council Local Cycling and Walking Infrastructure Plan (LCWIP Map

¹⁵ To note there are two pages marked 'page 21' in the submission version of the Plan.
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covering Highcliffe and Walkford) (adopted May 2022). This is recommended in **PM12**.

Policy HWNP8 Parking Standards (page 26)

4.34 The BCP Council Parking Standards Supplementary Planning Document (SPD) was adopted in January 2021. Paragraphs 4.3.1 to 4.3.6 refer to the consideration of 'increases or reductions in parking provision'. I consider that this enables sufficient flexibility in terms of the approach to be taken to such provision. On that basis I conclude that the policy should be reworded to confirm that parking should be provided in accordance with the adopted SPD and that there should be a reference to situations where on-street parking is a significant issue (**PM13**).

Conclusions on Local Routes Policies

4.35 Subject to the proposed modifications referred to above, the identification of local routes for cyclists and walkers contributes to the achievement of sustainable development and meets all the other Basic Conditions.

Community Facilities (page 27)

4.36 On my visit I saw a reasonable range of community facilities in the area, and these are identified on Map 10 (page 29).

Policy HWNP9 Locally Important Community Facilities (page 29)

4.37 The policy encourages the retention and improvement of community facilities and this accords with advice in chapter 8 of the NPPF on Promoting healthy and safe communities. Emphasis is placed on concentrating facilities in the High Street area and bearing in mind the proximity of bus routes this is a justified approach.

Conclusions on Community Facilities Policy

4.38 The identification of important community facilities and their retention adds to the sustainability credentials of Highcliffe and Walkford and I conclude that all the Basic Conditions are met.

Housing and Design (page 30)

4.39 It is clear to me that the Parish Council has undertaken considerable research into the provision of housing in the area, including in relation to household sizes, the size and style of dwellings, house prices, the role of flats and apartments and second homes. There is particular concern regarding apartment blocks but there is not an embargo on such development, rather the Parish Council are seeking to ensure that such development does not become the dominant form of residential development in the area.

- 4.40 Paragraph 7.1 point 3, regarding woodland at Jesmond Avenue, should be amended to reflect the proposed wording of the HWPC albeit slightly abridged in the interests of achieving clarity (**PM14**).

Policy HWNP10 House Types (page 32)

- 4.41 There is no agreement between HWPC and BCP Council regarding policy HWNP10, despite there having been significant discussion between the parties, including during the preparation of the SoCG. The Parish Council has provided amended wording in the SoCG but I am not satisfied that policy HWNP10 (as proposed to be amended) is based on appropriate substantive evidence, that local needs have been assessed with sufficient rigour (for example why has the 'limited proportion' gone up from 10% to 25% - as set out in the Parish Council's preferred amended wording?) and that the revised policy is sufficiently flexible to ensure that a suitable range of housing type provision will be achieved. The wording is over-prescriptive. On that basis I am unable to support the inclusion of such a policy because it does not have sufficient regard to national policies and advice and therefore does not meet the Basic Conditions. I therefore recommend the deletion of policy HWNP10 in **PM15**.

Policy HWNP11 Housing Design for Practical Living (page 35)

- 4.42 This policy sets out how new housing should be designed to ensure that it is environmentally and socially sustainable. I am not aware of any justification for seeking national space standards to be exceeded – this would be up to the individual applicant. Therefore, I recommend, in **PM16**, that the reference to standards being exceeded is deleted.
- 4.43 The last point in the policy refers to sunlight 'provision' for a reasonable period of the day. I consider that an element of flexibility should be introduced and recommend, in **PM17**, that the word 'sunlight' is replaced by 'daylight'. With regard to the definition of a 'reasonable period of the day' I agree that it may be open to interpretation but consider that the decision makers will be able to use their collective judgement based on the individual characteristics of the proposal before them.

Policy HWNP12 Retaining and Reinforcing Local Character (page 43)

- 4.44 The supporting text in relation to Design (page 35) is clear and comprehensive and includes 'informal' suggestions as to how the character of the area could be improved.
- 4.45 With regard to policy HWNP12, which establishes the guidelines to be followed in the consideration of design, BCP Council suggested¹⁶ that some elements of the policy are over-restrictive. However, the Parish Council (in the SoCG) has suggested modified wording which I consider would introduce more flexibility, clarify the policy and make it easier for

¹⁶ See response to my Question 3 to both Councils.

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the decision maker to interpret. I therefore recommend modifications to bullet point 2 of the policy in **PM18**. The other changes suggested by the Parish are not required to meet the Basic Conditions. In that way, I am satisfied that the policy will appropriately reflect the land use aspirations of the local community.

Conclusions on Housing and Design Policies

4.46 Taking into account the modifications that I am recommending the Housing and Design policies will contribute to achieving sustainable development, have due regard to national policies and advice, and meet all the other Basic Conditions.

Other Matters

4.47 It was suggested by the New Forest District Council and the New Forest National Park Authority that there should be a policy in the HWNP regarding the provision of mitigation measures to address the impact of development on the New Forest. My understanding is that a Memorandum of Understanding (MoU) on this matter has been drafted for consideration by all the relevant bodies and Councils but as yet the contents of the MoU have not been endorsed. It would therefore be premature to address the issue in the HWNP.

4.48 Dorset Council expressed concerns regarding the absence of references to the minerals and waste plans. However, these are not matters directly addressed in neighbourhood plans and it is therefore not necessary to address these matters in the HWNP.

Reviewing this Plan

4.49 The Parish Council has confirmed in paragraph 8.1 that it will consider the need to review the Plan on an annual basis. Bearing in mind the likely progress on the Bournemouth, Christchurch and Poole Local Plan this is an appropriate commitment.

Projects

4.50 A number of 'Projects' are identified throughout the document (blue boxes). These are referred to in paragraph 1.23 and are basically statements of intent and not land use planning policies. They provide a helpful indicator of the projects that may evolve throughout the life of the Neighbourhood Plan.

Factual and Minor Amendments

4.51 Minor amendments to the text can be made consequential to the recommended modifications, alongside any other minor non-material changes, updates or corrections in agreement between the Parish Council

and BCP Council.¹⁷ This should include the revised numbering of the Maps in the Plan.

5. Conclusions

Summary

- 5.1 The Highcliffe and Walkford Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the Plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on the Neighbourhood Plan, and the evidence documents submitted with it.
- 5.2 I have made recommendations to modify a number of policies and text to ensure the Plan meets the Basic Conditions and other legal requirements. I recommend that the Plan, once modified, proceeds to referendum.

The Referendum and its Area

- 5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the Plan relates.
- 5.4 The Highcliffe and Walkford Neighbourhood Plan as modified has no policy or proposals which I consider significant enough to have an impact beyond the designated Neighbourhood Plan boundary, requiring the referendum to extend to areas beyond the Plan boundary. I recommend that the boundary for the purposes of any future referendum on the Plan should be the boundary of the designated Neighbourhood Plan Area.

Overview

- 5.5 It is clear to me that considerable effort has been made to ensure that the HWNP addresses the issues that are of importance to the local community. It is inevitable that in a relatively built-up environment (bordered by the Green Belt), where there are few opportunities for significant development, there will be pressure to ensure that no damage is done to areas of open space that are valued by the community. Subject to the recommended modifications, I am confident that an appropriate balance has been achieved in this regard and that the characteristics of the area, which are valued by residents and visitors alike, will not be significantly harmed.
- 5.6 The Parish Council has prepared a clear, attractive and well-structured document and I am confident that the Vision of the HWPC, for a safe, successful, vibrant and attractive place to live, work and visit, can be achieved.

¹⁷ PPG Reference ID: 41-106-20190509.

David Hogger

Examiner

Appendix: Modifications (18)

Note: Deletion are shown in ~~strikethrough~~ and additions are shown in **bold**.

| Proposed modification number (PM) | Page no./ other reference | Modification |
|-----------------------------------|---------------------------|---|
| PM1 | Between Pages 10 and 11 | <p>Insert a text box to read:</p> <p>The words 'should' and 'will' throughout the Plan have specific meanings and are defined as follows:</p> <p>The word 'should' does not imply that the policy is optional or simply something the Parish Council desires if offered. Where the word 'should' is used, this is because it is thought conceivable that a proposal may not be able to fully comply with that policy's requirements, but that if it aligned with the policy intention as far as possible, it may still on balance be found to be acceptable (depending on the reasons why complying wholly was not possible, and the extent to which the proposal aligned with that policy and the development as a whole). Therefore where the word 'should' is used, and an applicant considers that there are good reasons why their proposal cannot meet the policy requirements, they should explain this as part of their application, and show how they have aligned with that policy's intention as far as possible.</p> <p>Where the word 'will' has been used to set out a requirement in a policy, failure to comply with the policy is not envisaged as acceptable, and this failure should be given significant weight in the decision.</p> |

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| PM2 | Policy HWNP1 Page 13 | Delete the last part of the policy: Any major redevelopment schemes fronting onto the High Street should seek to improve the High Street environment for pedestrians through the careful consideration of setback, scale and route connections. |
| PM3 | Policy HWNP2 Page 16 | In first sentence of policy replace High Street area with District Centre . |
| PM4 | Policy HWNP2 Page 16 | Add wording to the end of the second paragraph of the policy to read: ... will not be supported, notwithstanding permitted development rights where Prior Approval may be sought. |
| PM5 | Policy HWNP2 Page 16 | Delete the first sentence of the third paragraph of the policy: The amalgamation or subdivision of units to allow the creation of larger or multiple smaller premises is supported. |
| PM6 | Map 5 Page 15 | Delete reference on Map 5 to Local Plan Shopping Area and remove the identified boundary. |
| PM7 | Paragraph 3.12 Page 14 | Delete all of paragraph 3.12 and replace with: Under the Town and Country Planning (General Development) (England) Order 2015, Class MA permitted development rights will allow many properties within Class E to change to residential use without consideration of the impact on the High Street (where the proposal is outside a conservation area), providing certain conditions are met. Class MA only applies to proposals where less than 1,5500 sqm of cumulative floorspace is to be converted. To benefit from Class MA, the use of the building must have fallen within Class E or one or more of the uses that it replaced, for |

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| | | <p>at least two years continuously prior to the date that the prior approval application was made. The building must also have been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval (but periods of closure as a result of Government Covid-19 restrictions will not count towards the vacancy period where the building continues to be occupied by the owner or tenant). Proposals for Class MA are subject to meeting conditions in terms of transport impacts, contamination risks, flooding, noise, and natural light but do not require an assessment of the impact arising from the loss of retail uses i.e. the implications for the District Centre's overall vitality and viability. These permitted development rights would not over-rule restrictive planning conditions or legal agreements that would prevent such a change.</p> |
| PM8 | <p>List of Local Green Spaces in the Parish</p> <p>Page 19</p> | <p>Replace the current list with the following list (which includes up-dated reference numbers):</p> <ul style="list-style-type: none"> • LGS1 Lakewood • LGS2 Green spaces off Saffron Drive • LGS3 Woodfield Gardens • LGS4 Bellflower Close play area • LGS5 Hurst Close • LGS6 Oakwood Road/Latimer Close greens • LGS7 Hoburne Brook • LGS8 Woodhayes Avenue • LGS9 Ashmore Grove • LGS10 The Meadway <p>Consequently, redraw Map 7: Green Infrastructure Network to reflect the modified position.</p> |

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| | Policy HWNP4 Pages 19 and 20 | <p>Revise the text of policy HWNP4 to read as follows:</p> <p>The areas shown as Local Green Spaces (LGS) on Map 7 are designated for the strongest protection. Development within these areas will not be permitted other than in very special circumstances, and development proposals within or adjacent to these area must not undermine the reason for that space's designation as listed in Appendix 1. Policies for managing development within these areas should be consistent with those for Green Belts.</p> <p>Development that would positively enhance the beneficial use of these spaces, such as to provide improved access or to allow opportunities for outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity, will be supported, provided their openness is preserved.</p> |
| PM9 | Map 7 Page 20 | In the key replace Potential Green Space with Proposed Accessible Green Spaces. |
| PM10 | Policy HWNP5 Page 21 | <p>Modify policy to read:</p> <p>In tThe Green Corridors (as shown on map 7) are to be retained and opportunities should be taken, where practical, to:</p> <ul style="list-style-type: none"> • Enhance tree cover; • Enhance biodiversity through the linking of habitats; and • Provide opportunities for the informal enjoyment of these spaces where they form part of the public realm. <p>Development proposals adjacent to or including a part of a green corridor (including, for example, for digital</p> |

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| | | provision or cycleways) will be expected to respect its function and integrity. |
| PM11 | Policy HWNP7 Page 24 | <p>Modify policy to read:</p> <p>Development should improve the safety and/or connectivity of the pedestrian and cycle networks where practical, taking into account the indicative cycle network shown on Map 8 (and when produced the Local Cycling and Walking Infrastructure Plan). (adopted May 2022). The separation of cyclists and pedestrians will be expected wherever feasible.</p> <p>The design of any such off-road routes should ensure that these are coherent, direct, safe, comfortable and attractive having regard to national guidance. This should include consideration of how the design would where feasible be accessible to all, including suitable for use of people with wheelchairs or buggies, how the routes would be suitably overlooked, the provision of benches, and the use of landscaping landscaped to enhance biodiversity through the provision of wildlife corridors. This should include consideration of the provision of benches and access to cycle racks.</p> |
| PM12 | Map 8 Page 24 | Replace Map 8 with the BCP Council Local Cycling and Walking Infrastructure Plan (adopted May 2022) Map covering Highcliffe and Walkford. |
| PM13 | Policy HWNP8 Page 26 | <p>Delete all of policy HWNP8 and replace it with:</p> <p>The starting point for the consideration of car parking provision will be the BCP Council Parking Standards SPD (adopted January 2021). Within an area where it is clearly and thoroughly evidenced that there are significant on-street parking</p> |

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| | | problems, variation from the adopted standards may be considered. |
| PM14 | Paragraph 7.1 Page 30 | Modify the third inset to read: Woodland at Jesmond Avenue – for residential (which is a Green Corridor) and proposed for Local Green Space designation through this Neighbourhood Plan). |
| PM15 | Policy HWNP10 Page 32 | Delete policy HWNP10 in its entirety. |
| PM16 | Policy HWNP11 Page 35 | In the first requirement of the policy delete and preferably exceed . |
| PM17 | Policy HWNP11 Page 35 | In the last requirement replace sunlight by daylight . |
| PM18 | Policy HWNP12 Page 43 | Modify the second bullet point to read: Seek to retain the degree of spaciousness and set-back where this makes an important contribution to that contributes to each local area's character and/or that enables the retention and integration of larger tree species within the area as well as practical garden space. Cramped forms of infill development that have limited space for landscaping are unlikely to be appropriate. Similarly Parking provision should not dominate the street scene, with measures taken to ensure that front gardens and landscaped open grassed spaces in front of properties are not simply re-purposed turned into a barren wasteland to readily accommodate the car. |