6th September 2026
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BCP Council
Burton and Winkton Draft Neighbourhood Plan Consultation
Planning Policy
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BH2 6DY

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

Dear Sir/Madam,

Burton and Winkton Draft Neighbourhood Plan 2025 – 2039 - Proposal Consultation
Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 (June 2026)

Re: Process, method and new housing

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

In particular, the Landowners or their clients own the following 3 land parcels which have been either allocated in the Christchurch Core Strategy 2014 or were promoted as part of the BCP Local Plan - 2025 Call for Sites consultation:

1. Land to the South of Burton (11.21 ha) for residential led development: see Appendix 1;

2. Land to the East of Burton (of up to 63.8ha) for mixed use residential led development – please refer to Appendix 2;

3. Land on the outskirts of Winkton – please refer to Appendix 2.

Executive Summary: multiple objections to the current draft of the Neighbourhood Plan

This Representation objects to the current form of the Burton and Winkton Draft Neighbourhood Plan on the following bases:

1. It has been prepared against what is now an outdated policy context following the publication of the August 2026 NPPF;

2. It relies on a self-defined housing requirement rather than one set by BCP Council;

3. It adopts an overly restrictive approach to housing delivery;

4. It does not meet the Basic Conditions for neighbourhood plans;

5. It fails to respond adequately to BCP's significant housing shortfall; and

6. It depends too heavily on existing commitments and windfall development.

The Landowners therefore recommend as a matter of urgency that the Plan be reviewed and updated to both reflect current national policy and to allocate additional housing sites in Burton and Winkton in order to provide a more flexible and deliverable housing strategy.

Failing such a review, the Neighbourhood Plan is at high risk of being:

- found to be unlawful and challenged in the High Court; and/or

- given very limited weight in development management decisions.

National Policy

National policy is undergoing significant change: the latest National Planning Policy Framework ('NPPF') was published on 18 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 and Winkton Neighbourhood Plan 2025 – 2039 Submission Version is dated June 2026 and 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 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 the latest Framework.

In light of this timing issue, 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 be 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 this 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.

Policy S5 NPPF and unmet housing need

Policy S5 (Principle of development outside settlements) of the NPPF sets out certain forms of development which should be approved outside of settlements whereby the presumption in favour of sustainable development can be engaged. With respect to housing, this is principally addressed under Policy S5(1) (j) which covers development which would address an evidenced unmet need, and in the following terms:

> j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test[27]), and where the development would:
>
> i. Be physically well-related to an existing settlement[28] (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or

<u>It is important to note that BCP is currently unable to meet its housing needs as per the latest Standard Method</u>:

- The Council's position is that it can demonstrate only a 2.55 year supply; and
- The latest Government Housing Delivery Test 2025 measurement published in August 2026 states that BCP delivered 35% of its housing target.

<u>What this means is that the presumption in favour of sustainable development is enabled under Policy S5(1) (j).</u>

Where Policy S5(1) (j) is met, then S5(1) directs that that form of development should be approved in the following terms[1]:

> *"Only certain forms of development should be approved outside settlements, as set out in the following list. These should be approved, unless the benefits of doing so, would be substantially outweighed by adverse effects, when assessed against the national decision-making policies in this Framework". (emphasis added)*

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

We do not believe that the current form of the Neighbourhood Plan is capable of meeting the neighbourhood plan basic conditions set out in legislation and which are examined below ('the Basic Conditions'). If it cannot do so, the Plan is at material risk of being found to be unlawful and challenged in the High Court.

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.

By way of amplification: Schedule 4B of the Town and Country Planning Act 1990[2] provides that, 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 confirms that a qualifying body should consider throughout the process how it will demonstrate that its neighbourhood plan will ensure that the Basic Conditions are met.

Compliance with Basic Condition (a)

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 previously, we would urge the Parish Council to ensure that the Neighbourhood Plan is consistent with the latest NPPF so that it can be applied in a meaningful and effective manner.

[1] Any development proposals would, as a matter of course, need to be assessed against Policy S6 (Neighbourhood plans and the presumption) which seeks to protect the policies of a Neighbourhood Plan that meets the required criteria; specifically: (a) the Neighbourhood Plan became part of the development plan five years or less before the date on which the decision is made: and (b) the neighbourhood plan contains allocations to meet its identified housing requirement (see policy HO2).

[2] As inserted by Section 116 of the Localism Act 2011

The Neighbourhood Plan repeatedly relies on the withdrawn BCP Local Plan, a plan which carries no weight, particularly in regard to Housing Need.

Furthermore, the Neighbourhood Plan is at odds with NPPF Policy HO2(5), which governs how housing requirement figures should be set by the local planning authority for designated neighbourhood plan areas, as set out below:

5. In the case of local plans, a housing requirement figure should also be set for designated neighbourhood plan areas, unless it is impractical to do so (because a neighbourhood planning area has been designated at a late stage in the local plan preparation process, or after the plan has been adopted, or in instances where the local plan is out of date; in which case the local planning authority should provide an indicative figure instead). This requirement figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority. Local planning authorities should avoid setting housing requirement figures for neighbourhood planning areas at nil other than where:

    a. The local plan already meets or exceeds the housing need figure for the neighbourhood planning area; or

    b. The neighbourhood planning area has a clear and well evidenced need for no additional housing; or

    c. The constraints within the neighbourhood planning area are so substantial as to preclude any additional housing of any kind from coming forward.

In relation to the evidence, the Neighbourhood Plan needs to be clear on the distinction between:

- current and adopted policy;
- emerging or withdrawn policy; and
- evidence which remains useful;

and ensure it accords with national policy.

Compliance with Basic Condition (d)

Basic Condition (d) requires a Neighbourhood Plan to contribute to the achievement of sustainable development.

As set out below, the approach to housing allocations contained within the Neighbourhood Plan are protectionist and do not go far enough to ensure suitable provision of homes, services and facilities that meet people's needs and support strong and inclusive communities whilst promoting social wellbeing in Burton and Winkton.

Consequently, it is our view that the Neighbourhood Plan as currently formulated does not satisfy the requirements of Basic Condition (d).

Fundamental flaws with the approach taken to meeting housing and employment needs

The approach taken by the Neighbourhood Plan in respect of meeting housing and employment needs in Chapter 3 'Housing and Employment' is fundamentally flawed.

The NPPF states within Policy PM2(1) (b) that Local Plans should set out a spatial strategy, policies of the minimum amount of development to be provided, land allocations and broad locations for growth, and designations in accordance with Policy S2, for a period of no less than 10 years from the point of adoption of the plan.

> **PM2: Local plans**
>
> 1. Local plans should set out a positive vision and spatial strategy which supports the delivery of the spatial development strategy for their area, and should set out specific proposals for accommodating development needs and conserving and improving the environment at a local level. They should do this by:
>
> b. Setting out a spatial strategy, policies for the minimum amount of development to be provided, land allocations[8] and broad locations for growth, and designations in accordance with policy S2, for a period of no less than 10 years from the point of adoption of the plan. Local plans can cover a longer time period where this would, for example, help support the delivery of longer-term infrastructure or strategic development;

In present circumstances, we are in a slightly unusual position as the Neighbourhood Plan is coming forward in advance of a new Local Plan. This is because the BCP Local Plan has been withdrawn and will be progressed under the new-style local plan system.

<u>Approach taken by the Neighbourhood Plan: a self-defined housing target</u>
We understand that the Neighbourhood Plan has been drafted to align with the strategic policies contained within the East Dorset and Christchurch Core Strategy (April 2014) and saved polices from the 2001 Christchurch Local Plan.

The Neighbourhood Plan incorporates relevant evidence, including that produced for the new BCP Local Plan, as the current Development Plan is for a former authority area and is no longer up to date. To note, the Christchurch Core Strategy does not include a specific policy for Burton and Winkton Parish but does identify Burton as a village in the settlement hierarchy under Policy KS2.

In terms of housing and employment need within the Parish, the Neighbourhood Plan states in section 3.2 that the adopted Core Strategy does not include a specific housing target for the Neighbourhood Plan area. Nor was a specific housing target included for the area within the withdrawn BCP Local Plan.

The Neighbourhood Plan states that the housing figure for the whole BCP area (based on the new standard method introduced in 2025) is a minimum of 2,958 homes a year, and if this were to be proportioned across the area based on the number of households (as per the 2021 Census data), then this would suggest a total of 31.1 dwellings per annum. Until such time that the new Local Plan strategy has been agreed, the Neighbourhood Plan states that this is considered the most reasonable target to base the Neighbourhood Plan on.

In terms of achieving this self-defined target, the following is identified:

- 2 no. homes with existing consent (as at April 2025);
- 8.8 no. homes per annum through windfall opportunities (estimated as a proportion of typical windfall across the BCP area)
- 45 no. new homes as part of the development on land allocated south of Burton village;
- A proportion of the strategic urban extension at Roeshot Hill which is anticipated to be largely completed by 2039 – estimated to be in the region of 320-330 dwellings based on the indicative masterplan supplied as part of the outline planning permission.

The Neighbourhood Plan concludes that when this is taken all into account, the amount of housing within the Neighbourhood Plan area that could be built between 2025 and 2039 would be in the region of 470 new dwellings (or 33.6 dwellings per annum), meeting the indicative target as suggested.

Critique of the approach taken by the Neighbourhood Plan
We have the following objections to the approach taken:

1. Firstly, this self-defined housing requirement would not benefit from the protections offered by Policy S6 of the NPPF which requires that the Neighbourhood Plan should contain allocations to meet its identified housing requirement (see Policy HO2 of the NPPF).

   Policy HO2 governs how housing requirement figures should be set by the local planning authority for designated neighbourhood plan areas. Policy HO2 states that the housing requirement figure should take into account factors such as the latest evidence of local housing need, the population of the neighbourhood area and the most recently available planning strategy of the local planning authority.

   Policy HO2 (5) addresses situations where it might be impractical for a local plan to set a housing requirement figure for neighbourhood plan areas (such as is currently the case with this Neighbourhood Plan). In those circumctances, Policy HO2 suggests that the local planning authority should provide an indicative figure instead.

   In no circumstances, does Policy HO2 suggest that the neighbourhood plan define its own housing requirement.

2. Secondly, in the Neighbourhood Plan self-defining its housing requirement, we would suggest that the adopted approach to heavily rely on Census data is fundamentally flawed as the data tells us what currently exists, not necessarily what is required, i.e. how many homes will be required over the plan period including changes in household formation, population, affordability and migration.

   Currently, local housing need is assessed nationally using a methodology based on existing housing stock and affordability, rather than counting current population. The Census population figure is only one relevant factor. The methodology should have regard to the latest evidence of local housing need, the LPA's spatial strategy, the characteristics and role of the neighbourhood, housing market and demographic evidence, and relevant land supply/constraints.

Furthermore, Census data will be heavily focused on the current densely populated areas within the Local Plan boundary, such as Bournemouth, and it may then disregard or supress much needed housing in areas that are less densely populated at present, such as Burton and Winkton.

Furthermore, there is a distinction between 'housing need' and 'housing requirement'. The standard method provides the local housing need, but it does not produce the housing requirement, which is subsequently established through the planning strategy. It is once again noted that BCP's Local Plan has been withdrawn and the Neighbourhood Plan is progressing in its absence. However, this does not mean that the Neighbourhood Plan can create a housing requirement based on its own planning strategy.

Most pertinently, the approach taken by the Neighbourhood Plan would result in the most densely populated areas within BCP being attributed a significant proportion of the overall housing need across the Local Plan area. These areas will be geographically constrained to the extent that they would not be able to meet the needs in full. In other words, the local planning authority is the appropriate body to determine the housing requirement of each neighbourhood planning area, in order to ensure that the housing needs across the plan area are capable of being met in full.

3. The Burton and Winkton Parish Neighbourhood Plan Housing Needs Assessment (July 2020) sets out recommendations for next steps. These next steps advise that the neighbourhood planners should discuss the contents and conclusions with BCP with a view to agreeing and formulating draft housing policies, bearing in mind (amongst other considerations) the views of BCP – in particular in relation to the quantity of housing that should be planned for. The Housing Needs Assessment is clear in that the quantity of housing is to be guided by BCP, which is consistent with the approach required by national policy.

Site Allocations: a protectionist approach

The Neighbourhood Plan concludes that when the site allocations it recognises are taken into account, the amount of housing within the Neighbourhood Plan area that could be built between 2025 and 2039 would be in the region of 470 no. new dwellings (or 33.6 dwellings per annum), meeting the indicative target as suggested.

The identified site allocations include:

- existing identified sites and windfall opportunities;
- a very small additional area of land at the corner of Salisbury Road and Martin's Hill Lane, adjacent to the South of Burton allocation; and
- Land at 123 Salisbury Road (the former Burton Surgery site).

The approach taken is protectionist and does not look to provide additional housing sites for delivery, should the identified sites fail to come forward. It is important to remember that this is in the context of BCP currently significantly failing to meet its housing requirement. The latest Housing Delivery Test found that BCP was only achieving 35% of the 2025 measurement.

As the plan relies heavily on already identified sites which are already predicated upon and committed to a previous assessment of housing need, it is our view that the Neighbourhood Plan fails to positively identify an allocation of land in order to meet its identified housing requirement and would therefore not benefit from the protections of Policy S6.

In light of this, we recommend that Burton and Winkton reconsider and/or give further consideration to the following site opportunities:

1. Land to the South of Burton (up to 11.21 ha);

2. Land to the East of Burton (up to 63.8 ha); and

3. Land on the outskirts of Winkton.

We are of the view that these sites are available, suitable and achievable opportunities to provide additional housing in Burton and Winkton, and would help BCP to improve its future Housing Delivery. These sites are also of a sufficient scale in which they have the potential to support and deliver meaningful infrastructure alongside housing.

We are also of the view that all of these sites should and will be recognised as Grey Belt.

Overall Assessment against the Basic Conditions

Chapter 4 of the NPPF sets out the Government's expectations on achieving sustainable development. In this respect:

- Policy S1 requires the development plan to plan positively for future growth and change by seeking to meet the development needs of the area, as a minimum.

- Policy S2 requires that the development plan should set out a spatial strategy setting clear expectations for the location of development, by allocating sites for development to meet the identified need for housing and other uses in the area.

- One of the key Basic Conditions, (d), is that the making of the plan would contribute to the achievement of sustainable development

It is our view that the current draft of this Neighbourhood Plan is severely failing to meet the Government's expectations on plan-making in all three of these respects.

Furthermore, the new NPPF is very clear that all development plan policies which are materially inconsistent should be afforded very limited weight.

Conclusion

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.

We look forward to hearing from you.

Yours faithfully,



Dan Trundle MRTPI
Associate Director