Dear Team,

Response to New Forest National Park Local Plan
Consultative Draft  September 2016

I New Forest Association (NFA) is dedicated to protecting and sustaining the unique character of the New Forest. Our members promoted the 1877 New Forest Act to secure the future of the New Forest and now we are the voice for the New Forest National Park - its friend and watchdog. We are an independent, campaigning charity based on its membership and volunteers. Further details may be found at newforestassociation.org

II Responses to consultations are in their very nature critical, but NFA emphasises that an increasingly harmonious relationship exists between NFA and NFNPA planning officers in both policy and development control. There is joint recognition that the National Park is mainly threatened not from within but from 150,000 dwellings to be built close by, a planned new town at Fawley and ABP’s return to Dibden Bay.

III The nation will judge the Authority as a whole on its ability to welcome more visitors while enhancing that quality of semi wilderness that is so important to the prosperity of sub region. And by its building a defensive shield around the park, designing defensive systems within the Park and reversing the continuing decline in the habitat value of the New Forest SPA.

IV NFA have followed paragraph headings contained in the NFNPA 507/16 Consultation Draft September 2016

1. Introduction
Several statements in summarising government policy place undue emphasis on fostering economic wellbeing e.g. in paragraph 1.11 the associated duty is adequately described by statute; there is no requirement for the last sentence with its undefined phrase, in paragraph 1.19 the reference to vibrant economy in this Government circular is preceded by in their work furthering Park purposes, and is followed at 76 by in addition to the provision of support for commercial and business development, the critical link with housing provision – particularly affordable housing – needs to be recognised and in the appearance of the word important in Key Challenges bullet point 5.

Further to paragraph 1.24, there is still a concern that the number of LCDs awarded is excessive, especially outbuildings to dwellings and holiday homes. NFA question whether it would not be more cost effective to identify problem locations and owners and seek a written declaration from them every two years.

Profile of the New Forest National Park
Further to paragraph 2.4, NFA places great importance in the Authority recognising and stating in this plan that the habitat value of the New Forest SPA is declining. ¹ (Given recent Latchmoor decision it could be added that a significant proportion of the core heathland is now classified as unfavourable by Natural England).

Further to paragraph 2.11, the document should mention the ratio of average earnings to average house prices in the New Forest national park. This has risen from 10.5 in 2002 to 13.3 in 2012 and to 14.2 in November 2015.\(^2\)

Further to paragraph 2.14, NFA seek an additional paragraph recognising the impact of light aircraft on the Park. This is a mixture of flying for pleasure, training including by military and commercial flights for sight seeing and delivery of customers.

**Vision and Objectives**

The vision for nature conservation is singularly unambitious; one would hope the Park does still host a variety of wildlife in 2036. NFA would encourage the NFNPA to share its vision is that in 2036 there is an increased variety and quality of wildlife and that habitats not only still exist but are in an improving condition with strong links into surrounding areas.

Given the declining habitat value of the New Forest SPA (see above), NFA do not believe total reliance on "shared understanding" to reverse this decline is realistic. The first sentence of the second paragraph should end at managed.

With regard to Rural exception schemes, New Forest Association is in principle opposed to any housing development beyond the village boundaries that is not affordable or tied; and further considers the final statement is unnecessarily specific. The wording exception schemes have delivered affordable homes to local people, especially those involved with the land based economy is preferred.

**Strategic Objectives**

Further to objective 8, NFA would wish to see the word encourages replaced by encourages and manages. It is not unreasonable to assume the most likely reason for the current declining habitat value is the Authority's lack of recreational management.

NFA seek an additional objective dealing with the planned development in the surrounding areas. NFA urges the a strategic objective recognising the situation and the need to ensure that the mitigation measures in surrounding PAs coupled with internal measures protect and enhance….

4. **Strategic Policies.**

**Policy 1: Supporting Sustainable Development**

**Policy 2: Major development in the National Park**

The definition is nearly as important as the policy and there have been difficulties with "significant" in the past. The comparatively large size of the National Park, or of the area available for back up grazing or of New Forest SPA mean the word can be related to the whole area rather than the impact on the land involved. For instance the loss of a couple of hectares for a road from the Dibden Bay recharge to A326 is not significant when compared with the 56,700 hectare total area; it represents 0.0035%. The words "any part" could be inserted. A common definition across all national parks would be useful.

The possibility exists that a major development could be permitted (Dibden Bay & Fawley) and thus the section on mitigation requires strengthening. Mitigation measures should reflect the timescale of the development, and a more holistic approach adopted favouring the Park in seeking compensation measures. e.g. land swaps should rarely be on a one for one basis and it is not unreasonable that the Park shares the profit element and is generously compensated for affects of change. fully and permanently could be added to e).

**Fawley Power Station**

Further to paragraph 4.8 At its peak Fawley was home to around 250 workers and thus any increase on that number has a detrimental effect on the Park and any conversion from workers to residents multiplies that effect. This is the starting point for the discussion of mitigation, and 4.8 does not adequately reflect this.

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\(^2\) Lloyds TSB National Parks Reviews
New Forest Association

Dibden Bay
Further to paragraph 4.10, it is likely that ABP will seek a decision on Dibden Bay within the life of this parliament and that their ability to demonstrate need for deep water berths will be easier than in 2003. The Authority is urged to think beyond the red line and prepare for all eventualities including the terms under which it could support the development.

Policy 3: Spatial Policy
Further to paragraph 14.16, last sentence might just say "specifically tied to the rural economy".

With regard to the policy itself, development site c) essential need is not easy to define and need is capable of manipulation/creation. Exceptions to written policy can always be made and NFA contends this exception is an example of one that should not be stated.

5. Protecting & Enhancing the Natural Environment
Policy 4: Natural Conservation Sites of International Importance
In paragraphs 5.1 to 5.7 NFA seeks a repeat of the statement that the habitat value of the New Forest SPA is declining. From this it may be inferred that the existing protection policies are not proving adequate. Therefore NFA do not find it acceptable that:

In particular, any new housing that is proposed to be located within 400m of the boundary of the New Forest Special Protection Area (SPA) will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects on the ecological integrity of the SPA.

Is replaced with:

However, in many cases, development can proceed if sufficient and effective measures are put in place to avoid or fully mitigate any likely significant adverse effects of the proposal (either individually or in combination with other plans and projects) on the designated site. Avoidance or mitigation may not be possible in all cases due to the scale, type, or proximity of the proposed development in relation to the designated site and so the Authority will assess each case on its merits.

NFA is aware that the existing policy was entirely undermined by the SPD that accepted £1250 in full compensation for each dwelling built within 400m. The 400m zone is relevant and should be retained as Natural England's advice differs for this area stating that no mitigation is possible within 400m. Further, unless the National Park Authority has evidence that Natural England's advice is wrong, there must be a presumption against development is that zone. NFA accepts that no development within 400m will throw up anomalies within the defined villages and for exception properties for land-based workers. Given the presumption against, NFA looks forward to discussing what measures might allow individual developments to be allowed.

The Authority does not seem to have an avoidance strategy (by whatever name) in relation to the New Forest SPA, either singly or with surrounding PAs. Strategies exist for the Dorset Heaths and Thames Basin Heaths (which, perhaps explains their higher nesting densities) and is referred to in the Local Plans of surrounding PAs (Appendix 4).

It is understood that NFNPA accepts that the current mitigation arrangements for developments at less than 400m and between 400m and 5km are inadequate and that these are currently being re-considered with Natural England.

150,000 homes are planned in south Hampshire and east Dorset, many beyond 5km. NFA contends that mitigation measures should exist for these developments. The New Forest (the SPA in reality) is the only large semi wilderness area in central southern England and it follows that a percentage of new residents will prefer this unique environment to any local or strategic SANGS. NFA looks to the NFNPA to pursue this matter.

NFA accepts that the limited development within the Park mean that, as a last resort, small cash contributions will necessarily be received for developments beyond 400M, but contends that mitigation measures should nevertheless seek to reflect the expected life of the development. For instance Guildford's avoidance strategy in respect of Thames Basin Heath SPA states Natural England advice as: - Access management measures on, and monitoring of, the SPA to reduce the impact of people who visit the SPA; and Habitat management of the SPA which will improve the habitat for the ground nesting birds6

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facebook.com/NewForestAssociation
Registered Charity No: 260328
Hon Secretary: M Chilcott 02380 282532
secretary@newforestassociation.org
Small contributions could be used for access management. And could be used for monitoring the effectiveness of access changes, a task for which NFA, along with others and in the absence of NFNPA activity, is currently using its own funds.

NFA consider Policy 4 should be further strengthened to better defend the National Park against the 150,000 homes to be built close by. This could include comments on the requirements of SANGS on its borders, and measures to manage access to the SPA within its borders.

NFA cannot accept the last paragraph of Policy 4 - it invites development. Further to paragraphs 5.9 -5.11' NFA ask for the derivation of the word "significant" and, if it derives from statute, its definition.

**Policy 5: The Natural Environment**
NFA considers regulations would be properly reflected if the words "over the life of the development" were added to a), that any reference to compensation reflected Natural England's advice on the subject and reference to 400m zone were made - see above.

**Policy 6: General Development principles**
**Policy 7: safeguarding & Improving water Resources**
**Policy 8: Green Infrastructure**
NFA supports the Authority's effort in this area and is undertaking research. For interest the framework green infrastructure of SE Dorset is attached as Appendix 2

**Policy 9: Open Space**
Further to paragraph 5.25, NFA notes the limited achievement of the RMS group over a 10 year period. Some help might be required and the statement *Measures to better manage recreational pressure* will be supported either in Policy 9 or elsewhere.

NFA supports the Authority in its comments on SANGS. In the unlikely event that a SANGS is located in the Park their design would need to reflect first purpose and enjoyment of the special qualities and avoid hard landscaping, structures and fencing. It may be a larger than standard area is required to achieve the SANGS purpose and net benefit to the SPA.

The enhancement comments in Policy 9 could be abused and NFA asks the Authority to consider tighter wording.

**Policy 10: Climate Change**
**Policy 11: Flooding and the Coast**
**Policy 12: Coastal Development**
There is a difficulty with coastal replacements as the replacement is invariably much higher to meet DEFRA criteria. This requirement is not acceptable as a reason to allow a replacement which otherwise might be refused as the increased ridge height damages the landscape.

**Policy 13: Renewable Energy**
**Policy 14: Tranquillity**
NFA consider the policy adequate. NFA consider it debatable that obtaining dark sky status is a priority unless tied to a specific advantage e.g. a consideration of major developments on the Park's borders. The phrase *for the life of the development* should follow mitigation measures.

**Protecting and Enhancing the Historic and Built Environment**
Examples given need progressively to reflect the passing of time. NFA would suggest earlier corrugated iron roofed barns in Para 6.2. It is feature of the New Forest that the use of unchanging agricultural techniques over a millennium has resulted in the continued existence of run of the mill archaeological remains that have disappeared elsewhere and 6.3 might include reference to ditches, banks and drains.

**7: Vibrant Communities**
**New Forest Strategic Housing Market Assessment**
NFA disputes the New Forest Strategic Housing Market Assessment, but in the case of NFNPA the margin of error is unlikely to affect the planned dwellings number.
NFA accepts that the greater protection of New Forest SPA which it considers essential will reduce the Authority's ability to meet the "objectively assessed need" figure to a very small degree. NFA note that current allocations etc. exceed minimum requirements and NFA urges the Authority to take a greater role in securing further sites during this grace period. All greenfield sites in the national park are precious, and their use for development will involve the loss of back up grazing or potential and we all should share in an ambition not use such sites in what is the country's smallest and most heavily designated national park. NFA considers all publicly-owned land in the villages is a potential development site, albeit there may a need to canvass for release, to redevelop low density existing dwellings, and to use innovative design to e.g. construct over the edge of car parks.

Addressing the Needs of an Ageing Population
Without further investigation, the support for new specialist accommodation for older people could act contrary to the overarching policy to provide dwellings for local people. Such a policy is self fulfilling, it generalises a wide range of accommodation types that in fact vary from Mr Tarling's "finisher homes" through serviced flats to care homes to secure nursing homes, and applies broad age statistics to a single village at a point in time.

Before such a policy can be justified, statistics need to be produced on the ratio of Park population to existing specialist accommodation in various categories, a more detailed breakdown of the anticipated age profile of the over 64s, and the local connection of recent purchasers of specialist accommodation in the Park. Local housing need rather than desire can be assessed from a study of recent lettings at: - http://forms.newforest.gov.uk/ufsac/ufsmain?formid=HOMESearch_web&TYPE=1&ebz=1_1462639117872&ebd=0&ebp=10&ebz=1_1462639117872 Lets for one person flat for older people have an average number of applicants around four times less than those for one person flat. Indicating specialist housing need for the elderly is the least urgent sector.

Policy 15: The Historic and Built Environment
Policy 16: Local Distinctiveness
Policy 17: Design Principles
Policy 18: New Residential Development in the National Park
Policy 19: The size of New Dwellings
Policy 19 is strongly supported. The exceptions quoted contradict other policies and it is suggested this is an error. It is assumed that the existing definition of a "small dwelling" will change from 80 sq metres to 100 sq metres.

Policy 20 Ashurst
Allocated site at Ashurst is opposed; see appendix 3. The gap between the Village and the South Hampshire Built up area is 320 metres at its narrowest point. This area is under speculation pressure, it is close to two NFDC proposal sites and risks being the choice of a SANGS, it is bordered by the A326 which will come under intense pressure from the Dibden Bay development and the planned new town at Fawley, and it has recently been subject to a failed application for housing (refused mainly on percentage of affordable). NFA content that any development north of the Village weakens the ability to resist further pressure and would quickly lead to the loss of the gap. The integrity of the Park would be compromised with the country's seventh biggest built up area thrusting a spear towards it heart.

Analysis of 7.10 indicates that without the Ashurst allocation the 5 year plus 20% requirement is met. NFA urges that it be left out and reconsidered at a later date. At this time the threats will materialise or evaporate as will opportunities for other sites (e.g. hospital and station).

Policy 21: Land at Mill Lane Brockenhurst
Policy 22: Land at Lyndhurst park Hotel Brockenhurst
Policy 23: Land South of Church Lane, Sway
Policy 24: Land at 'The Yews', Southampton Road, Cadnam
Policy 25: Land at Strawberry Fields, East Boldre
Policy 26: Land at Gaza Avenue, East Boldre

Affordable Housing
Policy 27: Affordable Housing provision within the defined villages
Delivery of Affordable housing under the 50% policy in the last five years has been poor with developers quickly discovering the opportunities offered by specification changes, national pronouncements and new rules to avoid even cash contributions.

3 2011 Census
NFA therefore favours the alternative option on page 58 and considers even to try and fail is worthwhile. Even if the alternative policy is adopted only careless developers will build "affordables" as the viability test is so easy to manipulate on smaller sites and therefore NFA would actually favour a policy of affordable homes only.

**Policy 28: Rural Exception Sites**
NFA support policy 28 with the NPA’s alternative option.

**Dwellings for those in Land-Related Industries**

**Policy 29: New Forest Commoners Dwellings**
NFA believe that commoning and commoners’ circumstances have changed significantly in the last 20 years, most especially the last five, and the existing scheme no longer benefits the needs of the bulk of practicing commoners, that it is unnecessarily restrictive, is managerially burdensome, and still remains untested in securing dwellings long term. The scheme should be directed towards those without substantial capital assets i.e. a portfolio of rented holdings should be developed.

Whether the existing self build scheme can be sufficiently altered to make it worthwhile is unlikely but NFA looks forward to suggestions.

**Policy 30: New Forest Estate Workers Dwellings**
NFA supports this initiative. Consideration should be given to naming the estates involved and including Forestry Commission, National Trust and HiWWT and/or imposing a per square km limit. Some flexibility should be given in respect of d) on the larger estates.

**Policy 31: Agricultural and Forestry Workers Dwellings**
Consideration should be given for the justification for allowing temporary accommodation. NFA would prefer all dwellings outside the village boundaries to be rented or tied in accordance with other polices.

It has been established in respect of commoners dwellings that when one become vacant, New Forest Trust, who are becoming a registered landlord, will have the opportunity to acquire it for its rental portfolio, presumably at a price reflecting the limited market. Could a similar approach be extended to redundant A&Fs?

**Policy 32: Removal of Agricultural occupancy Conditions**
CDA has narrow aims - To promote and safeguard the interests of the Commoners (NB not commoning) and NFA seek the inclusion of NFT and Verderers in consultation.

**Policy 33: Gypsies Travellers and Showpeople**
NFA do NOT favour the NFNPA preferred alternative option. National Policy does not appear to require this approach in national parks and if land becomes available, the overarching principle demands the needs of local people are first considered: (e.g. recent Bransgore dwellings)

**Policy 34:P Residential Density is Defined Villages.**
A domino effect can occur over time with plot divisions. NFA ask that the preamble recognises this.

**Policy 35: Replacement Dwellings**
Alternative a). This could be a disaster. NFA have the highest regard for the development control officers but such a policy invites ratchet expansion over the plan period. Alternative b). Opinion is divided on this. The theme of this plan suggests that the restriction should apply. The policy to restrict size had the main purpose of retaining character and the subsidiary purpose of increasing affordability and while the first is less important in villages, the second is more so. NFA suggests that if the unlimited expansion is still allowed, the sentiment of Policy 34 - Residential Density - is somehow introduced. Alternative c) This is a hazardous policy, which might be acceptable if a 400m exclusion zone existed. Is it an exception policy best left unstated?
Policy 36: Extensions to dwellings
Small Dwellings - The definition of small dwellings (7.75) must now change to 100 sq metres or less - it would be illogical not to do this.

With regard to exceptional circumstance a), the small dwelling policy will now become a cornerstone policy covering all new build and any exceptions policy merits great consideration. NFA would prefer a) not to exist - any exception loses the Park a small dwelling (and in fact, although NFA is not suggesting the word changes in policy, the word “standard” is a much better description of a dwelling of 100 sq metres) and there are plenty of bigger houses on the open market. If a) is to remain then NFA urge that occupancy should have lasted for a substantial period e.g. five years before expansion can be considered.

Policy 37: Outbuildings
Outbuildings are becoming the last remaining investment opportunity for householders and any policy will be subject to intense pressure and particular care is required. Permitted circumstance a) - the word design should be added after massing. NFA urges a descriptive paragraph on design covering external staircases, fenestration and doors, greater acceptability of open sided structures, historic local vernacular etc. or the Authority might consider changes to the actual policy to strengthen design and size constraints.

Policy 38: Infrastructure Provision and Developer Contribution
Further to paragraph 7.81, examples given do not represent mitigation over the life of the development. Runnymede for instance uses contribution to access management of the SPA and towards monitoring this and the effectiveness of SANGS.

Policy 39: Retail Development
It was forecasted in 2013 that by 2018 retail outlets nationally will have fallen by 22%4, a figure accepted by Government. It is difficult to see how Brockenhurst and Lyndhurst at least can be immune from this change. Friends of Brockenhurst give details of changes in their village in the recent period. NFA considers Alternative Option b) the only realistic option. NFA requests that further consideration be given to policy in this area.

8 A Sustainable Local Economy
Policy 41: Business and Employment Development
NFA strongly support the view that the local and sub regional economy best benefits from pursuit of National Park purposes. Zero unemployment, high house prices and lack of social housing mean that throughout the document the word employment should always be preceded by well-paid.

Farm diversification (paragraph 8.7) should exclude the development of dwellings and holiday cottages. An appeal inspector considering the creation of cottages at Warren Farm Woodgreen stated: - Although there has been some discussion within the cases made, it seems to me that tourist accommodation of the type proposed represents new housing. This is because each unit would enjoy all the facilities necessary for day to day living. If permission was granted the occupation would be restricted through conditions to maximum stays and when, during the year, occupation could take place, but this would not affect the use. As such Policy CP12 of the New Forest National Park Local Development Framework Core Strategy and Development Management Policies 2010 (CSDMP) is engaged. This policy restricts new residential development to a limited set of circumstances, none of which are applicable to this case.

Policy 42: Existing Employment Sites
Policy 43: Redevelopment of Existing Employment sites.
Policy 44: Extension to Non residential Buildings and Uses

Tourism
Policy 45: Tourist Development
This policy should exclude the development of holiday cottages outside the four villages. See Policy 41 above.

Policy 46: Holiday Parks and Camp Sites

Land-based Economy
Policy 47: Land-based Economy

4 Retail in 2018 - Centre for Retail Research May 2013
NFA agree the wording of a) and its reference to affordable housing for commoners. Farm diversification schemes should exclude the development of holiday cottages.
Policy 48: Re-use of Existing Buildings outside defined villages
Policy 49: Agriculture and Forestry Buildings

Horse Riding and Horse Keeping
Policy 50: Recreational Horse Keeping
Policy 51: Field Shelters and Stables
Policy 52: Maneges

Maneges have had a detrimental impact on the landscape singularly and cumulatively over the last five years. The conditions of acceptability need to be strictly adhered to.

9 Transport and Access
Policy 53: Transport Infrastructure
Cross Forest traffic is already a problem (paragraphs 9.13, 9.14, 9.15). The A31 and A326 are close to capacity and the A337 is limited by Brockenhurst's level crossing and the junction of the A35 and A337 at Lyndhurst; additionally there is the Fordingbridge to A31 route. Increased traffic from developments around the Park will increase journey times on fenced roads and thus more drivers will choose to take alternative unfenced routes across the open Forest, thus making the management of depastured stock more hazardous, damaging protected verges and lessening the tranquility and wilderness aspects of the Park. Defensive mechanisms need to be considered such as reduced speed limits and other traffic management measures. NFA urge the Authority to take the initiative and suggests adding to Policy a further supported section - c) is aimed at protecting the environment of the National Park.

NFA look forward to the early completion and implementation of HCC’s guidelines on local distinctiveness covering signage, road markings and road furniture and seek a reference in the Local Plan at 9.19.

Policy 54: Access
The habitat value of the New Forest SPA is declining and most probably the main cause is inappropriate access. The proposed policy suggests access expansion without access management and NFA considers the policy would encourage conflict with Sandford principle and EU habitats regulations. The memorandum (paragraph 9.20) is not reflected in the Policy statement.

Minor amendments/information
Page 3, Executive Summary third paragraph replace residents with amenity groups.
2.11 Context would be much improved if the actual level of unemployment which NFA estimate at 0.4% and the ratio of average house price to average wages, which NFA estimate at 14.1, were noted in this paragraph.
2.11 The definition of working age is 16-64 for both men and women. Given changes in the age of eligibility for old age pension, reducing availability of company pensions and improved vitality at older ages, care is needed in the use of expressions such as working age. NFA would prefer 16 to 64 year olds
2.14 For information, modern technology has enabled the flight paths of scheduled aircraft to be tracked and summarised. An NFA member produced maps contained as Appendix 1 and would assist if further data was required. The word scheduled should describe aircraft movements
Strategy Objective 6. Why is throughout the Park added?
Appendix 4  Avoidance Strategies

For instance, in the Hart DC document in relation to Thames Basin Heath SPA - *Natural England advise that planning applications resulting in an increase in the number of dwellings within 5 kilometres of the SPA are, without ‘avoidance measures’, likely to have a significant effect on the SPA within the meaning of the Habitat Regulations. Natural England also advise that within 400 metres of the SPA ‘avoidance measures’ are unlikely to be effective and net residential development should be avoided.*

And from Dorset CC in relation to Dorset Heaths - *There is strong evidence to support the conclusion that the Dorset Heaths are under significant pressure from urban development across South East Dorset. It is the view of Natural England that further residential development should not be permitted within 400m of a designated Heathland, and that between 400m and 5km, residential development would still have a significant effect such that it should be required to mitigate its impact.*