6th September 2026
Ref: 26544/BM/DT

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BCP Council
Burton & Winkton Draft Neighbourhood Plan Consultation
Planning Policy
Civic Offices
Bourne Avenue
Bournemouth
BH2 6DY

Sent via email to: neighbourhoodplanning@bcpcouncil.gov.uk

Dear Sir / Madam,

Burton & Winkton Neighbourhood Plan – Regulation 16 Consultation

Re: Land adjoining and to the east of the Stony Lane Waste Water Treatment Works

About the Landowners

This Representation has been prepared on behalf of Christchurch Energy and Meyrick Estate Management, the latter having clients who own much of the undeveloped land in the Parish of Burton and Winkton ('the Landowners').

About the site

This Representation relates to land adjoining and lying to the east of Stony Lane Waste Water Treatment Works and which is bounded by the Christchurch Bypass and the railway embankment. Part of this land falls within the Burton and Winkton Neighbourhood Plan boundary ('the Burton Site'). The remainder of this land falls within the Christchurch Neighbourhood Plan boundary. In this Representation the two parts are referred to as 'the Wider Site'. A site location plan is enclosed at Appendix 1.

Part of the Wider Site was promoted for mixed-use development within the Bournemouth, Christchurch and Poole (BCP) Local Plan - 2025 Call for Sites consultation (BCP Call for Sites reference 073). The land promoted in this consultation was termed the '*Land to the North of the A35*'.

The Wider Site is currently greenfield land. However, the Wider Site is notable for its energy-availability potential. To amplify, the Wider Site is:

- crossed by high voltage electricity infrastructure with ready potential and need for improvement of both infrastructure and connectivity; and

- located next to gas distribution infrastructure.

National Policy: the August 2026 NPPF

National policy is undergoing significant change: the latest National Planning Policy Framework ('NPPF') was published on 18th August 2026 and supersedes all previous versions. Whilst it is not part of the Development Plan, the NPPF is national guidance and a material consideration of critical importance.

The latest version of the NPPF makes several structural policy changes, which have wide-ranging implications for both plan-making and decision-making. Of particular relevance is that the NPPF seeks to place an increased critical importance on national policy. For example, Annex A, Paragraph 2 states:

> '*Development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework*'

Timing Issues

The current Burton & Winkton Neighbourhood Plan Submission was submitted to the local planning authority under Regulation 15 in advance of the latest NPPF being published. Unlike local plans, there are no transitional arrangements in place for Neighbourhood Plans submitted to the local planning authority under Regulation 15 after 17 August 2026. However, Annex A, Paragraph 6 of the NPPF does state that for neighbourhood plans that have already been submitted, the qualifying body may choose to withdraw the plan and update it to account for the latest Framework.

In light of these timing issues, the Parish Council should consider the clear merits of ensuring that the submitted Neighbourhood Plan accords with the latest August 2026 NPPF and policies therein. This would ensure that the plan is capable of both:

- enduring and being meaningful and effective in terms of shaping development; and
- being adopted lawfully without risk of challenge in the courts.

As referenced previously, Annex A, Paragraph 2 is clear that development plan policies which are materially inconsistent with the national decision-making policies in the Framework should be given very limited weight, with the only exception being where they have been examined and made against the current Framework.

Accordingly, the only way for the Neighbourhood Plan to be capable of enduring and therefore ensuring it is meaningful and effective in terms of shaping development, is for it to be examined and made against the current NPPF.

Furthermore, and for reasons set out below, we do not believe that the current form of the Neighbourhood Plan reflects NPPF policy relating to energy and related infrastructure development.

Further doubts as to the lawfulness of the current form of the Neighbourhood Plan: Neighbourhood Plan Basic Conditions

We are of the view that the present form of Neighbourhood Plan is not capable of meeting the neighbourhood plan basic conditions set out in legislation. These Basic Conditions are examined below. If it cannot do so, the Plan is at material risk of being found to be unlawful.

Accordingly, we would suggest that the Parish Council reviews the draft Neighbourhood Plan in light of the latest NPPF and undertakes a Regulation 14 and/or Regulation 16 consultation once this is completed to ensure due process is followed.

In accordance with Schedule 4B of the Town and Country Planning Act 1990 (as inserted by Section 116 of the Localism Act 2011), in order for a draft neighbourhood plan to proceed to a referendum and be made, it must meet a number of basic conditions. These include, but are not limited to:

> *(a) having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan)*
>
> *(d) the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development*

The Planning Practice Guidance (PPG) confirms that a qualifying body should consider throughout the process how it will demonstrate that its neighbourhood plan will ensure the basic conditions are met.

Basic condition (a) requires that any neighbourhood plan has regard to national policies and advice contained in guidance issued by the Secretary of State: this includes the NPPF. As set out below, the latest NPPF in Chapter 10 raises the role of energy and related infrastructure development in the national planning system to critical importance.

The current draft of the Neighbourhood Plan does not include any provision for energy and related infrastructure development within the neighbourhood plan boundary.

Consequently, we would recommend that not only is this omission is reviewed but that provision in the form set out in the concluding section of this Representation is included so that the Neighbourhood Plan can be lawfully made without risk of challenge in the Courts.

Chapter 10 NPPF: energy and other related infrastructure development

The latest NPPF significantly elevates the role of energy and other related infrastructure in the national planning system. '*Chapter 10. Securing clean energy and water*' is a new dedicated chapter which integrates energy capacity and infrastructure into plan-making and decision-making for the first time. An extract from Chapter 10 is set out below:

W2: Securing renewable and low carbon energy and electricity network infrastructure

1. The development plan should support the transition to clean power by planning positively for the increased supply and use of renewable and low carbon energy and electricity network infrastructure. This means that the development plan, should, at the most appropriate level, seek to maximise the potential for suitable development by identifying:

   a. Areas which are suitable for renewable and low carbon energy development and electricity network infrastructure, including for future re-powering and life extension, where this would help secure their development; and

In short, we believe the Burton and Winkton Neighbourhood Plan should identify the Burton Site and land adjoining as an area suitable for energy and related infrastructure development; and do so in the terms set out in the concluding section of this Representation.

NPPF: other relevant provisions

The NPPF also includes a requirement that plans provide for modern transport facilities such as EV charging and related infrastructure (see Chapter 15). This highlights the importance of this type of development and demonstrates the need for such developments to be supported through incorporation of similar policies into Local Development Plans. The current draft Neighbourhood Plan does not make provision for infrastructure development of this type within the Neighbourhood Plan boundary.

Consequently, we recommend that the Burton Site and adjoining land is identified as having potential to host EV charging and related infrastructure. We believe that this can be done by means of a site allocation drafted in the terms set out in the concluding part of this Representation.

Summary and Conclusion

In conclusion, and for the reasons set out above, we strongly recommend that:

1. The Neighbourhood Plan should be reviewed against the latest NPPF before progressing, particularly in relation to the provision energy and other related infrastructure development; and

2. The Burton Site and land adjoining should be identified for energy and related infrastructure development in following terms:

   "*Land adjoining and to the east of the Stony Lane Waste Water Treatment Works and bounded by the Christchurch Bypass and the railway embankment is allocated for energy and related infrastructure development.*"

Finally, our clients have informed us that they would welcome a meeting at an early opportunity to discuss this Representation with those responsible for preparing the Neighbourhood Plan.

Yours faithfully,



Dan Trundle MRTPI

Associate Director