

Working to Protect the New Forest



PLANNING COMMITTEE

Reply to: - Brookley Farmhouse Sway Road Brockenhurst Hampshire SO427RX
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Sent as attachment to Email only with report *Research....ground nesting...*

29 February 2016

Duty Officer: Nick Holmes
The Planning Inspectorate, Room 3/18,
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN.

Dear Sir,

Appeal APP/B9506/W/ 16/3143523

**Change of use of stable block to holiday accommodation; external alterations (Application 15/00598)
WARREN FARM, WOODGREEN COMMON ROAD, WOODGREEN, FORDINGBRIDGE, SP6 2QX**

1. 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
2. The local economy is booming. The latest claimant count for New Forest District is 0.6%, for New Forest National Park it is estimated at 0.3% and for the immediate location of the site the count is 0.3% (no one under 21 years of age is on the list). The average property in the New Forest NP costs £531,162, compared with the typical property price nearby of £273,120. A home in the New Forest costs 14.2 times the local average wage, making it the least affordable of the National Parks.
3. It is fashionable to request amenities to justify their existence in financial terms. The special qualities of the New Forest National Park act as a magnet to investment into the economies of the South Hants built up area (the country's sixth biggest) and the Bournemouth/Poole built up area (the country's sixteenth biggest). Unquantifiable but potentially significant loss of employment in those areas through erosion of the Forest's special qualities needs to be balanced against the claimed value of every single local development.
4. The site is within the marked 400m zone around the New Forest Special Protection Area (strictly protected sites classified in accordance with Article 4 of the EC Birds Directive). The origins of the 400m zone stem from Natural England's comments on the developing plan of Hart District which contains part of the Thames Basin Heaths SPA.

The Thames Basin Heaths site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting breeding populations of European importance of the species listed on Annex I of the Directive as Dartford Warbler, Nightjar and Woodlark. (These are all ground or low shrub nesting birds) ..Natural England advised in the case of Thames Valley Heaths 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 advised that within 400 metres of the SPA 'avoidance measures' are unlikely to be effective and net residential development should be avoided.**

The New Forest site qualifies under Article 4.1 of the Directive (79/409/EEC) by supporting breeding populations of European importance of the species listed on Annex I of the Directive as Dartford Warbler, Honey Buzzard,

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Nightjar and Woodlark. (With the exception of the Honey Buzzard these are all ground or low shrub nesting birds). On inspecting the existing New Forest NPA core documents, the Inspector concluded "*The Habitats Regulations Assessment Report notes that the quantum of housing envisaged within the National Park is very different to that affecting the Thames Basin Heaths SPA. Nevertheless, the inclusion of a '400 metre zone' as part of policy CP1 is helpful in alerting developers of the need for an appropriate assessment of proposals that could significantly disturb protected species within the New Forest SPA.*"

In October 2015, the New Forest NPA published the final version of the report *Research recommendations relating to impacts of recreation on ground-nesting birds in the New Forest National Park* (attached). At 2.4 it reported that there had been a "marked decline" in the population of Woodlarks and a "marked decline" in the population of Dartford Warblers. It is further reported at 3.1 that "While the New Forest supports high numbers of ground nesting birds, densities (i.e. numbers per ha of heathland) of nightjar, woodlark and Dartford warbler are comparatively low compared to other heathland areas in England."

NFA is alarmed by these findings, coupled with anecdotal evidence from members that numbers of other ground nesting birds (including snipe, lapwing and redshank) have also declined.

NFA contends that holiday homes, occupied as they are by a series of visitors to the National Park with unlimited leisure and for the purpose of exploring the countryside, will result in significantly more disturbance than residential homes; perhaps seven times more if permanently occupied. The period of concern (March to August) coincides with the most popular letting period.

A key component of the development of the policy to mitigate damage to the New Forest Special Protection Area was that development around the SPA would be severely limited (the prevailing allocation was 220 additional dwelling over 20 years) and that developments including additional holiday accommodation would be directed to the defined villages. NFA contends that breaching these policies undermines NFNPA Development Standards SPG and the qualifying statements around NFNPA Policy CP1. NFA contends that recent evidence suggests that, in any case, the existing SPG does not result in the compensatory measures to ensure the overall coherence of the Natura 2000 network that the Directive requires.

The application associated with this appeal breaches policy. Given the grounds for appeal, if allowed it will encourage further breaches and result in increased recreational disturbance. NFA contends that allowing the appeal unnecessarily risks damage to the SPA. NFA contends that in cases where policy is breached NFNPA policy CP1 should apply, unhindered by qualification and supplementary policy.

NFA is aware of comments of the Crewe office of Natural England in considering 15/00589 in August 2015 described in the Officer's report as *No objections raised subject to contributions towards mitigation of additional recreational pressure upon the New Forest Special Protection Area and consideration being given to impacts upon protected species*. NFA believes that this advice cannot be translated into the single payment of £1250 per dwelling that the SPD would imply. NFA can see no evidence that consideration has been given to impacts on protected species at a location 250 metres from open heath.

NFA draws attention to *Wealden District Council v Secretary of State for Communities and Local Government & Anor [2016]*. NFA will not have time to assess the implications of this judgement and its relevance to this appeal before closure date, but include reference given the possibility that public comment may be available before this appeal is considered.

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5. The appellant makes much of the incompatibility of NFNPA CP16 with NPPF and of the July 2013 appeal decision regarding Red Shoot camp site. It is the contention of New Forest Association that the validity of CP16 was confirmed in the Government decision of March 2014 to exempt the New Forest National Park from the extension of permitted development rights to allow owners of barns and other agricultural buildings to construct up to three new dwellings in their place.

Yours faithfully,

A handwritten signature in blue ink that reads 'Graham Baker'.

Graham Baker, NFA Planning Committee

Ref: <http://www.newforest.gov.uk/article/4233/Unemployed-Claimants-and-Residential-Unemployment-Rate>

Ref: Lloyds Bank National Parks Review November 2015