

NOTICE OF MEETING

Meeting: CABINET

Date and Time: WEDNESDAY, 5 MAY 2021, AT 10.00 AM*

Place: MICROSOFT TEAMS - ONLINE

Enquiries to: democratic@nfdc.gov.uk
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PUBLIC PARTICIPATION:

* Members of the public may speak in accordance with the Council's public participation scheme:

- (a) immediately before the meeting starts, on items within the Cabinet's terms of reference which are not on the public agenda; and/or
 - (b) on individual items on the public agenda, when the Chairman calls that item.
- Speeches may not exceed three minutes.

Anyone wishing to speak should contact the name and number shown above no later than 12.00 noon on Thursday 29 April 2021. This will allow the Council to provide public speakers with the necessary joining instructions for the Microsoft Teams Meeting.

Bob Jackson
Chief Executive

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 7 April 2021 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PUBLIC PARTICIPATION

To note any issues raised during the public participation period.

4. COVID-19 RESPONSE AND RECOVERY - REPORT FROM THE LEADER OF THE COUNCIL

To receive a verbal report from the Leader of the Council and Portfolio Holders.

5. MITIGATION FOR RECREATIONAL IMPACTS SUPPLEMENTARY PLANNING DOCUMENT (Pages 5 - 72)

6. THE LOCAL PLAN REVIEW PART TWO AND SUPPORTING WORK (Pages 73 - 88)

7. RECAST ORIGINAL BUDGET 2021-22 (Pages 89 - 94)

NEW FOREST DISTRICT COUNCIL – VIRTUAL MEETINGS

Background

This meeting is being held virtually with all participants accessing via Microsoft Teams.

A live stream will be available on YouTube to allow the press and public to view meetings in real time and can also be found at the relevant meeting page on the Council's website, with this published agenda.

Principles for all meetings

The Chairman will read out Ground Rules at the start of the meeting for the benefit of all participants. All normal procedures for meetings apply as far as practicable, as the Government Regulations do not amend any of the Council's existing Standing Orders.

The Ground Rules for all virtual meetings will include, but are not limited to, the following:-

- All participants are reminded that virtual public meetings are being broadcast live on YouTube and will be available for repeated viewing. Please be mindful of your camera and microphone setup and the images and sounds that will be broadcast on public record.
- All participants are asked to mute their microphones when not speaking to reduce feedback and background noise. Please only unmute your microphone and speak when invited to do so by the Chairman.
- Councillors in attendance that have not indicated their wish to speak in advance of the meeting can make a request to speak during the meeting by using the "raise hand" feature in Microsoft Teams. Requests will be managed by the Chairman with support from Democratic Services. Please remember to "lower hand" when you have finished speaking.
- The chat facility should not be used unless raising a point of order or providing the wording for a motion.
- All participants are asked to refer to the report number and page number within the agenda and reports pack so that there is a clear understanding of what is being discussed at all times.

Voting

When voting is required on a particular item, each councillor on the committee will be called to vote in turn by name, expressing their vote verbally. The outcome will be announced to the meeting. A recorded vote will not be reflected in the minutes of the meeting unless this is requested in accordance with the Council's Standing Orders.

By casting their vote, councillors do so in the acknowledgement that they were present for the duration of the item in question.

Technology

If individuals experience technical issues, the meeting will continue providing that it is quorate and it is still practical to do so. The Chairman will adjourn the meeting if technical issues cause the meeting to be inquorate, the live stream technology fails, or continuing is not practical.

Public Participation

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The Council will accept a written copy of a statement from registered speakers that do not wish to join a Microsoft Teams Meeting, or are unable to. The statement will be read out at the meeting and should not exceed three minutes. Please use the contact details on the agenda front sheet for further information.

To:

Councillors

Edward Heron (Chairman)
Jill Cleary (Vice-Chairman)
Diane Andrews
Steve Davies

Councillors

Michael Harris
Jeremy Heron
David Russell
Mark Steele

CABINET – 5 MAY 2021

PORTFOLIO: PLANNING, REGENERATION AND
INFRASTRUCTURE

ADOPTION OF THE MITIGATION FOR RECREATIONAL IMPACTS ON NEW FOREST EUROPEAN SITES: SUPPLEMENTARY PLANNING DOCUMENT

1. RECOMMENDATIONS

1.1 That the Cabinet agree that:-

- a. The “Mitigation for Recreational Impacts on New Forest European Sites” be adopted as a Supplementary Planning Document (SPD).
- b. Prior to publication, the final editing of the document (attached in Appendix 1 to this report) be agreed by the Chief Planning Officer in consultation with the Portfolio Holder for Planning, Regeneration and Infrastructure.

2. INTRODUCTION

- 2.1 The purpose of this report is to seek approval, for the adoption of the Mitigation for Recreational Impacts on New Forest European Sites Supplementary Planning Document (SPD) in support of the adopted Local Plan 2016-2036 Part 1: Planning Strategy (July 2020), and in particular Policy ENV1: Mitigating the impacts of development on international nature conservation sites. The document is a guidance document. The policies it relates to have already been adopted by the Council when adopting the Local Plan 2016-2036 Part 1: Planning Strategy.
- 2.2 The Supplementary Planning Document was subject to a six-week period of public consultation from 9th January to 21st February 2021, following Cabinet approval for publication for consultation in December 2020.

3. BACKGROUND

- 3.1 In June 2014 the Council adopted its ‘Mitigation Strategy for European Sites: Recreational Pressure from Residential Development’. This provide additional guidance to the implementation of Policy DM3 of the Local Plan Part 2 Sites and Development Management Development Plan Document adopted in 2014. This policy has now been superseded by Policy ENV1 in the recently adopted Local Plan 2016-2036 Part 1: Planning Strategy (July 2020). While the approach to mitigating the recreational impacts of new development on the New Forest’s internationally designated nature conservation sites was confirmed in the local plan review, some changes were required to the Council’s strategy for mitigation of recreational impacts, not least in recognition of the significantly higher levels of development that are now being planned for around the New Forest.
- 3.2 The purpose of the Supplementary Planning Document is to give additional guidance on the implementation of Policy ENV1 and specifically the elements in relation to the recreational impacts on the New Forest European Sites. It will assist the development industry in understanding the Council’s requirements and expectations, and the measures that will need to be secured to satisfy the local planning authority, as the competent decision-making authority,’ to meet the requirements of the Conservation of Habitats and Species Regulations 2017, including for development that is ‘permitted development’ under the General Permitted Development Order. The Supplementary Planning Document also sets out the ways in which the Council will monitor the effectiveness of the mitigation measures.

- 3.3 A preliminary draft of this Supplementary Planning Document was published for public consultation in June 2018 to accompany the publication of the pre-submission Local Plan 2016 -2036: Part 1: Planning Strategy. The comments made during that earlier consultation were also taken into account as part of the preparation of the revised draft SPD consulted on this year, together with the outcome of the Local Plan Examination and results of the recently published New Forest Visitor Study (2020).
- 3.4 Following Cabinet's approval on 2nd December 2020, the SPD was subject to a six-week period of public consultation from 9th January to 21st February 2021. Together with publishing the document on the Council's website and issuing of a news release, all contacts on the Local Plan Database were notified of the consultation inviting them to comment.
- 3.5 After the close of the consultation, an update was given to Environment Overview and Scrutiny Panel on 11th March 2021 to report the initial findings and explain the next steps towards adoption.

4. MAIN ISSUES RAISED IN THE CONSULATION

- 4.1 There were 40 respondents to the consultation.
- Local residents and interest groups (20)
 - Town and Parish Councils (6)
 - Other organisations, including the New Forest National Park Authority and Hampshire County Council Public Health (7)
 - Developers and Landowners (7)
- 4.2 The comments ranged from specific points of detail on the operation of the document to more general views on how the mitigation projects planned to be delivered will function. Comments made include those on the advice to developers on the design of mitigation projects, and those seeking further involvement of Town and Parish Councils and other local groups in the programme of off-site mitigation projects.
- 4.3 There was broad support of the overall strategy and its ambitions, including recognition of the wider benefits the mitigation strategy will deliver. There were however both positive and negative views made on particular elements of the strategy, and some concerns about the types of project it looks to deliver.
- 4.4 Some of comments received were outside of the scope of the document and included wider concerns on the management of the New Forest area itself including car parking, and the future development levels allocated through the Council's Local Plan.
- 4.5 The full representations received, together with a schedule setting out the response to the comments made can be viewed on the website at:
- i. Full comments: https://www.newforest.gov.uk/media/2063/Draft-Rec-Mit-SPD-2021-Schedule-of-FULL-Responses-FINAL/pdf/Draft_Rec_Mit_SPD_2021_Schedule_of_FULL_Responses_FINAL.pdf?m=637546162034170000
 - ii. Responses to the comments: https://www.newforest.gov.uk/media/2064/Draft-Rec-Mit-SPD-2021-Summary-of-Responses-Council-Comment-FINAL/pdf/Draft_Rec_Mit_SPD_2021_Summary_of_Responses_Council_Comment_FINAL.pdf?m=637546162037130000

5. HOW CONSULTATION RESPONSES HAVE BEEN TAKEN IN TO ACCOUNT

5.1 The comments referred to above have been reviewed by officers and taken into account in preparing the final version of the Supplementary Planning Document. A Consultation Statement has also been prepared providing further details of this and can be viewed on the Council's website at:
https://www.newforest.gov.uk/media/2065/Consultation-Statement/pdf/Recreational_Mitigation_SPD_2021_Consultation_Statement.pdf?m=637546980813030000. Whilst minor amendments have been made, the approach to mitigation set out in the document has remained largely unchanged. The main amendments can be summarised as:

- Scope of document – clarification that the focus of the Supplementary Planning Document is to mitigate impacts from new development in the New Forest District (Outside the National Park) and how this relates to the Access and Visitor Management mitigation the strategy provides.
- Status of document – clarification of the document's status as guidance in support of Local Plan Policy ENV1.
- Level of detail – section 5 of the document rationalised to simplify the document.
- Involvement of local groups – acknowledgment that the Council will where possible look to work with local communities, including Town and Parish Councils to discuss future mitigation projects and their management.
- Monitoring requirements – updates to the information for how elements of this will be collected and reported.

6. NEXT STEPS

6.1 Subject to the agreement of Cabinet to adopt this Supplementary Planning Document, the document accompanied by a Consultation Statement and Adoption Statement will be published as soon as practicable in final form.

6.2 Following adoption, there is also a statutory 3-month period for legal challenges, during which any person with sufficient interest in the decision to adopt the Supplementary Planning Document may apply to the High Court for permission to apply for judicial review of that decision.

7. FINANCIAL IMPLICATIONS

7.1 The measures set out in this report will be funded by Developers' contribution requirements set out in the Supplementary Planning Document. This will help ensure that new development funds the necessary infrastructure to achieve a sustainable development in accordance with the Local Plan, without being a burden on public finances.

8. CRIME & DISORDER IMPLICATIONS

8.1 There are none.

9. ENVIRONMENTAL IMPLICATIONS

9.1 The Supplementary Planning Document aims to ensure that all new development is achieved to a high standard of design, is sustainable, and can be achieved without an adverse impact on European Nature Conservation sites.

10. EQUALITY & DIVERSITY IMPLICATIONS

10.1 There are none.

11. DATA PROTECTION IMPLICATIONS

11.1 There are none

12. PORTFOLIO HOLDER COMMENTS

12.1 I support the adoption of this Supplementary Planning Document which provides important guidance on the implementation of our Local Plan policy (ENV1) which seeks to mitigate the recreational impacts arising from new residential development on the New Forest's important nature conservation sites. Our approach not only helps protect the New Forest but provides important local benefits to our residents by providing assessable natural green spaces to enjoy close to their homes, contributing to the health and well-being of our community while providing places for nature to thrive.

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Background Papers:

Published documents

New Forest District outside the National Park

Mitigation for Recreational Impacts

On New Forest European Sites

Supplementary Planning Document

Enabling the Delivery of Green Growth

Appendix 1: Version for Cabinet Approval - April 2021

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1.0 Executive Summary

1.1 This Supplementary Planning Document (SPD) relates to the Local Plan for New Forest District outside of the National Park. The plan area, which lies on the south coast between the Southampton and Bournemouth conurbations, skirts around the New Forest National Park. The area includes and is close to a number of significant environmental designations of international nature conservation importance that are protected by legislation and the Conservation of Habitats and Species Regulations 2017 ('Habitats Regulations'), which seek to ensure that development proposals do not harm the protected sites. This document specifically relates to:

New Forest European Sites

- the New Forest SAC;
- the New Forest SPA;
- the New Forest Ramsar site ('New Forest European sites')

1.2 This document provides supplementary planning guidance to the Local Plan 2016-2036 Part 1: Planning Strategy and Local Plan Part 2: Sites and Development Management DPD saved policies adopted in 2014. It gives detailed guidance on the implementation of **Policy ENV1: Mitigating the impact of development on International Nature Conservation sites**, in regard to recreational impacts. Mitigation of the effects of air and water quality on European nature conservations sites is dealt with separately.

1.3 The Habitats Regulations Assessment of the Local Plan concluded that the recreational impacts on designated sites arising from

planned residential development, either alone or in combination with other plans or projects need to be addressed. To enable the planned residential development to proceed the Conservation of Habitats and Species Regulations require that appropriate mitigation measures are in place to ensure that the proposed development can take place without a harmful impact on the integrity of protected sites.

1.4 Mitigation for recreational impacts has four main elements:

- Provision of new areas of publicly accessible alternative natural recreational greenspace (ANRG);
- Enhancement of existing greenspace and footpaths/rights of way in all settlements where new residential development takes place;
- Access and visitor management – measures include the provision of rangers for the New Forest European sites;
- Monitoring – the gathering of further information, including about the condition of European sites' habitats and species and visitor patterns, and to gain a better understanding of the effects of visitors and other factors influencing the condition of the protected sites; and the monitoring of progress in implementing the mitigation strategy.

1.5 The mitigation projects this strategy will deliver are fundamentally about restoring the 'status quo' in terms of impacts on the designated European sites resulting from development in the New Forest District outside of the National Park¹. However, in providing improvements to existing open space or creating new alternative recreational opportunities, there will also be direct benefits to residents and the local environment. The projects

¹ The wider management of the New Forest is beyond the scope of this strategy and are matters for the bodies charged with managing the New Forest, including the New Forest National Park Authority through their own work.

contribute to the Council's 'greener growth' agenda that delivers environmental net gain in the Plan Area.

1.6 The delivery of appropriate mitigation measures is a key component of the Infrastructure Delivery Plan (IDP) for the plan area, and the implementation of the mitigation projects is a critical requirement within the IDP. Mitigation measures will be provided and/or funded by the developers of the new residential development within the Plan Area.

1.7 This SPD sets out:

- The background to the Strategy
- The types of residential development required to mitigate, including the approach for visitor accommodation
- The recreation mitigation requirements for new development including the types and amount of the different mitigation measures
- Guidance on the design and delivery, and ongoing management and maintenance of mitigation projects
- Monitoring arrangements, including the implementation of the proposed mitigation measures and their effectiveness
- Implementation and funding of the mitigation measures

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2.0 Introduction and background to the Strategy

Introduction

2.1 This Mitigation Strategy covers the New Forest District (outside the National Park) Local Plan Area, shown in the figure below.



Figure 1: The Plan Area

2.2 New Forest District lies on the south coast between the Southampton and Bournemouth conurbations. The area is subject to significant environmental designations, including European nature conservation sites. Under the requirements of the Conservation of Habitats and Species Regulations the Council has a duty to ensure that the effects of its Plan do not have an adverse

effect on the integrity of any European nature conservation designations – Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) (Natura 2000 sites).

2.3 The Habitats Regulations Assessment completed as part of the preparation of both the **Local Plan 2016-2036 Part 1: Planning Strategy** (adopted July 2020) and Part 2: Sites and Development Management (adopted April 2014) identified potentially harmful recreational impacts arising from residential development on:

- New Forest SAC/SPA/Ramsar site (New Forest European sites)
- the Solent and Southampton Water SPA/Ramsar site/Solent
- Isle of Wight Lagoons SAC/Solent Maritime SAC (Solent Coastal European sites).

2.4 To enable the planned residential development to proceed the Conservation of Habitats and Species Regulations require that appropriate mitigation measures are in place to ensure that the proposed development (either alone or in combination with other plans or projects) does not have an adverse effect on the integrity of internationally designated sites.

2.5 **This Supplementary Planning Document (SPD) deals specifically with recreational impacts on the New Forest European sites.** Whilst similar in nature, recreational impacts on the Solent Coastal European sites are addressed through the **Solent Recreation Mitigation Strategy**² and the requirements it sets out for new homes built within 5.6 kilometres of the European sites. Mitigation of the effects of **air and water quality** on European nature conservation sites are also dealt with separately and not covered by this SPD.

² <https://solent.birdaware.org/strategy>

2.6 Local Plan 2016-2036 Part 1 **Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites** sets out the broad approach which will be applied to residential development to secure appropriate mitigation of recreational impacts on the European sites from the development.

2.7 This document provides details of how this policy will be implemented and replaces the previous Mitigation Strategy adopted in June 2014. In particular the strategy sets out:

- the suite of measures either provided by or funded by residential development within the plan area over the plan period to provide the required mitigation of recreational impacts.
- design guidance of how on-site recreation mitigation should be provided by developers as part of new development.

2.8 Other relevant documents include the Habitats Regulations Assessment (HRA), the Infrastructure Delivery Plan (IDP), the Community Infrastructure Levy (CIL) Charging Schedule and the accompanying Infrastructure Funding Statement (IFS).

2.9 Mitigation measures set out in this strategy are directed towards:

- providing alternative recreational opportunities (to deflect potential visits away from the New Forest European Sites, whilst ensuring they do not have the potential to lead to adverse impacts on other European designated sites, including the Solent Coastal European sites);
- managing and educating visitors (to change visitor behaviour including when visiting the designated sites); and

- monitoring of the impacts and effectiveness of mitigation measures (to provide a better understanding of the impacts of recreation on the New Forest European sites and enabling future refinements of mitigation policies and measures)³.

2.10 Whilst this strategy addresses the effects from new development, the wider management of all visitors (including car parking arrangements, cycling, horse riding and issues with littering) within the New Forest European sites, is an issue addressed through the work of the New Forest National Park Authority, including through the Partnership Plan and the National Park Recreational Management Strategy.

Wider benefits arising from the need to mitigate

2.11 The delivery of the mitigation strategy is fundamentally about restoring the 'status quo' in terms of impacts on the designated European sites. The requirements for achieving biodiversity net gain will be in addition to the measures set out in this strategy. However, in providing improvements to existing open space or creating new alternative recreational opportunities, there will also be direct benefits to residents.

2.12 The provision of a network of natural greenspaces located close to people's doorsteps will bring about 'quality of life' opportunities, such as healthier lifestyles, becoming more in touch with nature, space for wildlife and natural habitat, and improved attractiveness. This in turn also enables the Council to deliver greener growth that contributes towards the delivery of environmental net gain⁴ in the Plan Area.

³ The assumption is made that the measures set out in this strategy will provide effective mitigation. However, that is yet to be proven.

⁴ See Local Plan 2016-2036 Part 1: Planning Strategy - Policy STR1: Achieving sustainable development

- 2.13 The environmental benefits through the creation and landscaping of the ANRGs on a new development, when also combined with the wider open space provision, will further assist in addressing climate change, water quality and an overall improvement to the ecological value on the site.
- 2.14 An important part of this strategy is to also undertake various initiatives to improve understanding of the impact visitors have on the New Forest protected European Sites and to encourage improved behaviours.
- 2.15 Projects delivered since the adoption of the 2014 Mitigation Strategy addressing the impacts on the designated European sites are also providing such benefits to residents, together with the delivery of advice and education services aimed at influencing visitor behaviour on protected European sites via the People and Wildlife ranger that is also provided by the strategy.
- 2.16 The main difference between this mitigation strategy and the mitigation strategy adopted in 2014 is that it now recognised that not all recreational visits to the New Forest European Sites will be deflected by mitigation measures to provide alternative natural greenspace for recreation. Some recreational use of the New Forest by residents will continue even if on-site recreational mitigation is provided, and therefore the requirement to provide for access and visitor management, via communication and education provision is extended to all residential development.

- 2.17 Addressing the impacts of local resident's recreational use of the Southampton Water and Solent Coast European Sites is dealt with by the separate **Solent Recreation Mitigation Strategy**⁵.

Requirements of the Conservation of Habitats and Species Regulations

- 2.18 The UK exited the EU on 31 January 2020 and at the time of writing there is a transition period during which EU legislation will be followed. It is currently anticipated that the Conservation of Habitats and Species Regulations 2017 (as amended) referred to in this section, and which transpose the EU Habitats Directive (92/43/EEC) will continue to have the same working effect as now after the transition period.
- 2.19 Article 6 of the Habitats Directive (92/43/EEC)⁶ requires all EU Member States to undertake an 'appropriate assessment' of any plan or project requiring authorisation which would be likely to have a significant effect upon a European site; this is commonly referred to as a Habitats Regulations Assessment (HRA). This assessment must demonstrate that based on the best available scientific information, and in light of any suitable mitigation measures, the plan or project would not adversely affect the integrity of the site either alone or in combination with other plans or projects. A precautionary approach must be adopted in HRA, and where a loss of site integrity cannot be ruled out the plan or project may only be authorised under very exceptional circumstances.
- 2.20 In the UK the Habitats Directive has been transposed into domestic legislation as the Conservation of Habitats and Species

⁵ <https://solent.birdaware.org/strategy>

⁶ Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora can be viewed at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31992L0043:EN:HTML>

Regulations 2017⁷, and the provisions of Article 6 are largely satisfied by Regulation 61 and Government Circular 06/2005 which establishes the statutory obligations for HRA alongside the European Commission's guidance. The Conservation of Habitats and Species Regulations confirms the responsibility of all local planning authorities as 'competent authorities', requiring them to carry out HRA of all relevant planning applications and Local Development Documents.

2.21 Under Article 6(3) of the Habitats Directive, Competent Authorities have a duty to ensure that all the activities they regulate have no adverse effect on the integrity of any of the Natura 2000 sites (together SPAs and SACs make up the network of Natura 2000 sites). Therefore, the Council (the Competent Authority) must assess the possible effects of a plan or project on any Natura 2000 site. This includes an initial screening stage to identify any likely significant effects on the European site which may arise, either alone or in combination with other plans or projects. If at the screening stage it is considered that there is likely to be a significant effect, in view of the site's conservation objectives, then the plan or project must be subject to an Appropriate Assessment (AA). Having undertaken the AA, the Council shall agree to the plan or project only after ascertaining that it will not adversely affect the integrity of the European site concerned, or where the further tests as described in article 6(4) can be met.

2.22 The decision-maker must consider the likely and reasonably foreseeable effects in order to ascertain that the proposal will not have an adverse effect on the integrity of the site before it may grant permission (subject to the exception tests set out in

Regulation 61 of the Conservation of Habitats and Species Regulations).

2.23 As an integral part of the Council's pre-application process, it requires close working with Natural England in order to obtain the necessary information, agree the process, outcomes and mitigation proposals, and to meet the requirements of the Conservation of Habitats and Species Regulations. However, it is ultimately the decision-maker on planning matters that is responsible for ensuring compliance of its decision with the legislation and regulations.

2.24 The Council's approach to recreation mitigation has only been in operation for a short period (since 2014) and there is therefore a need to monitor its effectiveness.

2.25 Following the ruling by the Court of Justice of the European Union (CJEU) in April 2018⁸, development likely to have an impact on a European Site, will need to be subject to Appropriate Assessment (AA) at detailed planning stage (planning application). The AA will be able to take into account the provision of mitigation measures which will be secured as part of the development, by direct provision or through a combination of Community Infrastructure Levy and/or Section 106 Agreement. Provision of mitigation in accordance with Local Plan 2016-2036 Part 1 Policy ENV1 and this SPD, will normally be considered to provide the required mitigation.

2.26 Failure to provide appropriate mitigation will result in non-compliance with the Conservation of Habitats and Species

⁷ The Conservation of Habitats and Species Regulations 2017 can be viewed at: <https://www.legislation.gov.uk/ukxi/2017/1012/contents/made>

⁸ <http://curia.europa.eu/juris/document/document.jsf?jsessionid=9ea7d2dc30dd1db017d27fb646d08d1eb2eadcb4183d.e34KaxiLc3qMb40Rch0SaxyNchn0?text=&docid=200970&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=478560>

Regulations and the proposed development may not proceed as it will be in breach of the Habitats Regulation.

Residential developments required to mitigate

- 2.27 The mitigation requirements for residential development and the provision of overnight visitor accommodation apply to all forms of new residential development (including those permitted via prior approval and permitted development) resulting in the net gain of a self-contained dwelling and include:

New build, redevelopment, mixed use schemes, changes of use, conversions, affordable housing, sheltered housing, extra care housing, second homes, visitor accommodation (including increases in overnight accommodation bed spaces and campsite pitches, for example), gypsy and travellers pitches.

- 2.28 Where it is unclear whether or not the mitigation requirements apply to a particular form of development, an appropriate assessment may be required as part of the Council's local planning authority function, which may involve seeking advice from Natural England.
- 2.29 Mitigation measures are required for net additions to residential accommodation stock. They are not normally required for replacement dwellings or extensions to an existing dwelling (which do not result in the formation of additional residential units or a significant increase in resident occupancy).

Residential development not requiring the submission of a planning application

- 2.30 In recent years, changes have been made to the General Permitted Development Order (GPDO) which allow, in certain circumstances, new dwellings to be developed without the need to apply for planning permission, having defined them under the GPDO as 'permitted development'. However, in such circumstances the proposed development must still comply with the Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regulations).
- 2.31 The Habitat Regulations require that any development granted planning permission by a GPDO, which is likely to have a significant effect on a European site (either alone or in combination with other plans or projects), must not be begun until the developer has received written notification of approval of the local planning authority that the proposals will not have an adverse impact on the integrity of a European site. Within the plan area this will require the provision of appropriate mitigation measures to address adverse impacts of the development on the European sites.
- 2.32 Accordingly, compliance with the Habitat Regulations can be secured as part of the 'prior notification' process in a similar way to residential development that requires planning permission accompanied with developer contributions.

Visitor Accommodation

- 2.33 Additional visitor accommodation within the Plan Area will have a similar recreational impact on the designated nature conservation sites in the New Forest as residential development. It will therefore

be necessary for developments which will increase overnight stays within the plan area to mitigate their impacts.

- 2.34 The mitigation requirements will be based on the increase in potential visitor capacity adjusted to reflect overall visitor occupancy levels over a year; visitor accommodation occupation varies seasonally and is not always fully occupied, or available throughout the year.
- 2.35 A financial contribution towards the funding of the Council's off-site mitigation projects will be sought for each additional bedroom for new, or extensions to, hotels and other serviced visitor accommodation. To reflect the overall visitor occupancy levels, this will be based on a proportion of the total contribution rate for a 1 bedroom dwelling, as contained in Table 6 (Developments of less than 50 dwellings) of this SPD. The proportion will be calculated using on the highest annual occupancy level⁹ unless clear evidence is provided to justify a different level.
- 2.36 For other types of visitor accommodation, such as camping and caravan pitches and self-catering, the contribution level will be based on the total rate for a 1 bedroom dwelling for each pitch or visitor room. It will also be determined on a pro-rata basis to reflect periods the accommodation is available over the year, supported by robust evidence.
- 2.37 Hotels and other forms of visitor accommodation will normally be expected to provide contributions only, rather than on-site mitigation, regardless of the size of the development.
- 2.38 Although most visitor accommodation will host visitors that come to the New Forest designated European sites for recreation, it is

acknowledged that in a few exceptions some are focused on business users. The Council will consider the need for mitigation and the level of contribution in these exceptional circumstances on a case by case basis.

Appropriate Mitigation Measures to address adverse impacts of the European sites

Natura 2000 sites

- 2.39 The Plan Area includes and is close to a number of Natura 2000 sites. Details of international and European nature conservation sites are set out in in the Habitats Regulation Assessment (HRA)¹⁰ prepared for the Local Plan. However, the HRA screening has identified the 'New Forest European sites' and the 'Southampton Water and Solent Coast European sites' as protected sites where mitigation measures are required to address the effects of the Plan in relation to recreational impacts. This SPD specifically addresses the impacts on the New Forest European Sites.

New Forest European Sites

- 2.40 As established when preparing the current Local Plan, a review of published work indicated that although the evidence is inconclusive, adopting the precautionary approach, reliance could be placed on the mitigation provided by Policy ENV1 and the Recreational Mitigation Strategy to adequately mitigate potential recreation pressure from development proposed though the Local Plan and that adverse effects on integrity due to recreation pressure can be ruled out for all European sites both alone and in combination.

⁹ Highest annual level of bedroom occupancy for England in the last 5 years is 78%, as recorded by Visit Britain

¹⁰ <https://www.newforest.gov.uk/article/1510/Local-Plan-2016-2036-part-1-Planning-strategy>

2.41 The Footprint Ecology Report “Changing patterns of visitor numbers within the New Forest” (2008) ¹¹ emphasised the need to tailor a package of mitigation measures to the unique nature of the New Forest and its visitor patterns but also points out that, the large area of land, existing expertise in access management, and an infrastructure already geared to cope with large numbers of visitors provide a good starting point. Suggested mitigation measures comprise:

- A monitoring strategy – detailed field work to understand low densities of the three indicator species (nightjar, woodlark and Dartford warbler); regular monitoring of other key species and locations where there are concerns about recreational pressure; annual monitoring of visitor levels; monitoring of changes in visitor patterns associated with access management measures.
- Refinement of visitor models – accounting for the spatial distribution of paths and points of interest within the New Forest; incorporating actual route data; exploring the spatial distribution of other species to predicted visitor pressure.
- Car-parking – managing car parking to re-distribute visitors.
- Access and visitor management measures - promotion of less sensitive areas to visitors; provision of interpretation and path enhancement in less sensitive areas; promotion of issues such as the need to keep dogs on leads.
- Alternative greenspace – the report states that any alternative greenspace must be very carefully considered in terms of its ability to attract people who would otherwise visit the New Forest.

2.42 It concludes that the visitors who are likely to be the easiest to divert from the New Forest are those who do not stay overnight and that potential alternative greenspaces need to be located closer to development areas than the sensitive site to be protected. Sites to attract dog walkers should provide safe off-road parking, a range of routes, and be in locations perceived to maximise enjoyment of the dog.

2.43 Regard has been had to these principles in preparing this strategy.

2.44 Footprint Ecology were further commissioned by Test Valley Borough Council on behalf of a partnership which also included Eastleigh Borough Council, New Forest District Council, The New Forest National Park Authority, Southampton City Council and Wiltshire Council. The ‘New Forest Visitor Study’¹² series of reports were commissioned to increase understanding of the impacts of recreation (arising from new housing development) on the New Forest designated European sites. The project as a whole involved visitor surveys combined with work to understand the impacts of recreation and relevant mitigation approaches. This also addressed a recommendation in the earlier “Changing patterns of visitor numbers within the New Forest” report. The series of reports were produced in 2020:

- *Recreation use of the New Forest SAC/SPA/Ramsar: New Forest visitor survey 2018/19* - results of on-site face-face interviews with visitors conducted at formal car parks and other locations across the New Forest SAC/SPA/Ramsar;
- *Recreation use of the New Forest SAC/SPA/Ramsar: New Forest vehicle counts 2018/19* – results of vehicle counts

¹¹ <https://www.footprint-ecology.co.uk/reports/Sharp%20et%20al.%20-%202008%20-%20Changing%20patterns%20of%20visitor%20numbers%20within%20the%20Ne.pdf>

¹² <https://www.newforestnpa.gov.uk/conservation/managing-recreation/future-forest/research-into-recreational-use-of-the-new-forests-protected-habitats-footprint-ecology-2020/>

- across the New Forest SAC/SPA/Ramsar car parks, counting all parked vehicles on a range of different dates over a year;
- *Recreation use of the New Forest SAC/SPA/Ramsar: Results of a telephone survey with people living within 25km* - the results of a telephone survey with 2,000 residents living within a 25km radius of the woodland/heathland areas of the New Forest SAC/SPA/Ramsar;
- *Recreation use of the New Forest SAC/SPA/Ramsar: Impacts of recreation and potential mitigation approaches* – sets out the impacts of recreation and provides options for mitigation and avoidance.
- *Recreation use of the New Forest SAC/SPA/Ramsar: Overview of visitor results and implications of housing change on visitor numbers* - brings together the information from three separate surveys undertaken across the New Forest SAC/SPA/Ramsar in 2018/19. This predicts an increase of around 11.4% in the number of visits as a result of new housing within 25km radius over the period 2018-2036.

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- 2.45 The telephone survey is significant in understanding how frequently local residents visit the woodland and heathland areas of the New Forest. The survey engaged with 2,000 randomly selected residents from areas surrounding the New Forest. Interviewees lived within 25km of the New Forest designated sites and sampling was undertaken within 5km bands. Sampling was weighted to the nearer 5km bands to ensure more interviews were conducted with those living relatively close to the New Forest. The questionnaire identified households who had visited the New Forest and asked particular questions relating to the reasons for visiting, activities undertaken and their visit patterns.
- 2.46 The average number of visits to the New Forest woodland heathland was around 48 per year per household (includes those who don't visit the New Forest at all). The surveys show that for

residential of NFDC, the average for those that do visit the New Forest woodland and heathland was 72 visits per year per household. Regarding the reasons for visiting, walking and specifically dog walking were the dominant uses recorded, at 60-80% of the total visits, depending on the proximity the interviewees lived to the New Forest.

- 2.47 Overall, the results of this New Forest Visitor Study did not indicate a need for a revised approach to mitigation in this Council's planning area (the district outside of the National Park). However, the studies provided valuable information about the nature of the recreational use of the New Forest by residents and this information will assist in refining the design and implementation of the mitigation projects.
- 2.48 It also emphasised the importance to continue to collaborate with adjoining Authorities in the development of a strategic, proportionate and co-ordinated approach to mitigation of recreational impacts on the New Forest in a wider geographical area.

Alternative approaches to recreation mitigation

- 2.49 As set out in the Local Plan 2016-2036 Part 1 (supporting text to Policy ENV1), should an alternative approach to mitigation be proposed, evidence will be needed to demonstrate its effectiveness. It will need to be evaluated by the 'competent authority' (the decision-making authority) through an Appropriate Assessment process. Such evaluation will need to take account of the precautionary principle applying to such judgements. The developer will be required to provide the local planning authority with appropriate evidence of the effectiveness of any alternative approach to mitigation of recreational impacts.

2.50 Any alternative proposal would need to mitigate the impact of the development to no lesser degree than would be achieved by implementation of the requirements of Local Plan Policy ENV1 (as amplified in this SPD) and demonstrate its likely effectiveness in perpetuity. The Council would require the proposal to be robustly justified with evidence.

Sustainability Appraisal of this document

2.51 Plans and programmes that have been determined to require Appropriate Assessment pursuant to the Habitats Directive are also subject to an assessment procedure under the Strategic Environmental Assessment (SEA) Directive (Article 3(2) (b)). The UK exited the EU on 31 January 2020 and at the time of writing there is a transition period during which EU legislation will be followed. It is currently anticipated that the Environmental Assessment of Plans and Programmes Regulations 2004 which implements this EU SEA Directive will continue to have the same working effect as now after the transition period. A full Sustainability Appraisal has been undertaken on the Local Plan¹³. It is not required for this document.

¹³

[http://forms.newforest.gov.uk/ufs/form_docs/Policy/Main%20Modifications%20Consultation%20Documents%20\(13%20December%202019%20-%2031%20January%202020\)/Sustainability%20Appraisal%20Addendum%20of%20the%20Main](http://forms.newforest.gov.uk/ufs/form_docs/Policy/Main%20Modifications%20Consultation%20Documents%20(13%20December%202019%20-%2031%20January%202020)/Sustainability%20Appraisal%20Addendum%20of%20the%20Main)

[%20Modifications%20\(December%202019\).pdf?ufsReturnURL=https%3A%2F%2Fforms.newforest.gov.uk%3A443%2Fufs%2Fufsreturn%3Febz%3D2_1605633282328](http://forms.newforest.gov.uk/ufs/form_docs/Policy/Main%20Modifications%20Consultation%20Documents%20(13%20December%202019%20-%2031%20January%202020)/Sustainability%20Appraisal%20Addendum%20of%20the%20Main%20Modifications%20(December%202019).pdf?ufsReturnURL=https%3A%2F%2Fforms.newforest.gov.uk%3A443%2Fufs%2Fufsreturn%3Febz%3D2_1605633282328)

3.0 Local Plan Policies and other relevant documents

Local Plan 2016-2036

- 3.1 This document is a supplementary planning document to support the Local Plan 2016-2036 Part 1: Planning Strategy
- 3.2 The Local Plan 2016-2036 provides for 10,420 additional dwellings to be built in the plan area, which includes existing commitments from the earlier Local Plan Part 2 (adopted in 2014).

Local Plan 2016-2036 Part 1: Planning Strategy (adopted July 2020) contains **Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites**, which built on the previous habitat mitigation policy (Policy DM3 from the Local Plan Part 2: Sites and Development Management DPD adopted in 2014) by recognising that because of the strong draw of the New Forest National Park, in particular, all new residential development is required to make a contribution to the access and visitor management of the New Forest European Sites and Southampton Water and Solent Coast European Sites as additional visits to the European sites will continue to be made. Mitigation land required under policy ENV1 is wholly additional to requirements for public open space provision required under Policy CS7.

- 3.3 This policy together with **Saved Policy DM2: Nature conservation, biodiversity and geodiversity** are specifically directed to securing appropriate mitigation of the impact of the development on the European nature conservation sites. The policy wording is reproduced in Appendix 1.

Habitats Regulation Assessment

- 3.4 The Council, advised by Land Use Consultants (LUC), has worked with Natural England, the New Forest National Park Authority, the Hampshire and Isle of Wight Wildlife Trust and the Royal Society for the Protection of Birds, to develop an effective strategy for the mitigation of possible recreational impacts on the European nature conservation sites from residential development planned within the plan area over the plan period.
- 3.5 A review of available evidence shows a lack of conclusive evidence regarding the impact of recreation activities on designated features at the New Forest European sites, and it is not possible to isolate the impacts arising from development in this Plan from the in combination effect of growth in the wider sub region.
- 3.6 In respect of the New Forest European sites, LUC's review of evidence has however confirmed that whilst evidence of significant adverse effects from recreation is inconclusive, reliance can be placed on the mitigation provided by Policy ENV1, the New Forest (outside of the National Park) Recreational Mitigation Strategy, and the Solent Recreation Mitigation Strategy to adequately mitigate potential recreation pressure from development proposed by the Local Plan Part 1 and that adverse effects on integrity due to recreation pressure can be ruled out for all European sites both alone and in combination.
- 3.7 The provision of alternative natural recreational greenspace, integral to new residential development, may contribute to the mitigation of the potential effects on both for both the Southampton Water and Solent Coast and New Forest European Sites, since its provision will divert the same new residents from either European site. However, whilst the HRA makes this conclusion, strategic

mitigation measures for the New Forest sites and Solent sites remain separate and both need to be adhered to as appropriate to ensure compliance with Habitat Regulations. The impacts on the Solent Coast sites are specifically addressed through the Solent Recreation Mitigation Strategy.

Infrastructure Delivery Plan

- 3.8 As part of the preparation of the Local Plan review an Infrastructure Delivery Plan (IDP) was prepared. The IDP identifies the new infrastructure required to mitigate the impacts of the new development.
- 3.9 The IDP also identifies the likely cost and funding source for each type of infrastructure where known.
- 3.10 The IDP highlights mitigation projects as a critical delivery priority.

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4.0 Recreational Mitigation requirements for new development

- 4.1 An agreed approach to mitigation of recreational impacts on the New Forest and Southampton Water and Solent Coast European sites arising from new residential development was established in Local Plan Part 2: Sites and Development Management document and its supporting Mitigation Strategy for European Sites SPD in 2014. This approach was updated and further endorsed through the examination and adoption of the Local Plan 2016-2036 Part 1: Planning Strategy (July 2020).
- 4.2 It was agreed that for the New Forest District (outside the National Park) there needed to be a number of components to the mitigation approach. It was recognised that 'the New Forest' is such a strong draw for recreational visits, that an effective mitigation strategy needs to not only consider providing alternative recreation opportunities accessible to local residents – effectively close to people's doorsteps, but to also effectively manage and minimise the potential harmful effects of the visits that cannot be deflected away from the New Forest European sites. It was therefore recognised that there is a need for both the provision of alternative recreational opportunities in a natural environment and also management of access to the European sites.
- 4.3 **The components of this mitigation strategy which are appropriate in the context of the New Forest European sites have been identified as:**

- **Provision of new alternative natural recreational greenspaces on new development sites of over 50 dwellings;**
- **Improvement and enhancement of existing green spaces as recreational mitigation;**
- **Enhancement of recreational walking routes;**
- **Access and visitor management measures; Monitoring activities**

- 4.4 Where new residential development is proposed within 5.6km of the Southampton Water and Solent Coast European Sites, the **Solent Recreational Mitigation Strategy** must also be complied with.

Calculating the recreational mitigation required

- 4.5 In order to calculate the number of visits that are required to be mitigated, the Council have used the latest Footprint Ecology¹⁴ study which demonstrated that the estimated visits per household per year (on average) to the designated New Forest European sites by New Forest District residents is 72.
- 4.6 The number of visits from new development are based on the allocated homes in the Local Plan 2016-2036 Part 1(Policy STR5). To take account of the precautionary principle, in some instances an additional 20% buffer has been applied to allow for where estimated site housing mix / densities (capacities) may exceed those set out in the adopted Local Plan and the council's Strategic Housing Land Availability Assessment (SHLAA).

¹⁴ Recreation use of the New Forest SPA/SAC/Ramsar: New Forest visitor survey 2018/19 (April 2020)
Overview of visitor results and implications of housing change on visitor numbers (April 2020)

New Forest visitor survey 2018/19 (2020)
Results of a telephone survey with people living within 25km (2020)

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- 4.7 The suite of mitigation proposed through the requirements of Policy ENV1 and this strategy aims to ensure that the Local Plan avoids adverse effects on the integrity of the European sites if the estimated recreation pressure from 750,240 additional visits (based on the predicted full plan target of 10,420) within the plan area is offset, regardless of who makes those visits. Of these, 165,240 additional visits are from new housing development not providing on-site mitigation.
- 4.8 This SPD sets out development requiring mitigation for each sub-area of the Plan Area, using the housing requirement set out in Local Plan Policy STR5 and taking in to account development that is already completed during the Plan period.
- 4.9 Additional pressures will be put on the New Forest European sites from the growth planned in neighbouring planning authority areas. Addressing and mitigating these additional recreational impacts on the New Forest arising from outside this plan area are a matter for the relevant planning authorities in the preparation of their Local Plans.
- Provision of alternative natural recreational greenspace on new developments over 50 net additional dwellings**
- 4.10 Alternative natural recreational greenspace (ANRG) will form a key element of the mitigation strategy and provision for at least 8ha per 1,000 of population of new residential development is a requirement for sites of 50 or more dwellings as set out in Local Plan Policy ENV1.
- 4.11 Guidance explaining the principles for how alternative natural recreational greenspace and open spaces should be designed as an integral part of a development site is set out in Appendix 4. This guidance provides an approach to delivering mitigation to meet the requirement of Local Plan Policy ENV1 and the Habitat Regulations¹⁵, which has been agreed with Natural England and used throughout the preparation of the Local Plan Strategic Site illustrative concept master plans.
- 4.12 As referred to in the Local Plan and earlier in this SPD, alternative approaches to recreational impact mitigation may be put forward, but they must fulfil the requirements of the Habitat Regulations and demonstrate their effectiveness. Supporting text to Policy ENV1 sets also out for situations where ANRG is proposed on smaller individual sites within a larger strategic site, to ensure that the delivery of ANRG is co-ordinated and concurrent with the overall housing delivery of the site. This will involve an appropriate design solution and enforceable landowner agreements being in place relating to the quantum, location and timing of mitigation provision.
- 4.13 Key features of well-designed alternative natural recreational greenspaces (ANRGs) will include, but are not limited to:
- It should be considered and laid out as an integral part of the fabric of new development, forming a major part of a network of green space and the green setting for new residential development
 - A network of appropriately sized spaces across the site which provide the opportunity to experience and enjoy a natural environment close to people's homes, to deflect visits away from the New Forest designated European sites

¹⁵ Local Plan Review Examination Document - SCG05 Recreational Mitigation SoCG with Natural England

- Provision made for its long term management in a suitable condition for free public access
- Good linkages / connectivity with other open spaces and walking routes where they exist
- The ANRG should be welcoming and users feel safe, secure and there is good natural surveillance (for example, paths through dense woodland should be avoided or kept to a minimum)
- Provision of attractive walking routes with appropriately surfaced paths and which should be well maintained
- Routes and open spaces should be clearly sign-posted or way-marked
- Access by the public must be unrestricted and there should be opportunities for dogs to exercise freely and safely off lead
- Seating areas
- Retention, enhancement and creation of a variety of habitats to ensure a net increase in biodiversity
- Provision of bins suitable for litter and dog-waste where appropriate

- programme of projects for implementation to be sustained, and to specifically ensure that:
- projects are deliverable in the agreed timeframe;
 - projects come forward at times and locations around the District reflecting the current trajectory of predicted housing delivery;
 - it is possible to react to monitoring regarding the success of existing projects and further refinements in the evidence of the visitor impact on the designated New Forest sites.

- 4.16 The rolling programme of projects will be agreed by the Council and will be reviewed regularly. The review process will enable Town and Parish Councils, local communities and local interest groups and organisations to put forward new projects for consideration, drawing on their local knowledge.

Enhancement of existing green spaces as alternative natural recreational greenspace

- 4.17 Whether provided from land in other uses, or through improving the accessibility and recreational functionality of existing open spaces, open spaces that provide successful mitigation will need to be designed so as to maximise their chances of diverting New Forest District residents who might otherwise visit the European sites for outdoor recreation, particularly for those activities most likely to cause disturbance of designated features, such as dog walking. Evidence for the New Forest European sites suggests that alternative natural recreational greenspace should particularly target the needs of New Forest District residents who wish to go for recreational walks, with or without a dog.

Provision of off-site recreation mitigation projects for new developments of less than 50 dwellings

- 4.14 Where on-site recreation mitigation is not provided a financial contribution will be sought towards the provision of new green spaces and the enhancement of existing green spaces and recreational walking routes, including provision for their long-term maintenance and management costs.
- 4.15 To ensure the programme of projects is responsive to changing circumstances and opportunities, the programme of specific projects will be maintained and published separately. This ensures it can be reviewed regularly to allow a 3 to 5-year rolling

Enhancement of Recreational Walking Routes

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- 4.18 There is an extensive Public Right of Way (PRoW) network across the whole of the Plan Area, including in close proximity to the strategic residential development allocations in the Local Plan 2016-2036: Part One. Their use could be enhanced by improving the condition of and signage of these routes. In addition there is an opportunity to enhance the network by improving the infrastructure such as providing way marking information / interpretation boards, benches, combined waste bins and dog exercise areas / trails, and improving accessibility by replacing stiles with gates, along routes, and improving connections between parts of the PRoW network. These improvements will make the use of the routes more attractive and encourage more frequent use by new (and existing) residents, as an alternative to visiting the New Forest European site for a walk, with or without a dog, whilst ensuring they do not have the potential to lead to adverse impacts on other European designated sites, including the Solent Coastal European sites.
- 4.19 The walking route proposals include a mix of land ownership, some are on publicly owned land with public access, and others involve PRoW's across private land, but all form part of the existing network of walking routes. The District Council will work in partnership with the Hampshire County Council Countryside Access Team to implement the identified walking routes in order to meet the objectives of this mitigation strategy and Hampshire County Council's Countryside Access Plan¹⁶.
- 4.20 Improvements to recreational walking routes as set out in Appendix 3 will involve the following, as appropriate:
- Surfacing to encourage multi-user and year-round availability

- Improving accessibility (such as the type of gate used), including for dog walkers
- Providing seating
- Clearing encroaching and overhanging vegetation
- Provide, repair/replace waste bins as necessary
- Enhancing planting/biodiversity interest along routes
- Installation of interpretation boards
- Providing information to the local community about recreational walking routes in their area.

Access and Visitor Management

- 4.21 In addition to providing alternative recreation opportunities on and off site, it is also important to modify inappropriate visitor behaviour when using the New Forest European sites so as to reduce the potentially harmful recreational impacts. The employment of wildlife rangers has a significant role to play in the delivery of such measures. The wider management of all visitors within the New Forest European sites is an issue for the bodies charged with managing the New Forest. However, as part of the recognition that, notwithstanding the mitigation projects designed to reduce recreational visits to the New Forest from residents, some recreational use of the New Forest will still arise from the occupants of new development in the District, part of the package of mitigation measures is the funding of a 'People and Wildlife Ranger' to contribute towards visitor management activities.
- 4.22 The 'People and Wildlife' Ranger role was established in 2015 by the Council. The role is intended to supplement rangering activities of the National Park Authority. This role will continue to be funded by the Council as part of its package of mitigation measures, but the activities undertaken will be kept under review to ensure this

¹⁶ <https://www.hants.gov.uk/landplanningandenvironment/countryside/accessplan>

resource is being effective as part of the overall package of mitigation measures.

- 4.23 Other visitor management measures could include; producing information and guidance leaflets for residents on new developments, including promotion of 'alternative' locations, interpretation boards, the introduction of regulations to control harmful behaviours, such as dog control areas within the European sites (for example those provided through Public Spaces Protection Orders), and the enforcement of such regulations.
- 4.24 The provision of the People and Wildlife Ranger is funded in perpetuity by developers' contributions from residential development in the New Forest District (outside the National Park) area.

Monitoring

- 4.25 The long-term effectiveness of mitigation measures is currently unknown. Assessment of the measures to adequately protect the European nature conservation sites from harmful recreational impacts will need to be carefully monitored and this will be an important aspect of the strategy in order to manage uncertainty and inform future refinement of direct mitigation measures.
- 4.26 It is important to monitor both the implementation of the proposed mitigation measures of the mitigation strategy and the effectiveness of those measures in mitigating the recreational impacts of new residential development within the Plan area. Information from the monitoring process will inform future reviews of the Mitigation Strategy, and future discussions and decisions about the capacity of this area to accommodate further development without an adverse effect on the integrity of European sites. Monitoring will be funded by a standard charge towards its cost from each additional dwelling.
- 4.27 The Council's Annual Monitoring Report (AMR) will be the principal document for reporting progress with the implementation of the Mitigation Strategy. The indicators in Table 1 will be used to determine the effectiveness of the strategy and the mitigation measures. Through the monitoring process the Council will ensure that appropriate mitigation measures are implemented in step with the development of new residential development. Priorities for the delivery of mitigation projects, triggered by the implementation of residential proposals, will be reflected in the Infrastructure Delivery Plan and Infrastructure Funding Statement (or future equivalent), which will be reviewed in association with the Annual Monitoring Report.

Performance criteria	Accessible to potential users from new residential development	Encourages activities to take place outside SPA/SAC	Results in increased recreational capacity	Provides a natural environment enhances bio-diversity	Increases local opportunities for walking in a natural environment	Attractive to dog-walkers	Diverts visits from European sites	Modifies behaviour relating to visits to European sites	Reduces impacts from visits which continue to the European sites	Improves understanding of impacts and refinement of mitigation measures
alternative natural recreational greenspace within residential development	✓✓	✓	✓✓	✓✓	✓	✓	✓	✓	n.a	
Standalone alternative natural recreational greenspace	✓	✓✓	✓✓	✓✓	✓✓	✓✓	✓✓	✓	n.a	
Improvements to existing POS	✓	✓	✓	✓	✓	✓	✓	✓	n.a	
Enhancements of walking routes	✓✓	✓✓	✓	✓	✓✓	✓✓	✓✓	✓	n.a	
People and Wildlife Ranger-access management and education	n.a	✓	n.a	n.a	n.a	n.a	✓✓	✓✓	✓✓	✓✓
Monitoring of implementation of residential development and of mitigation measures	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	✓
Monitoring of the health of European designations	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	✓✓
Monitoring the use of use of alternative natural recreational greenspace and other mitigation projects	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	n.a	✓✓

Table 1 Performance of mitigation proposals

Monitoring the implementation of the Mitigation Strategy

- 4.28 The Council will monitor the implementation of development and the delivery of mitigation projects. The Council will be the co-ordinating body for the monitoring the use of alternative natural recreational greenspace and the performance of other mitigation projects within the Plan area. The Council will draw upon information available from other bodies which, for wider purposes, monitor the health and condition of the European designations, and visitor numbers and impacts on the designated sites (notably Natural England and the New Forest National Park Authority).
- 4.29 Through the development management process, the Council will ensure that the implementation of appropriate mitigation measures is co-ordinated with the delivery of residential development. Where alternative natural recreational greenspace is to be provided (at least in part) on-site, the alternative natural recreational greenspace must be available to the occupants of the new dwellings at the time of first occupation. The Council will work with developers to agree appropriate implementation schedules to ensure the appropriate mitigation is in place at the correct time.
- 4.30 The Council will programme off-site mitigations projects according to location and rates of residential development. Priority areas for implementation of mitigation projects will relate to the commencement new residential development, to ensure timely project delivery. Progress on the implementation of new residential development and mitigation measures will be published as part of the Council's Annual Monitoring Report.

Monitoring the effectiveness of the Mitigation Strategy

- 4.31 Appendix 2 sets out the arrangements for monitoring how successful the identified mitigation measures are. It will look at how successful the alternative natural recreational greenspace

and other mitigation projects are in attracting use and deflecting potential visits away from the European sites.

- 4.32 The monitoring of the condition of the European sites themselves will also be important, and this should acknowledge the much wider range of influences that affect the condition of these sensitive sites as well as the impacts attributable to visitor activities.
- 4.33 Evidence relating to indicator bird populations and of recreational activity levels within the European sites will also be considered.
- 4.34 Monitoring of the impact of mitigation measures will assist in reviewing the strategy if necessary. Monitoring is crucial in providing a method of adjusting the mitigation measures to increase their effectiveness and maximise benefits. The Council expects that the whole strategy will be reviewed for its effectiveness at least every 5 years or sooner if new evidence emerges or monitoring results indicate a more urgent review is required. Monitoring will reveal whether the level of mitigation proposed in this strategy is adequate and whether or not the strategy needs to be revised.
- 4.35 Under the Community Infrastructure Levy (CIL) Regulations the Council is required to track and record where specific funds are used and this will be set out in the Infrastructure Funding Statement or future equivalent.

Working with others

- 4.36 Local Authorities, other than this District Council, who are within the zone of influence of the New Forest European sites have recognised the need to co-operate in taking a strategic approach to ensure significant effects are avoided.

4.37 The Council will also work closely with agencies such as the Forestry Commission and the New Forest National Park Authority to explore options for implementing other areas of work on access management, including relevant projects within the New Forest National Park Recreational Management Strategy and the overarching Partnership Plan.

4.38 The Council is part of the 'Bird Aware Solent' partnership, the **Solent Recreational Mitigation Strategy** was adopted in December 2017. This project specifically provides mitigation for the Southampton Water and Solent Coast European sites 5.6 km zone of influence.

4.39 There is an overlap in the areas and populations served by both the People and Wildlife Ranger and the Bird Aware Ranger. Opportunities have been taken to encourage co-operative and co-ordinated working.

4.40 On a local project level, the Council will look to work with local communities, including Town and Parish Councils to discuss future mitigation projects and their management.

Future Management of ANRG

4.41 Natural recreational greenspace land provided for mitigation purposes must be secured for its intended purpose in perpetuity. To secure the long term availability to the public, the land shall normally be transferred freehold to the District Council or other public body, at nil cost. Financial provision will also need to be made and secured to fund the long-term management and

maintenance of the mitigation land by the Council (or others on their behalf). A contribution to the monitoring of the alternative natural recreational greenspace to ensure it continues to provide effective mitigation in perpetuity¹⁷, and other mitigation measures, will also be required.

4.42 Where ownership is not transferred to a public body, the following options may be considered where they are secured in perpetuity by a legal agreement and are subject to an agreed legally binding long-term management plan securing full public access and continuing performance and management as effective mitigation land¹⁸.

- Firstly - the land is transferred to a charitable body, such as the Hampshire and Isle of Wight Wildlife Trust (HIWWT).
- Secondly - where the mitigation land remains in private ownership, a management company or other arrangements will need to be set up to ensure long term management and availability of the land for the purpose of publicly accessible natural green space in the public interest and in perpetuity.

4.43 The legal agreement will contain clauses for a financial penalty should the Council be forced to intervene if the required access and management of the land is not maintained.

Mitigation for brownfield land site development in urban areas

4.44 In some instances, it will not be possible to provide recreational mitigation on-site for example the redevelopment of brownfield sites of 50 or more homes in existing built up areas on unidentified

¹⁷ For the purposes of this strategy, in perpetuity is defined as 80 years. Natural England have accepted this definition.

¹⁸ Any legal agreement, where appropriate, will require the land owner to work with Hampshire County Council to secure a dedication as a rights of way route.

sites. These sites will be required to make an equivalent provision to the policy requirement off-site, in a location agreed with the Council. Contributions to access management and monitoring will also be required. Appropriate mitigation proposals will need to be identified at the planning application stage and form part of the planning application.

Opportunities for alternative recreational mitigation projects

- 4.45 Some projects are directly related to specific residential development allocations and will be implemented in association with those developments. Other mitigation projects which have been identified will be funded by developers' contributions towards their implementation.
- 4.46 It is recognised that where mitigation projects identified by the Council (as published separately to this SPD) are not directly related to a specific residential development, alternative mitigation projects may be as effective in delivering the required recreational mitigation measures. The mitigation strategy gives scope for 'alternative' mitigation projects to be considered and suggestions for alternative projects will be considered, evaluated for effectiveness and where appropriate added to the programme of mitigation projects. This improves the overall effectiveness of the strategy as it will enable 'substitute' projects to be found for those identified projects where delivery proves more problematic. It is anticipated this will be achieved is through the annual review of projects and implementation priorities, unless there is time limiting reason as to why it would need to be considered sooner.
- 4.47 The following criteria can be used to assess alternative recreational mitigation land and recreational routes projects, which

any recreational mitigation projects would be expected to meet. These are:

- The proposal must provide an attractive natural green space or recreational walking route of an appropriate scale to be effective in diverting potential visits away from the New Forest designated European sites;
- Provision made for its long term management in a suitable condition for free public access;
- The proposals should be well connected to and in close proximity the residential development it is designed to attract visits from;
- The proposal should be welcoming and users feel safe secure and there is good natural surveillance.
- The proposal should provide or make a significant contribution to a recreational walking route, accessible from residential areas, possibly by linking the existing network of PRoWs. A circular route of at least 2.3 km is desirable;
- Routes and open spaces should be clearly sign-posted or way-marked;
- Access by the public must be unrestricted and there should be opportunities for dogs to exercise freely and safely off lead;
- Paths should be well maintained and useable throughout the year. Where appropriate, discussions should be held with Hampshire County Council regarding dedicating routes as a Public Right of Way.

5.0 The delivery of on-site alternative natural recreational greenspace

5.1 Sites of 50 net additional dwellings or more are required to provide ANRG to mitigate the recreational impacts on the New Forest European sites to a standard of no less than 8ha per 1,000 population. This includes all the strategic site allocations in Local Plan 2016-2036 Part 1. One hectare of land is likely to be the minimum size land that can be designed to function independently as ANRG. This natural greenspace must be available for occupants of the new development to use at the time of first occupation.

5.2 The implementation of this policy will result in the creation of significant new areas of local publicly accessible green space. The exact amount of ANRG that will be provided by a development on-site will be determined at the planning application stage, with the minimum quantity of ANRG calculated based on the estimated population of a specific development.

All tenures (beds)	Assumed occupancy (persons)
1 bedroom	1.4
2 bedroom	2.1
3 bedroom	3
4 bedroom	3.75

Table 2 Assumed occupancy rate for dwelling size

5.3 The population of a new development will be estimated using the assumptions on occupancy set out in Table 2. (These estimates have been derived from the HCC Home Movers Survey 2010). It is necessary to consider the likely occupation levels of a new development for which this SPD provides the mitigation. The following are four worked examples of the amount of recreation mitigation that would be required on a 100 dwelling scheme depending on the mix of housing that is required. As can be seen

in Table 3, the quantity of mitigation land required will vary according to the dwelling mix proposed:

General SHMA mix (Local Plan Supporting Text)		
Type	No.	Occupancy
1 bed	9	13
2 bed	38	79
3 bed	37	111
4 bed	16	60
Total	100	263
Population Estimate: (9 x 1.4) + (38 x 2.1) + (37 x 3) + (16 x 3.75) = 263 persons (average occupancy – 2.63)		
On-site ANRG = 263 / 1,000 x 8ha = 2.1ha minimum		
Mostly Small / Medium Bed dwellings		
Type	No.	Occupancy
1 bed	11	15
2 bed	52	109
3 bed	37	111
4 bed	-	-
Total	100	235
Population Estimate: (11 x 1.4) + (52 x 2.1) + (37 x 3) = 235 persons		
On-site ANRG = 235 / 1,000 x 8ha = 1.88ha minimum		
Mostly Medium / Large Bed dwellings		
Type	No.	Occupancy
1 bed	-	-
2 bed	30	63
3 bed	50	150
4 bed	20	75
Total	100	288
Population Estimate: (30 x 2.1) + (50 x 3) + (20 * 3.75) = 288 persons		
On-site ANRG = 288 / 1,000 x 8ha = 2.3ha minimum		
Mostly Large Bed dwellings		
Type	No.	Occupancy
1 bed	-	-
2 bed	10	21
3 bed	50	150
4 bed	40	150
Total	100	321
Population Estimate: (10 x 2.1) + (50 x 3) + (40 * 3.75) = 321 persons		
On-site ANRG = 321 / 1,000 x 8ha = 2.57ha minimum		

Table 3 Worked Examples for alternative natural recreational green spaces required

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- 5.4 Looking at the overall impact of new dwelling provision being planned up to 2036, in addition to the on-site mitigation land provision on sites of 50 or more dwellings, the number of visits which will need to be mitigated by off-site mitigation projects is around 165,240 visits. To assist with future planning, an assumption is made for relevant development sites to add 20% uplift to cover variations in dwelling size in any given final development to address the precautionary principle. However, the actual number of visits to mitigate will be informed by ongoing annual monitoring of housing commitments and delivery as development comes forward.
- 5.5 An assumption has been made about the intensity of the use of the proposed mitigation land, based on work elsewhere, and assumes very modest use – working out at about 2.7 visitors per hectare provided per day (based on the standard provision of 8ha per 1000 head of population per annum). The Mitigation Strategy seeks to provide recreation mitigation land that is close to people's homes and suitable for use throughout the year by everyone. The Council considers that it is likely that the ANRG provided in accordance with this strategy will perform better and provide a greater capacity for visits on existing natural green spaces used for the calculation of visits. Future monitoring will look at the performance of new, and existing but enhanced alternative natural recreational greenspaces.

6.0 Implementation and Funding

Provision of on-site alternative natural recreational greenspace

- 6.1 Section 4 and accompanying appendices of this SPD sets out the detail for the mitigation requirements for new development, which are in accordance with Local Plan Policy ENV1. Developments of 50 or more net additional dwellings will be required to provide full alternative natural recreational greenspace (ANRG) provision on-site or directly adjoining the site, based on a minimum standard of 8ha of ANRG per 1,000 population, and to fund the future management, maintenance and monitoring.
- 6.2 Implementation of on-site ANRGs must be completed and available for use by new residents on occupation of the first dwelling on the site, in proportion to the number of residents likely to occupy the number of homes completed.
- 6.3 The full detailed design and implementation of on-site ANRG will be agreed through the planning application. The ownership and management of the ANRG will be agreed as part of any planning permission granted, and the agreed approach secured by a legal agreement.

Provision for continuing management and maintenance of on-site alternative natural recreational greenspace

- 6.4 Maintenance works will include routine management such as emptying waste bins, mowing, inspection and maintenance of footpath routes, trees, and habitat management to achieve optimum biodiversity, together with other appropriate measures required to maintain the condition of the site in perpetuity,

including, for example, repair, and replacement of surfaces, furniture, structures and fencing.

- 6.5 As set out in section 4 of this SPD (Future Management of ANRG, paragraphs 4.41 – 4.43) the development will be expected to fund and provide for the future maintenance and management of the ANRG in perpetuity. This will be collected a commuted sum via a Section 106 Agreement.
- 6.6 The levels on commuted sum for the maintenance and management of ANRG will be monitored to ensure it is set at appropriate levels, and if necessary reviewed. In any event, the figures for on-site ANRG maintenance will be revised on the 6 April each year in line with the Retail Price Index (RPI) with April 2020 being the base year.

Monitoring of on-site compliance

- 6.7 The implementation of on-site ANRG will be monitored to ensure that it is provided to an appropriate standard.
- 6.8 A fee will be levied to undertake compliance monitoring, via Section 106 Agreement, proportionate to the actual size of the provision. The fee levied will be subject to indexation calculated at 6 April each year. This fee will include site inspections, where relevant the Council's fees to facilitate the land transfer and has been calculated based on officer time for the minimum number of visits required both during construction and during the post completion defects period to ensure it is the appropriate standard for transfer.

Recreational Mitigation projects provided off-site

- 6.9 To ensure it is responsive to changing circumstances and opportunities, the programme of projects will be published separately.
- 6.10 Through an annual review of projects and implementation priorities a programme of mitigation projects will be agreed. Ensuring the delivery of mitigation projects is sufficient to meet the additional visits identified to meet the predicted housing delivery and remains in line with the implementation of new residential development will be a high priority in the overall programme for infrastructure delivery.
- 6.11 An initial tranche of projects for implementation will be programmed to cover 3 – 5 years to ensure it has the potential to contribute to the mitigation aims of the Strategy and these will be implemented as funding becomes available.
- 6.12 The projects will be assessed on their capacity to bring about mitigation and alleviate pressure on sensitive parts of the European sites. Assessment factors also include their deliverability, effectiveness monitoring and cost.
- 6.13 The projects will be prioritised based on their ability to be delivered, the likely level of visits mitigated against and the location in relation to residential development that has come forward. The estimated visits mitigated per project will be dependent on the population within 400m of each project and the scope of each project. Visitor counting devices will be used both prior and post implementation in order to determine the actual amount of visits mitigated.

- 6.14 The initial programme, including design and future maintenance, will have a collective budget averaging at around £420,000 per annum for the projects identified. For the remainder of the plan period it is assumed that a similar budget will be required per annum to implement these projects.
- 6.15 Developments of under 50 dwellings where recreation mitigation is not provided on-site are required to make a contribution to identified offsite recreational mitigation projects identified. The level of financial contribution will be based on the following table and normally be paid by CIL contributions.

Tenure	Assumed Occupancy	Contribution per dwelling Full mitigation off-site
1 bedroom	1.4	£2,630
2 bedroom	2.1	£3,472
3 bedroom	3	£5,115
4+ bedrooms	3.75	£5,786

Table 4 Contribution rate per dwelling by size of dwelling

- 6.16 These figures are subject to indexation and will be revised on the 6 April each year in line with the Retail Price Index (RPI), with April 2020 being the base year.
- 6.17 In most cases the Community Infrastructure Levy (CIL) contribution paid as part of the development will cover the cost of the figures above. The Council are committed to using the CIL to fund the cost of providing off-site recreational mitigation infrastructure and therefore in most cases no separate contributions will be required¹⁹. Should a development be granted CIL relief (e.g. self-build housing, First Homes and affordable housing) or not be CIL liable then the figures in Table 4 will become payable direct. The contribution figures have been arrived

¹⁹ <https://democracy.newforest.gov.uk/Data/Cabinet/20141001/Agenda/CDR09267.pdf>

at by distributing the total cost of the required off-site mitigation measures between the residential development sites that will not be directly providing ANRG on-site over the Plan period.

Mitigation project design and implementation

- 6.18 The costs of the recreation mitigation projects include the design, implementation and future maintenance in the estimated budget figure. The detailed design work will be undertaken in partnership / consultation with stakeholders.

Access Management Costs

- 6.19 All residential developments are required to make a contribution towards access management for the New Forest European sites. This enables the provision of the New Forest People and Wildlife Ranger service. As access management and monitoring are not infrastructure items, they cannot be funded from CIL. They will be secured using alternative methods, such as a legal agreement.
- 6.20 The following table provide the total cost of access management.

Bedrooms	People and Wildlife Ranger Cost ²⁰
1 bed	£320
2 bed	£480
3 bed	£686
4+ beds	£857

Table 5 Contribution rate per dwelling for access management

²⁰ This has been calculated on an average cost of £586 per home split pro-rata across dwelling sizes and based on an average population of those bedrooms. This cost also includes funding towards resourced such as materials/leaflets that may be required.

- 6.21 These figures are subject to indexation and will be revised on the 6 April each year in line with the Retail Price Index (RPI), with April 2020 being the base year.

Monitoring

- 6.22 The cost of the monitoring proposals as set out in Appendix 2 totals £460,000 over the full Local Plan period. Each new dwelling will be required to contribute to the monitoring cost. A contribution of £63 per dwelling will be charged (subject to indexation calculated at 6 April each year, with April 2020 being the base year).

Affordable Housing & CIL reliefs

- 6.23 Affordable housing, including 'First Homes' and residential development that does not have a CIL liability is not exempt from the requirement under the Conservation of Habitats and Species Regulations 2017 to mitigate its impact on protected European sites. Appropriate mitigation as set out in this strategy will be required and secured through S106 agreements.
- 6.24 If the total amount of Community Infrastructure Levy paid, having regard to any CIL relief or exemptions, falls below the sum indicated in Table 4 then any the shortfall (i.e. the difference between how much you pay in CIL and the total figure based on the total number of new dwellings provided/new bedrooms) will need to be made up with an additional payment secured by an appropriate method.

Summary of contributions

6.25 The following table shows the total financial contributions that are payable towards recreational impact mitigation on the New Forest to comply with the mitigation strategy. Figures are subject to indexation and will be revised on the 6 April each year in line with the Retail Price Index (RPI), with April 2020 being the base year. The Council's website²¹ will summarise these as they are updated annually.

Developments of less than 50 dwellings

Bedrooms	Offsite Recreational mitigation projects ²²	Access Management/ /Ranger	Monitoring	Total
1 bed	£2,630	£320	£63	£3,013
2 bed	£3,472	£480	£63	£4,015
3 bed	£5,155	£686	£63	£5,904
4 + beds	£5,786	£857	£63	£6,706

Table 6 Contribution rate for development less than 50

Developments of 50 or more dwellings

Bedrooms	Offsite Recreational mitigation projects	Access Management	Monitoring	Total
1 bed	Provided on-site	£320	£63	£383
2 bed	Provided on-site	£480	£63	£543
3 bed	Provided on-site	£686	£63	£749
4 + beds	Provided on-site	£857	£63	£920

Table 7 Contribution rate for development of 50 or more

²¹ <https://www.newforest.gov.uk/article/1185/Development-in-European-nature-conservation-areas>

²² CIL contributions for a development will normally cover this element (see paragraph 6.17 for exceptions to this)

Appendix 1 – Adopted Local Plan Policy

Saved Policy DM2: Nature conservation, biodiversity and geodiversity

Development proposals which would be likely to adversely affect the integrity of a designated or candidate Special Area of Conservation (SAC), classified or potential Special Protection Area (SPA), or listed Ramsar site will not be permitted unless there is no alternative solution and there are imperative reasons of overriding public interest which would justify the development.

Development proposals within or outside a Site of Special Scientific Interest (SSSI) which would be likely to adversely affect the site will not be permitted unless the benefits of the development outweigh both the adverse impacts on the site and any adverse impacts on the wider network of SSSIs.

Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance (including Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR), Regionally Important Geological/Geomorphological Sites (RIGGS), and habitats of species of principal importance for biodiversity) will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity.

Development proposals will be expected to incorporate features to encourage biodiversity and retain and, where possible, enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity.

Where development is permitted, the local planning authority will use conditions and/or planning obligations to minimise the damage, provide mitigation and site management measures and, where appropriate, compensatory and enhancement measures.

Development will not be permitted which would adversely affect species of fauna or flora that are protected under national or international law, or their habitats, unless their protection can be adequately secured through conditions and/or planning obligations.

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

1. Except as provided for in the first paragraph of Saved Policy DM2: Nature Conservation, Biodiversity and Geodiversity, development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part

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of the proposal and will be implemented in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of any of the following International Nature Conservation sites:

- The New Forest Special Area of Conservation (SAC), the New Forest Special Protection Area (SPA) and the New Forest Ramsar site;
- The Solent Maritime SAC, Solent and Isle of Wight Lagoons SAC, the Solent and Southampton Water SPA, and the Solent and Southampton Water Ramsar site;
- The River Avon SAC, Avon Valley SPA and Ramsar site; and
- The River Itchen SAC.

2. For residential development and the provision of overnight visitor accommodation adverse effects can be adequately mitigated by implementing approved measures relevant to the site location, including as set out in the Mitigation for Recreational Impacts SPD and in the Solent Recreation Mitigation Strategy, and in supplementary guidance on nutrient management.

3. For non-residential developments, the requirement for mitigation will be considered on case-by-case basis with regard to the nature, scale and location of the proposed use.

4. The approved mitigation measures for residential developments currently include:

i. For developments providing 49 or fewer net additional units of residential accommodation, financial contributions towards the provision of recreational mitigation measures as set out below and in the Mitigation for Recreational Impacts SPD:

- (a) Projects for the provision of alternative natural recreational green spaces and recreational routes: new or improved open space and recreational routes of a quality and type suitable to attract residents of new development within the Plan Area who might otherwise visit the International Nature Conservation sites for recreation; and
- (b) Access and Visitor Management: measures to manage the number of recreational visits to the New Forest and Solent Coast International Nature Conservation sites; and to modify visitor behaviour within those sites so as to reduce the potential for harmful recreational impacts; and
- (c) Monitoring of the impacts of new development on the International Nature Conservation sites and establishing a better evidence base: to reduce uncertainty and inform future refinement of mitigation measures.

ii. For developments of 50 or more net additional residential dwellings:

- (a) Direct provision by the developer of at least eight hectares of natural recreational greenspace per 1,000 population located on the development site or directly adjoining and well connected to it; and
- (b) A financial contribution towards Access and Visitor Management and Monitoring as set out above at i(b) and i(c).

- iii. Additionally for all residential developments within 5.6km of the Solent and Southampton Water SPA, as shown on Figure 5.1, a financial contribution is required towards a Solent-wide programme of visitor management, monitoring and development mitigation projects.
- iv. Additionally for residential developments and the provision of overnight visitor accommodation draining or discharging wastewater to the River Avon in relation to phosphate neutrality or to the Solent and Southampton Water in relation to nitrogen neutrality, a financial contribution or other appropriate mechanisms to achieve nutrient-neutral development.
- v. Additionally for all residential developments, a financial contribution towards monitoring and, if necessary (based on future monitoring outcomes) managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site.

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Appendix 2 - Monitoring Requirements

1	Monitoring the implementation of proposals - Annual monitoring (1 April – 31 March is the standard monitoring year) of dwellings given planning permission and dwellings completions by location. Monitoring of implementation of alternative natural recreational greenspaces and other recreational mitigation projects, undertaken on an annual basis to coincide with dwellings completion data. Cost £60,000							
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency	
44	1.1	Monitor Planning Permissions granted for new housing	Information on: <ul style="list-style-type: none"> • Planning permissions for residential development granted. • New dwellings permitted through 'prior notification' procedures • Dwelling completions By geographic location	Planning permissions granted (these should be mapped)	Existing processes, GIS plotting Annual Monitoring Report	NFDC	To ensure that the mitigation projects are being implemented in line with housing delivery.	NFDC
	1.2	Monitor new housing completions by location	Information on dwelling completions, by geographic location	Mapping of housing completions by location	Existing processes, GIS plotting Annual Monitoring Report	NFDC	To ensure that the mitigation projects are being implemented in line with housing delivery.	NFDC
	1.3	Monitor implementation of mitigation projects		<ul style="list-style-type: none"> • Implementation progress of mitigation projects. • Identification of strategic/local priority projects to progress. 	Implementation will be monitored through the Council's annual reporting process and S106/CIL allocation meetings.	NFDC	To ensure that the mitigation projects are being implemented as intended and in line with housing delivery. The projects do not have to be delivered directly to where development takes place as long as the strategy can be seen to be working.	NFDC

2	Monitoring of costs of mitigation measures - Appraisal of actual implementation costs of mitigation projects against assumptions in this strategy, undertaken on an annual basis to coincide with dwellings completion data. Cost: £60,000						
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency
2.1	Monitor costs of implementation of mitigation projects		Actual implementation costs compared to estimated project costs	Cost estimates to be reviewed and the location of projects/suitability in accordance with development. Review costs against new alternative projects. Implementation will be monitored through annual report process and S106/CIL allocation meetings.	NFDC	To ensure that sufficient money is collected by S106 contribution or allocated through CIL to the projects.	NFDC
2.2	Monitor costs of implementing ranger services		Actual implementation costs.	Cost estimates to be reviewed against actual implementation costs per annum. Clear specification for reporting included within tender.	NFDC	To ensure that sufficient money is collected by S106 contribution.	NFDC

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46	3	Monitoring the use of alternative natural recreational greenspaces and open space/ recreational walking route improvements. Monitoring the use (number of visits) of alternative natural recreational greenspaces and improved footpath/ rights of way network. Establishing baseline information for existing rights of way use. Cost: £100,000						
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency	
	3.1	Establish baseline information about existing use and condition of land proposed to be subject to mitigation project	-	Establish baseline data on existing use and condition of recreational walking routes and areas proposed as alternative natural recreational greenspaces (to be agreed with the steering group).	Installation of monitoring counters in areas proposed for projects or along selected walk (may require collaboration with HCC Countryside department). On-site condition surveys. Undertaken on a project-by-project basis, for a defined period of time, where possible at the same time of year any survey work was undertaken prior to a project's implementation.	NFDC	To obtain base level information on usage on which the success of the mitigation strategy can be measured.	NFDC
	3.2	Carry out surveys on improved footpaths/rights of way.	-	Condition surveys of recreational walking routes.	Installation of monitoring counters along selected walks in collaboration with HCC Countryside department. Undertaken on a project-by-project basis, for a defined period of time, where possible at the same time of year any survey work was undertaken prior to a project's implementation.	Hampshire County Council / NFDC	To monitor the use of the routes usage using the results of the monitoring counters.	Hampshire County Council / NFDC
3.3	Carry out survey of use of improved public open spaces/ANRGs.	-	Counters on site to record visitor numbers to sites/projects following project implementation.	Carry out a number of selected visits during the course of the year. Dates to be agreed between partners. Follow up surveys on usage at same time of year as baseline data if possible.	NFDC	To monitor the success of the improvements. Looking for increases in usage following improvement projects.	NFDC	

4	Monitoring the condition of designated sites and of changes which impact on their health - Establishing baseline information. Surveys of key indicator species. Cost: £100,000						
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency
4.1	Information from surveys of key species such as: <ul style="list-style-type: none"> Nightjar; Woodlark; and Dartford Warbler in NPA SPA. 	Nightjar survey of whole open forest carried out in 2018. Survey on whole open forest of Dartford Warbler and Woodlark carried out in 2014. National Studies (SCARRABS) of key species carried out in 2004 (Nightjar) and 2006 (Woodlark/Dartford Warbler).	Future National and/or New Forest specific studies for (Nightjar) and (Woodlark/Dartford Warbler) as advised by Natural England or others.	Report and analysis of data/information when available from Natural England, Forestry Commission, and the National Park Authority, and others. Undertaken to coincide with the release of updated national datasets, and where possible when a review of the overall mitigation strategy takes place.	Natural England and others	To monitor the condition of indicator species as advised by Natural England or others. Information would be used to inform reviews of housing delivery and mitigation measures. Information can help determine what further surveys will be required.	Natural England/ National Park Authority
4.2	Monitor research on visitor capacities of habitats within the SPA	-	Information on the development of recreational management approaches with the New Forest National Park.	Studies undertaken on an occasional basis by National Park Authority as Information produced to be reported to the annual Steering Group meetings. Will also inform work on the NPA's recreation management plan.	National Park Authority and others involved with management of land in the National Park.	Information can help assess vulnerability of certain habitats to visitor pressures and inform access management measures within the protected sites.	National Park Authority
4.3	Identify other indicators influencing the health and integrity of the SPAs	-	To be identified and agreed by Steering Group.	At annual Steering Group Meeting where implications of all information obtained will be discussed.	Steering Group	Impact will be monitored in accordance with the agreed measures	Natural England

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48	5 Research and monitoring of visitor patterns and numbers to European designations (New Forest and coastal SPA/SAC) - Contribute to research of visitor patterns to identify areas where people may be impacting on bird populations and other features of designated sites. This can inform access management strategies within the National Park, introducing measures which encourage people to avoid the use of sensitive areas. Further research should examine the extent of use and understanding of impacts arising from visitors accessing designated European sites and monitor Information Cost: £140,000							
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency	
	5.1	Sample study of selected new developments within the plan area to understand attitudes and behaviour with respect to recreational pressure on protected species and their habitats	New Forest Visitor Survey report produced in 2005.	Information on recreational attitudes and habits/behaviours. Information on dog ownership.	Householder surveys in new developments sent at an agreed point following the occupation of new (larger) housing developments.	NFDC	Information would provide an input to help assess the effectiveness of the mitigation strategy in terms of messaging and behaviour change and help inform the need for any refinements to the approach.	NFDC
	5.2	Collection and analysis from rangering activities	-	Information on activities/results from rangering activities.	Annual Report on rangering activities.	Body appointed to host the funded Ranger service	Information would provide an input to help assess the effectiveness of the mitigation strategy and consider the need for review.	NFDC
5.3	Carry out survey of visitor numbers and distributions of visitors within the SPAs.	New Forest Visitor Survey. Footprint Ecology (2020)	On-site surveys. (No immediate need for large scale surveys as significant surveys undertaken in 2018/2019)	Carry out a number of selected visits during the course of the year. Dates to be agreed between partners.	National Park/ Forestry Commission	To understand the type and nature of visits within the European sites.	National Park Authority	

6 Review overall effectiveness of mitigation strategy Cost: £10,000							
	Monitoring requirements	Existing Information/Data	Further information/Data required	How to be collected and reported	By Whom	Purpose	Lead Agency
6.1	Review overall effectiveness of mitigation strategy		All the various monitoring activities listed above.	At the meeting of Annual review of Steering Group, and alongside the wider Local Plan Annual Monitoring and review process.	NFDC/ National Park/ Natural England/ RSPB/ HCC/ Hampshire and Isle of Wight Wildlife Trust	For NFDC as the component authority to appraise the overall effectiveness of the different components of the mitigation strategy.	NFDC/ Natural England

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Appendix 3: Design considerations for recreation walking route enhancements

A3.1 When drawing up detailed proposals for enhancements to recreation walking routes, there are a number of factors to be considered in the design. Further details and guidance are set out below.

Improve surface and route condition

Footpaths

A3.2 Footpaths should be surfaced with a suitable material enabling their use throughout the year, in all weather conditions. They should be even and free from standing water. The provision of boardwalks may be necessary over particularly wet/muddy areas.



Clear overgrown and over-hanging vegetation

A3.3 Paths should be clear from overhanging vegetation and be designed to be and feel safe for all users, with good natural surveillance.



Improve signage

Provide clear route signage

A3.4 The recreational walking routes should be clearly signposted from the road network and along their route. Information on destination and distances should be provided at key points along the routes, including at route intersections.



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Provide information/interpretation boards

A3.5 Information/interpretation boards will be provided at key locations (such as at the entrance to a route) giving an overview of the local recreational walking route network and information about local features of interest.



Bridge watercourses

A3.7 Some routes will cross a watercourse. In these cases it will be important that an appropriate safe crossing is installed.



Improve accessibility

Replace stiles with gates

A3.6 Stiles along footpath routes can be difficult to negotiate. The use of stiles should be avoided, and existing ones replaced with a kissing gate, gate or gap. This will improve accessibility, particularly for dog walkers, wheelchairs users, and people with pushchairs.

Provide additional amenities

Provide waste bins

A3.8 Where appropriate, waste bins (suitable for dog waste and litter) should be installed at entrance/exit points of recreational walking routes, and other key locations, to ensure that the areas are kept clean of waste.

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Provide seating at viewpoints

A3.9 Seating should be provided at appropriate locations along the route, for example where there is a view point or point of local interest.



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Appendix 4 - Design guidance for the provision of integrated greenspace on large scale sites, including Alternative Natural Recreational Greenspace (ANRG)

Strategic landscape requirements to accompany planning applications for residential developments over 50 dwellings

A4.1. Introduction

A4.1.1 This appendix is aimed at ensuring that space for recreational mitigation is embraced alongside other landscape and green space requirements as a fundamental cornerstone of green infrastructure. A core principle of 'Alternative Natural Recreational Greenspace' ANRG mitigation land is that it should be embraced as part of the green infrastructure of development sites, and provide accessible natural greenspaces on peoples' doorsteps, reducing the desire to use more environmentally sensitive areas in the New Forest.

A4.1.2 This guidance is primarily directed towards advising on how recreational mitigation land (ANRG) provision is accommodated within and as part of housing developments. The recommended combined approach to providing the landscape design means that there will be some cross referencing to related documents, including guidance on:

- Guide to Performance Specifications and Standard Details for Public Accessible Spaces Design guidance for of play spaces;
- Land management and maintenance standards.

A4.1.3 The design of landscape should always address the three requirements of Policy ENV3 ensuring that it is functional (for people and wildlife); appropriate (to the landscape and townscape character); and attractive to users.

A4.1.4 The purpose of the following guidance is to offer a 'ready-made template' for providing the alternative natural green space (ANRG) element of recreational mitigation as required by Policy ENV1: Mitigating the impacts of development on International Nature Conservation Sites.

A4.1.5 This guidance is set out in four sections explaining:

1. ANRG as part of a combined approach to green infrastructure
2. Location for ANRG
3. Dimensional criteria for ANRG
4. Quality criteria for ANRG

A4.1.6 This approach has been developed in liaison with Natural England to provide appropriate mitigation to meet the requirement of the Habitat Regulations.

A4.1.7 Normally, new residential developments on large scale sites should deliver ANRG in accordance with guidance set out in this document and show this at planning application stage within a clear rationale for green infrastructure as part of comprehensive layout designs.

A4.1.8 Where it is agreed that this is not possible, delivery of an alternative offer of ANRG, that best fits this guidance in all other ways, and provides ANRG of any equivalent effectiveness and quality should be proposed.

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- A4.1.9 Where developers propose an alternative approach to mitigation measures this will need to be subject to a full Appropriate Assessment, and the competent authority (the Council) will need to be satisfied that alternative approaches are at least equally effective in deflecting recreational visits away from the New Forest's protected sites.
- A4.1.10 The approach to mitigation in the New Forest District (outside of the National Park) involves, amongst other measures, the provision of a network of natural greenspaces located close to people's doorsteps, which will form a desirable alternative to visiting the New Forest for recreational purposes and accessing the natural environment. This has the benefit of providing attractive and healthy places to live as well as helping to protect sensitive wildlife and habitats of the New Forest.
- A4.1.11 To successfully perform as recreational mitigation land, it is important that all the spaces provide a natural green space that is inviting and comfortable for people to visit and use. These spaces should be suitable for well-behaved dogs to be walked and include places where dogs can be safely let off the lead.
- A4.1.12 In master planning terms, mitigation land should be considered and laid out as an integral part of the fabric of new development. It will form a major part of a network of green space and the green setting for new residential development. Site capacities and landscape sensitivities of the strategic housing allocation sites have been assessed and land allocated on the basis that recreational mitigation will be provided within the defined allocation sites.
- A4.1.13 It may be possible in some circumstances to extend the offer of ANRG beyond the development site boundary, provided that: the land in question can provide easily accessible and effective recreational mitigation; the land is within the control of the site developer; and that its inclusion would support the principles of an integrated green infrastructure approach (being directly

adjoining and well connected to the site). However, it will not normally be acceptable to offer an area of land nearby as ANRG, simply in order to expand the proportions of built land within the allocation area to an unreasonable degree or to the detriment of landscape character.

- A4.1.14 Each of the strategic housing allocations will be treated on its own merits and it is expected that the proposed recreational mitigation strategy for a site should be illustrated at planning application stage by a **Landscape Framework**. The best outcomes will be achieved by joint working between all parties involved in bringing a strategic site forward. Piecemeal approaches are unlikely to deliver the most effective and satisfactory forms of development.

A4.2. A combined approach

- A4.2.1 A *Design and Access Statement* (D&AS) should be prepared as part of the submitted planning application. It should include annotated layouts, sketches, elevations and illustrations.
- A4.2.2 The D&AS should include a **landscape framework**, demonstrating how recreational mitigation in the form of ANRG would be achieved in accordance with policy.
- A4.2.3 The **landscape framework** will be a high level landscape strategy that combines the proposals for green spaces; footpath routes; habitat and biodiversity improvements integrally with existing features, landscape settings and the development layout so that the complementary advantages of each would optimise the recreational uses which would otherwise impact upon the New Forest.
- A4.2.4 The **landscape framework** should describe how sustainable drainage, public open space, green infrastructure, play and visual amenity will be addressed.

A4.2.5 The **landscape framework** should indicate landscape and amenity benefits (some of which may not yet be quantifiable). It should address key matters and explain how they will be addressed in a co-ordinated and effective way. The landscape framework should include a 1:500 plan clarifying the extent of land intended to be public and the extent of publicly accessible land which is to be calculated as qualifying ANRG. It should be annotated to cover the following issues:

- The existing landform and landscape features of the site – these will influence the design.
- The location and dimensions of proposed green spaces.
- The broad concept for drainage for the major green areas (and any provision for taking surface water from within the development areas).
- The broad treatment types applicable to each area of land and thus the management aspirations for each (for example: woodland; meadow; amenity grass; natural play etc.)
- The network of links and connections (including to the surrounding area) and circular walks and their hierarchy.

A4.2.6 Each of the following matters should be dealt with (details of which may come forward at detailed application stage):

- Good pedestrian connections with existing residential areas.
- Linkages with other existing open spaces, streets, walking routes (and how these will be achieved).
- Provision of attractive walking routes with appropriately surfaced paths.
- Access for dog walking with off-lead areas and facilities to attract dog walkers.
- Boundaries to be secure or defined where needed.
- Optimising opportunities for biodiversity
- Ongoing land management.

A4.2.7 The approximate locations for the following should also be illustrated on the proposed landscape framework in a way that facilitates a legible and attractive landscape.

- Play areas and any formal open spaces, such as playing pitches.
- Qualifying ANRG land.
- A three-tiered strategy for planting trees (Forest scale species, medium or small/light canopied garden trees).
- SUDS elements (providing an understanding of scale, based on calculation of appropriate volumes and levels).
- Furniture and features - Seating, litter and dog waste bins.
- Signage and interpretation.
- Any underground encumbrance.

A4.2.8 The **landscape framework** should demonstrate how the proposed development has reached its full potential in achieving an appropriate character of place and therefore quality of life through good design.

A4.3. Location of ANRG

A4.3.1 The suitability of land for functioning ANRG needs to be considered as part of a strategic landscape framework. Three main criteria should be used to determine the best location for ANRG on a site.

- ANRG will be most effective where the spaces provided are easily accessible to both new and existing populations. Maximising the number of recreational visits will be the main criterion for decisions regarding location of ANRG.
- Location of ANRG can also help the layout. There will often be a need to create soft and green edges to development to successfully integrate it within a rural landscape. Locating recreational mitigation land to assist in the buffering of a rural edge may therefore be considered appropriate.

- Areas where natural habitats can best be retained, perpetuated or enhanced will be part of the location consideration, bearing in mind that ecologically sensitive sites are not usually considered appropriate places for increased human activity.

A4.3.2 Each site will be considered on its individual merits but **designated nature conservation sites**, including Sites of Importance for Nature Conservation (SINCs) sites, **are unlikely to be improved by allowing increased human activity through them and will not normally be considered as suitable for ANRG recreational mitigation land.**

A4.3.3 Ecological assets should be retained, protected and enhanced as part of any development proposal in accordance with the Council's policy STR1 and the requirement to achieve 10% biodiversity net gain as part of a planning permission. Examples of ecological assets include ancient woodland, any local nature conservation designations, such as SINC or LNR and any identified (through a Phase 1 Ecological survey) areas, habitats, nesting grounds or locations of rare species which are of particular sensitivity and which would be at risk through allowing dog walking and additional human presence in the area.

A4.3.4 Opportunities to enhance existing habitats as part of a network of greenspace should be embraced through design and sympathetic management.

A4.4. Dimensional criteria for ANRG

A4.4.1 To ensure that recreational mitigation land provides a proper attraction to meet the policy requirements, the following criteria apply:

A4.4.2 The design of the **landscape framework** is expected to deliver qualities that combine all the required amenities for a residential development, with the combination of areas of public open space (required under Policy CS7)and recreational mitigation land (ANRG) attracting visits and use of the greenspaces within the development.

A4.4.3 All recreational mitigation land (ANRG) should exhibit a quality of attractiveness (usually naturalness) for informal recreation, usually walking, with or without a dog. It is expected that the majority of recreational mitigation land spaces should be available for well-behaved dogs to be exercised off-lead and that some areas should be provided specifically for the off-lead training of dogs. The following criteria are parameters for measuring what areas can qualify as meeting the purposes of the recreational mitigation in combination with public open space and other landscape provision.

A4.4.4 The network of spaces must have at least one main space with further secondary spaces, if needed, connected to the main space by generous green corridors. Spaces and corridors that do not meet these criteria are nevertheless valuable but will count as POS and not ANRG provision.

A4.4.5 The following criteria are illustrated in Figures 1-3:

- **Main space.** For an area to be considered as spacious enough to offer a sense of being in the countryside, at least part of the provision should consist of a space (or extend an existing qualifying green space) of at least 120m across in all directions i.e. a 60m radius can be drawn on it without undue interference from other uses or development.

Where non-strategic residential development sites of over 50 (but under 100) dwellings cannot reasonably accommodate an uninterrupted radius of 60m but requires on-site mitigation, the council will accept alternative

dimensions for this main space, if it offers a space of equivalent area (i.e. at least 1.14ha) and maximises the breadth of the space where possible.

- **Secondary spaces** – The main space(es) should be supplemented by further linked spaces. To be considered appropriate mitigation space, such spaces need to be a minimum of 60m across in all directions i.e. a 30m radius can be drawn without undue interference from other uses or development.

A series of such spaces will be considered as having recreational mitigation land dimensions, provided that they are properly linked to the main space within 60m, and within 500m where the link consists of other such spaces as part of a connected series.

- **Links** – links that allow such spaces to work cumulatively must be spacious in themselves. They should be an average of 20m wide (minimum 15m at any given point).

If links are provided, they may be considered to meet the purposes of recreational mitigation land where they are within 30m of a main or secondary space (so a maximum of 60m to create a link between two spaces).

- **Severance** – Secondary spaces cannot be disconnected from the main space. Where a road would cross a link or space, this will be considered to have severed the connection to the larger space unless it can be demonstrated that the road's design allows very easy crossing for people and animals. This can be through a combination of design devices including: 10mph speed restriction; easy access under or over; edge and surface characteristics that allow easy crossing; serving only small numbers of dwellings; designed to minimise visual

severance by allowing a green interface/connection to dominate.

- **Combined open space use** – Provided that ANRG spaces meet the dimensional criteria above, additional public open space uses, such as natural play or informal playing fields should be integrated within the design of natural greenspaces on the development.

A4.5. Quality criteria for ANRG

A4.5.1 Once it is established that the land is expansive enough to provide ANRG, the landscape design qualities that make the spaces functional, appropriate, attractive and safe for all users, all need to be set out. The following criteria also apply:

Routes

- A4.5.2 A hierarchy of routes and connections should be illustrated on the **Landscape Framework**, demonstrating:
- Strategic routes leading to key destinations and residential neighbourhoods (also, where appropriate, to the wider network of PROW).
 - Minor leisure routes needed to create a circuit or to connect with other minor spaces or paths:
 - Additional circuits and recreation routes that stay within the proposed green spaces.

Planting

- A4.5.3 The landscape framework should show soft landscape types including for instance, but not limited to:
- Spring wildflower meadow
 - Summer wildflower meadow
 - Amenity grass
 - Wetland or boggy ground herbs and bulbs
 - Native shrub/woodland edge
 - Hedgerows
 - Woodland

- Trees and tree groups
- Where existing features are to be retained, some indication of how this is to be accomplished will be needed. For example a label explaining: *“Hedgerow cleaned out, laid and gapped up with native species whips”* or *“Woodland group cleared of deadwood, understorey brought into management and additional trees planted as whips and feathered groups”*.

A4.5.4 Plant species should generally be native to Britain, in order to optimise biodiversity. However ornamental species of trees, for example, may be required to underpin landscape character and sense of place, offering occasional landmarks or visual connections and legibility. In some instances, use of more robust species as part of meadow planting areas (e.g. bulbs) can offer amenity without detracting from the value of the habitat and can help local communities appreciate the value of such areas. All planting schemes should ensure there is good natural surveillance to ensure the spaces and routes created are perceived as ‘safe’ by users.

Furniture and facilities

A4.5.5 The landscape framework should show approximate locations for these. Whilst details may be left until later in the design process, a minimum expectation for these is outlined below as guidance. All furniture and facilities should be appropriate to context, drawing from the local vernacular, and would usually be timber from certified sustainable sources to provide for a lifespan of at least 20 years:

- Combined dog waste and litter bins to be provided at each main entrance to spaces or at road access points from paths. The Council has a preferred supplier of such bins.
- Seats, provided at an average of one, two-person seat for every 50 new resident, placed at reasonable intervals along routes to allow less mobile people to rest.
- Recreational mitigation land should be designed to embrace the opportunities for children to play in an interesting natural

environment. The principles for play design including natural play are explained in more detail in the council’s ‘Design Guidance for Children’s Play’ document.

Interpretation and Signage

- A4.5.6 Each area will require adequate signage to define its purpose and help direct people and manage behaviour. Through good design we nonetheless expect the areas created to be legible, with the use of planting and materials aiding navigation and encouraging the appropriate use of areas and spaces.
- A4.5.7 All of the projects will need to be branded by the Green Way logo and tag, displayed on all signage and interpretation.



A4.5.8 For ANRG spaces and routes, there will need to be a range of way-markers and interpretation for a number of purposes. Provision will be needed for:

- An interpretation board for each space or at the entrances to a combined network of spaces. These will show connected routes as well as explain the purpose of the recreational mitigation land, any expectations regarding behaviour, and indicating any dog management requirements, such as dog off lead areas.
- Gateway markers will be required at main entrances to green spaces and routes.
- Simple way-marker posts along routes that connect up both ANRG spaces and the network of routes so that users can navigate and identify the areas as places to walk their dogs.

Public Open Space expectations

- A4.5.9 For the allocated strategic housing sites, the Council has prepared **Site Concept Masterplans** to accompany the site specific policies. These are illustrative but indicate an approach to the distribution of all open space. Those areas of land which the Council views as needing to remain free from development are marked. Notwithstanding other factors (such a flooding and ecology) that are subject to further survey and assessment, the space is defined as either those spaces which are large enough to qualify as ANRG or other areas where public open space may be of advantage but where dimensions prohibit the space being considered as ANRG.
- A4.5.10 Informal public open spaces will be needed to ensure that the character and quality of streets and neighbourhoods is both pleasant and contextually appropriate. They will be needed: to provide enough space to enable large species trees to be planted; to bring play provision close to home; to soften streets and squares with greenery; to provide space for retention of trees; hedges and other habitats or to link recreational mitigation land and formal open spaces.
- A4.5.11 There is no need for separate distinction between the design submissions for the requirements of ANRG and Public Open Space, but both must be accommodated in accordance with policy (ENV1 and CS7). They both contribute to the **Landscape Framework**. Designs should be contiguous and appropriate to the recreational needs most appropriate to their location on the site. There is no assumption that ANRG is wild, equally there is no assumption that POS is heavily formalised. Where land that counts as ANRG is close to property, it may need to be more manicured in appearance. Conversely where ANRG can be appropriately managed, it should embrace an enhancement of biodiversity through habitat creation and retention.

- A4.5.12 **Ultimately** it is expected that all of the open space and recreational mitigation land will help create pleasant places to live and enjoy , respect the landscape character of the area; and provide amenity and enhanced local biodiversity being key aspirations on all such spaces, whatever their primary purpose.

Integrating Sustainable Urban Drainage features (SuDS)

- A4.5.13 Recreational mitigation land offers an opportunity integral drainage design that fulfils the policy requirements for managing surface water from new residential developments. This may be in the form of above ground features such as ditches, swales, water storage areas and ponds.
- A4.5.14 Above ground SuDS features should be included in the layout and landscape framework and may be included in public open space provided that they enhance the landscape character, its biodiversity, and thus offer amenity.
- A4.5.15 Where SuDS features are proposed, careful attention to detail is required to ensure that they can be adopted and managed without undue negative impacts on the landscape quality. Even when SUDS are to be adopted by other agencies, such features must be designed for enhanced visual amenity and biodiversity.
- A4.5.16 Underground water storage features within public open space and recreational mitigation Land are **not** normally acceptable.

ANRG Diagram 1: a comprehensive green infrastructure

which takes mitigation compliant spaces as its foundation:
connecting neighbourhoods, enhancing habitats and providing amenity

Severance

This road severs the linked network at this point. Spaces beyond this point cannot be considered as ANRG compliant unless the road is designed to allow extremely easy crossing of people and animals (e.g. narrowed section of shared surface, traffic calming table with road serving a small number of dwellings)

Secondary Spaces

A space that is at least 60m in any direction (30m radius) if designed to embrace the principle elements for mitigation may be counted as contributing to ANRG.

Links

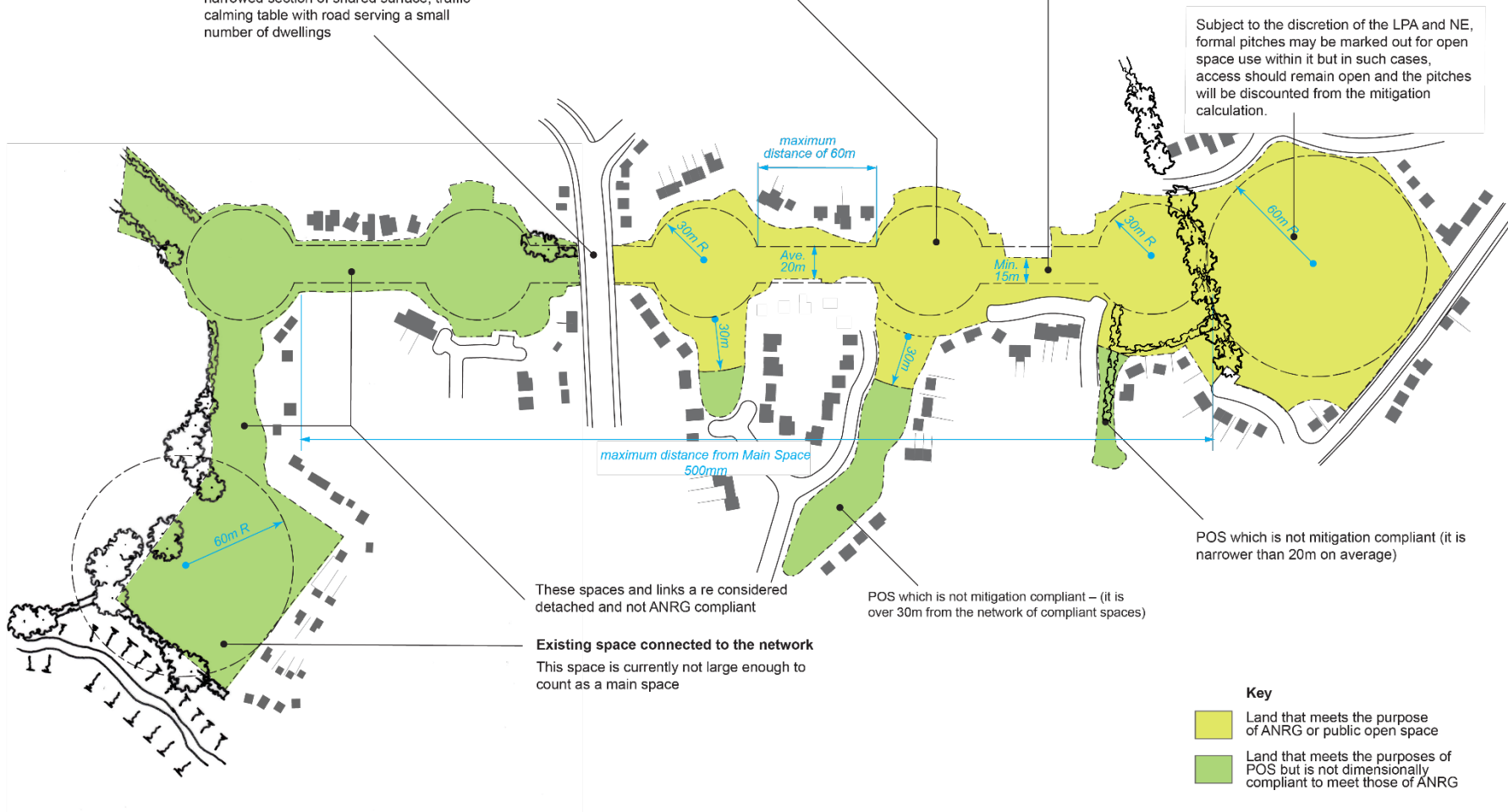
Corridors between or linking to spaces may be counted as ANRG if they are 20m wide on average (min 15m at any point) and extend no more than 30m from edge of the space

Main Spaces

Provided that a space at least 120m in any direction (60m radius) is designed to embrace the principle elements for mitigation, it may be counted as contributing to ANRG.

Subject to the discretion of the LPA and NE, formal pitches may be marked out for open space use within it but in such cases, access should remain open and the pitches will be discounted from the mitigation calculation.

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These spaces and links are considered detached and not ANRG compliant

Existing space connected to the network

This space is currently not large enough to count as a main space

POS which is not mitigation compliant – (it is over 30m from the network of compliant spaces)

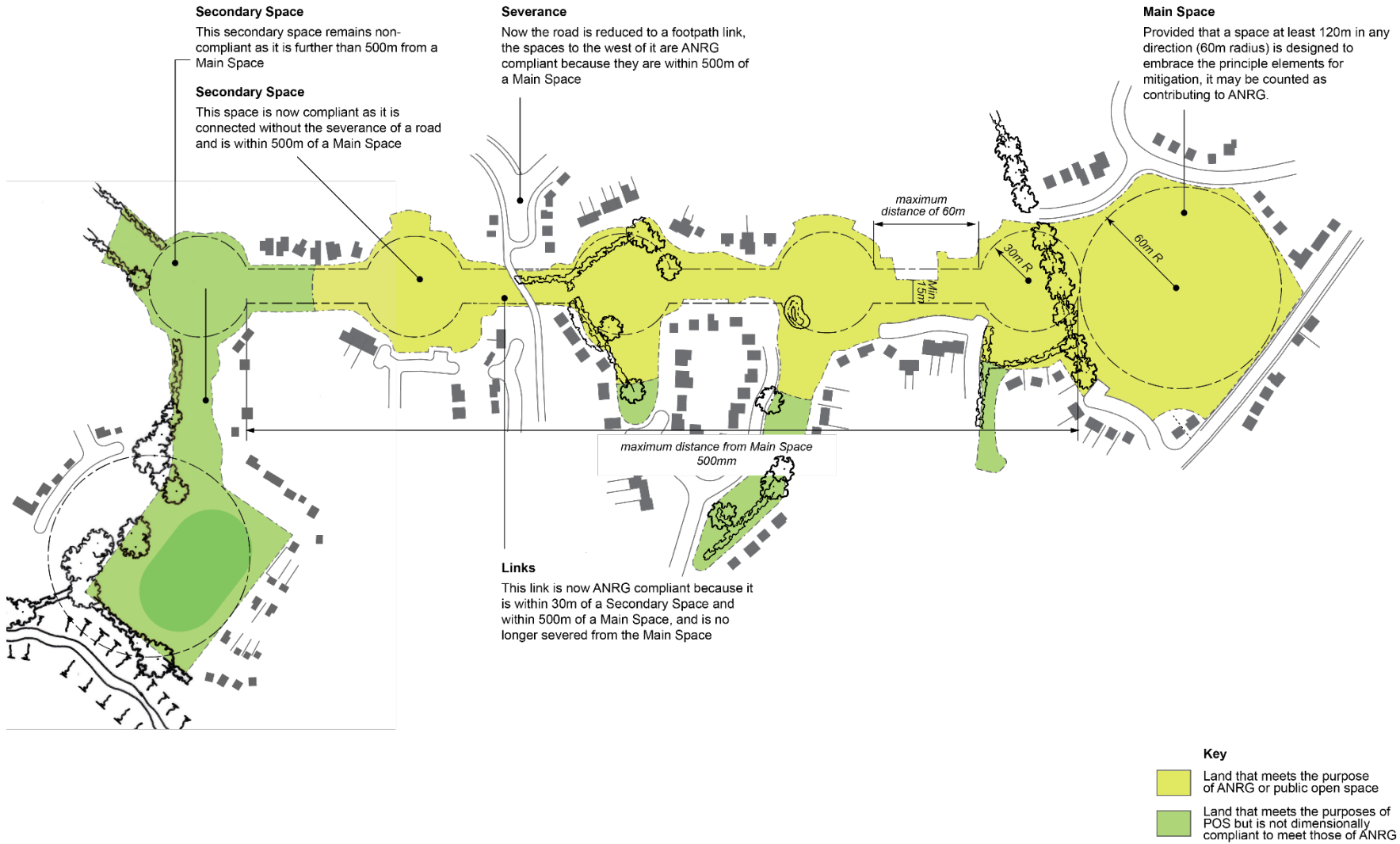
POS which is not mitigation compliant (it is narrower than 20m on average)

Key

- Land that meets the purpose of ANRG or public open space
- Land that meets the purposes of POS but is not dimensionally compliant to meet those of ANRG

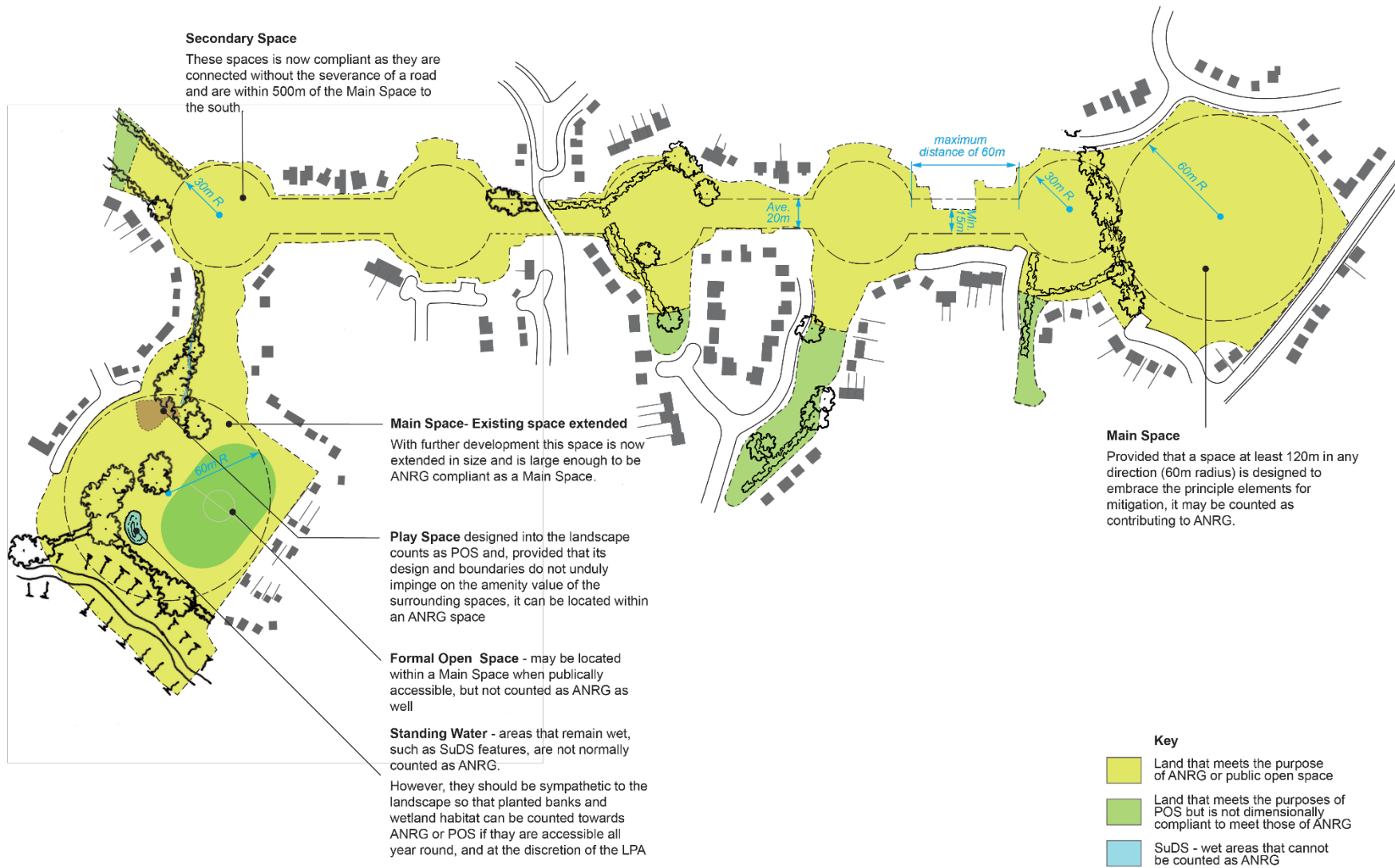
ANRG Diagram 2: Relieving the severance of a road to enable the network of spaces to become ANRG compliant

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ANRG Diagram 3: Extending the network

Some double counting issues explained



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Fig 4: Landscape Framework

This illustrative framework offers an early stage, high level landscape strategy for a hypothetical site. It covers the issues very simply and would act as the forerunner of a landscape layout. More detail, description and images should be illustrated within the D&AS pages.

Drawings should list:

- X hectares of land available for new ANRG and POS use
- Y hectares of Land available for POS use only
- Z hectares of existing land improved and redesigned to contribute to overall ANRG contribution.
- 1 No. Play area of 0.A Ha area

- 2 No. Doorstep Playable Spaces totalling 0.B hectares

The Landscape Framework should cover:

- The existing landform and landscape features of the site
- The location and dimensions of proposed major green areas.

- The broad concept for drainage
- The broad treatment types applicable to each area of land and thus the management aspirations for each (for example: woodland; meadow; amenity grass; natural play etc.)
- A simple network of connections - a hierarchy of routes.

- Provision of attractive walking routes with appropriately surfaced paths.
- Access for dog walking with off-lead areas and facilities to attract dog walkers.
- Boundaries to be secure or defined where needed.
- Optimising opportunities for biodiversity
- Ongoing land management.

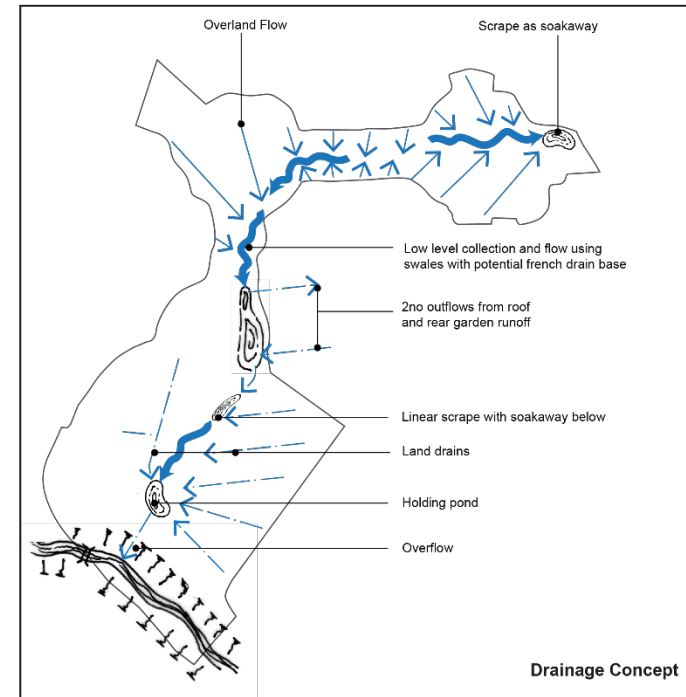
The framework should be supported by the D&AS to show how each of the following matters will be dealt with:

- Good pedestrian connections with existing residential areas.
- Linkages with other existing open spaces, streets, walking routes (and how these will be achieved).

The approximate locations for the following:

- Play,
- A three-tiered strategy for planting trees
- SUDS elements
- Furniture and features
- Signage and interpretation.
- Any underground encumbrance.

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A4.6. Detailed design considerations for Recreational Mitigation Land: Spaces and Routes

A4.6.1 There are a number of key features that are required as a minimum in the design of recreational mitigation spaces and routes, so that they perform well for their intended purpose and the designed features have adequate longevity. The Council has a set of standard details that are acceptable in planning terms. For the purposes of this document, the broad qualities of these key features are described below:

A hierarchy of new and existing recreational footpath routes

A4.6.2 It is helpful to set out paths as a three-tier hierarchy according to likely use and importance:

- Strategic routes leading through to other major draws should be of sufficient width and durable surface to cater for the level of use.
- Minor leisure routes will be needed to create a circuit or to connect with other minor spaces or paths.
- Additional circuits and leisure routes that stay within green spaces and take negligible footfall from off site

A4.6.3 These will pick up on likely desire routes and be aligned to create interest and enjoyment through their variety of experience

A4.6.4 Footpaths should be surfaced with a suitable material enabling their use throughout the year, in all weather conditions. They should be even and free from standing water, and be suitably edged to retain the integrity of the construction

A4.6.5 Paths need to be marked on plan accurately enough to ensure delivery. Whilst it is accepted that some disturbance within

root protection zones may be inevitable, this should be minimised. The exact line of paths which run within woodlands or through tree groups may therefore require agreement on site.



Examples of typical paths

A4.6.6 Paths over culverted watercourses should not have exposed head walls unless they are designed as features which are sympathetic to the landscape ethos of the open space. It is preferable to bridge watercourses with an appropriate safe crossing.

A4.6.7 Paths which run over wetland should be designed as raised causeways wherever possible (and EA flood capacity requirements allow). If a boardwalk is required either as special feature or for practical purposes, it is expected to have a lifespan of 15 years, including those parts in standing water.

A4.6.8 For reasons of comfort (and for social distancing) Paths should be wide enough or have enough clearance to either side so that people with dogs may pass comfortably or where paths are narrow, frequent passing places. They should be clear from encroaching vegetation and be designed to be safe for the user, with good natural surveillance.



on destination and distances should be provided at key points along the routes.

A4.6.10 Information/interpretation boards provided at key locations should give an overview of the local recreational walking route network and information about local features of interest.

A4.6.11 All signage and interpretation will carry the Green Way logo and tag to help users identify the 'Green Way Spaces' and 'Green Way Routes' as being accessible and dog friendly places.



Examples of typical watercourse and floodplain crossings

Provide clear route signage and interpretation

A4.6.9 Waymarking: The new recreational walking routes and enhancement of the existing PROW routes should be clearly signposted at access points and along their route. Information



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Ensure accessibility

A4.6.12 Where barriers are required along a route, kissing gates or self-closing pedestrian gates are most appropriate.



Examples of typical accessible barriers

Provide additional amenities

A4.6.13 Combined waste bins (dog waste and litter) should be installed at entrance and exit points of recreational walking routes, and in locations on Recreational mitigation spaces that are convenient to use and for operatives to empty.

A4.6.14 Seating should be sited at appropriate locations to provide opportunities for rest at convenient intervals as well as opportunities for conversation and to appreciate the natural qualities of place and special views.

Provide dog activity areas or trails

A4.6.15 A main aim of the ANRG provision is to encourage residents to use local walking routes and spaces for walking and dog exercise. Therefore, the recreational mitigation land must provide opportunities for people to experience and enjoy responsibly, the healthy exercise and interaction with their dogs, by provided by dog specific exercise features and worthwhile challenges for dogs of different sizes and abilities.

A4.6.16 Dog activity areas or trails should be designed to give dog owners a sense of being welcome visitors and minimise conflicts through good design that steers and directs activities to appropriate places

A4.6.17 Each area or trail needs:

- plenty of space around each activity
- fencing to prevent dogs running out into danger,
- shady places to rest, with seats for owners
- water for cooling down
- dog waste bins.



A4.6.18 Further information can be found at Appendix 5: Managing dogs on Recreational Sites.

A4.6.19 The Council has guidance on Performance Specifications and Standard Details for open spaces infrastructure elements.

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Appendix 5 – Managing dogs on recreational sites

A5.1 Research was undertaken into the demands of dog walkers by joint working of the Natural England, the Kennel Club, and Hampshire County Council. The 2007 project identified a number of key desires from those walking their dogs and are still relevant to the projects this mitigation strategy will deliver. As further monitoring emerges through both the mitigation projects delivered and ranger service provided by this strategy, this will further refine and influence the design of future projects. Recent changes in dog ownership and any subsequent research undertaken in this may also influence future approaches to management and provision of measures.

A5.2 When choosing a site, the top three requirements for sites were the following:

1. Allowing dogs off lead
2. Away from traffic
3. Close to home

A5.3 The research concludes that this pattern of demand is well established, and that the basic requirements for sites are not liable to change. The majority of owners want responsible behaviour and are therefore open to modifying their behaviour if the approach is right – a planned strategic approach will manage the needs on their terms.

A5.4 Taking a prohibitive “don’t” approach has been proved to be ineffective. It is also not necessary to explain in detail why management is needed. The outcomes are far better if the measures are geared around what walkers want for their dogs – “making it easy to do the right thing”.

A5.5 Key messages relevant to projects in this mitigation strategy include:

1. Provide good signage
2. Be clear about when and where physical restrictions start and finish
3. Deliver key messages at the right time

A5.6 Initiatives have been tested in a number of locations, and the practical measures which work best are:

- Guides/leaflets (small and neat). Forestry England have examples. A more up to date approach is to replace these with web-based QRC codes linking to further information
- Signage (colour coded and located at the right places)
- Dedicated off-lead areas (in sensitive sites/areas this would be in a designated area)
- Flat and open walking areas work well; however, woodland can also be popular with dog walkers (and can feel less busy through less inter-visibility)
- Time sensitive measures crucial: implementing measures at right time of year e.g. Feb – Aug, and in right zones (changing extent and type of measures throughout year) – this point is more relevant to visitor management on protected European sites rather than the mitigation projects in this strategy.
- Dog and human trail/dedicated dog gym (FE/Kennel Club design guidance)
- Dog washes – desirable, but may not always be practical to provide
- Dedicated parking for cars with dogs.
- Rangering is crucial for managing and monitoring
- Gates rather than stiles on walking routes
- Placement of waste bins where practicable they are most easily used (rather for where they are most easily collected)

Further information and best practice

National dog walking code - <http://www.dogwalkingcode.org.uk/>

Hampshire County Council –
<https://www.hants.gov.uk/thingstodo/countryside/dogwalking>
and
[https://documents.hants.gov.uk/ccbs/countryside/planningfordogownershi
p.pdf](https://documents.hants.gov.uk/ccbs/countryside/planningfordogownershi
p.pdf)

Dorset County – www.dorsetdogs.org.uk

Hampshire/loW Wildlife Trust –
<https://www.hiwwt.org.uk/dog-walking-our-nature-reserves>

Solent Disturbance and Mitigation Project -
https://solent.birdaware.org/media/27454/Mitigation-options-for-encouraging-responsible-dog-walking/pdf/Mitigation_options_for_influencing_the_behaviour_of_walkers_with_dogs.pdf

Appendix 6 - Key Council Contacts and Useful Links

Planning Contacts

For general enquiries about this SPD or other planning issues relating to the Local Plan please contact:

Planning Policy Team
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA
Tel: 023 8028 5345
Email: policyandplans@nfdc.gov.uk

For general enquiries relating to the development of a specific site/pre-application enquiries please contact:

Development Management Team
Appletree Court
Beaulieu Road
Lyndhurst
SO43 7PA
Tel: 023 8028 5345
Email: Planning@nfdc.gov.uk

Useful Links

Other information relating to the Council's Local Development Framework can be found on the Council's website – www.newforest.gov.uk

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Appendix 7 - Glossary

AMR

Annual Monitoring Report

ANRG

Alternative Natural Recreational Greenspace

Appropriate Assessment

Carried out under Article 6(3) of the Habitats Directive to ensure activities have no adverse impact on the Natura 2000 sites

CIL

Community Infrastructure Levy

Competent Authority

as defined by the Conservation of Habitats and Species Regulations 2010

Conservation of Habitats and Species Regulations 2010

The European Habitats Directive transposed into UK law

European Site

Designated as a SPA.SAC or SSSI

European nature conservation site

Designated as a SPA.SAC or SSSI

Habitats Directive (92/43/EEC)

European Directive on the conservation of natural habitats and of wild fauna and flora

HRA

Habitats Regulations Assessment

IDP

Infrastructure Development Plan

IFS

Infrastructure Funding Statement

In perpetuity

In a planning context 80 years is considered to be 'in perpetuity'

LNR

Local nature reserve

LPA

Local Planning Authority

Natura 2000

SPA's and SAC's together

New Forest European Sites

Refers to The New Forest SAC; New Forest SPA; **and includes** The New Forest Ramsar site

NFNPA

New Forest National Park Authority

PROW

Public right of way, including Footpaths, Bridleways, Restricted Byways and Byways Open to All Traffic

Ramsar

Wetland site of International importance designated under the Ramsar Convention.

SSSI

Site of Special Scientific Interest- a British conservation designation for either biological or geological interests

SINC

Site of Interest for Nature Conservation – a local designation relating to habitats and species

SAC

Special Area of Conservation, relating to the conservation of habitats

SPA

Special Protection Area, relating to the conservation of wild birds

Southampton Water and Solent Coast European Sites

refers to the Solent Maritime SAC; Solent and Southampton Water SPA; the Southampton and Isle of Wight Lagoons SAC; **and includes** the Solent and Southampton Water Ramsar site

S106 Agreement

Multilateral Legal Agreements used in combination with Planning Permission to secure particular aspects of development, such as financial contributions and transfer of land into public ownership

Planning Obligation

A planning obligation is a legal document made under S106 of the Town and Country Planning Act 1990 by which a person agrees to provide a planning authority with a sum of money for a planning purpose, or agrees to restrict the use of land in a specified way, or to carry out specific operations or activities.

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THE LOCAL PLAN REVIEW PART TWO AND SUPPORTING WORK

1. RECOMMENDATIONS

- 1.1 That the Local Plan Review Part 2 be progressed to address the following matters, as set out in section 5 of this report:
- Non-strategic housing land allocations
 - Town centre opportunities
 - Climate Change and working towards a zero-carbon economy
 - Green infrastructure, nature recovery and landscape matters
 - Affordable Housing, including First Homes and specialist housing.
- 1.2 To agree that the updated Local Development Scheme set out in Appendix A be published to inform interested parties of the Local Plan Part Two process and timetable, including opportunities for public engagement.
- 1.3 To note that the Planning Service will also progress work on a range of supporting planning, policy and delivery matters essential to deliver sustainable growth, as set out in Section 6 of the report.
- 1.4 If warranted by planning reforms or other circumstances and in consultation with the Portfolio Holder for Planning, Regeneration and Infrastructure, that the Local Development Scheme and Council planning work priorities be further updated for future Cabinet consideration.

2. INTRODUCTION

- 2.1 The purpose of this report is to agree the future programme of work and timetable for Part 2 of the Local Plan Review, and to outline other work that will support the delivery of the Local Plan strategy. These are set out in sections 5 and 6 of the report respectively.
- 2.2 The Local Plan sets the Council's planning policies for development within its area of responsibility as Local Planning Authority, with supporting policies to guide implementation. The District Council is the planning authority for all matters within New Forest District that lie outside of the National Park, with the exception of minerals and waste planning which are the responsibility of Hampshire County Council.

3. BACKGROUND

- 3.1 From the outset in 2016 it was intended that the Local Plan Review would be prepared in two stages. Part One would establish a planning strategy, including targets for housing and other growth requirements, and strategic (larger) site allocations to provide for the delivery of identified needs for development in the district. These are based on the relevant national planning policies in place during the time of preparation.
- 3.2 The Council adopted the New Forest District Local Plan 2016-2036 Part 1: Planning Strategy for the district outside the National Park in July 2020 (hereafter the LPP1).

The new Planning Strategy for the District marks a fundamental change in direction from the prevalent planning strategy of development restraint that had been in place in the district since the late 1980s. It enables the delivery of substantially higher levels of housing growth across the district, as expected by the Government's 'standard methodology' for setting housing requirements.

- 3.3 The LPP1 only reviewed other policies insofar as they impacted on the change in planning strategy for the area. The LPP1 document appendices list a range of previous Local Plan policies saved for continued use and future review. It is the review of these remaining policy matters, together with any new priorities such as opportunities in town centres, that now needs to be considered in the programme of work.

4. CONTEXT - NATIONAL POLICY CHANGES

- 4.1 Shortly after the adoption of the LPP1 the government published the 'Planning for the Future' White Paper to consult on further fundamental and wide ranging changes to the planning system. The Council paused work on the Local Plan Part Two until it became clearer whether further work would be overtaken by events.
- 4.2 A full government response to the White Paper consultation is due later this year. This is expected to clarify their current thinking on the more structural changes being considered for plan-making to introduce a zonal planning system where development allocations have the equivalent of outline planning permission, and introducing standard national policies for Development Management. If progressed such changes would require significant new legislation, regulations and guidance, and significant lead-in time to introduce (probably later in this parliament).
- 4.3 In December 2020 the Government announced a decision on one key element of the planning reform proposals, and updated national policy for calculating housing need to achieve 300,00 homes per annum. The changes made uplift need calculations in major urban centres only, with no material change to the approach in place at the time the Local Plan Part 1 was examined.
- 4.4 The Environment Bill, which is progressing through Parliament, also provides a context for local environmental policies relevant to plan-making. The Bill makes various provisions including about targets, plans and policies for improving the natural environment; about waste and resource efficiency; about air and water quality; and about nature and biodiversity. The Council has already introduced requirement (set out in the Bill) to achieve biodiversity net gain as part of new development, and further measures set out in the Bill offer opportunities for proactive environmental management.
- 4.5 Taking the three preceding points together it can reasonably be concluded that an immediate full Local Plan review is not necessary on housing need grounds, and that it appears prudent to resume the Local Plan review to put in place the full and up-to-date policy framework needed to support the delivery of the recently adopted planning strategy. The Local Development Scheme at Appendix A sets out a programme for this work to inform interested parties of the Local Plan Part Two process and timetable, including opportunities for public engagement.
- 4.6 Whilst other national planning reforms unfold it is also prudent to progress the Local Plan Part 2 in a manner that keeps open the option of amending the process to a full local plan review if necessary. The Local Development Scheme would need to be updated further in that eventuality. In addition to the progress of possible planning reforms this provides scope to consider other strategically significant events which may justify an earlier start on the next full local plan review, such as:

- Progress with the Solent Freeport proposal with the tax sites including Port of Southampton expansion at Dibden Bay
- Related but independent aspirations by the port operator to expand the Port of Southampton at Dibden Bay
- Work the Council is involved in as part of the Partnership for South Hampshire on a subregional framework for meeting strategic development needs in Solent area.

5. LOCAL PLAN PART 2 WORK

- 5.1 Notwithstanding uncertainty over the future of Planning System in England there are some key areas of Local Plan that need to be progressed. This section sets out these priority work areas and considers how they should be progressed.
- 5.2 Non-strategic housing land allocations: LPP1 only allocated ‘strategic’ sites – defined as sites for 100 plus dwellings. Smaller development sites (for between 10 and 99 dwellings) remain to be identified. LPP1 assumes that at least 800 new homes will come from smaller site allocations. These opportunities need to be identified, not least for housing land supply purposes.
- 5.3 Town centre opportunities: Our High Streets and town centres are facing significant change. These changes have been accelerated by the pandemic. As a Local Planning Authority we have an important role to play in directing and assisting in delivering change in our town centres to ensure they continue to play a vital role as centres for the community. Part of this work will be looking at opportunities for increased town centre living. We need to look at how such changes can be managed positively and without diminishing the role of the town centre as a focus of community activity and as hubs of economic activity. This work will involve looking at potential sites for re-use or redevelopment as some town centre uses contract. More detailed work will be undertaken for each of the towns across the district, in part associated with the strategic development in each town and in response to the Waterside Vision.
- 5.4 Addressing Climate Change and working towards a zero-carbon economy: A much greater emphasis needs to be given to measures – including those that can be delivered through the planning system – that will promote a ‘green recovery’ and work progressively towards carbon neutrality. LPP1 is ‘light’ on such policies. However, national policies are changing and there is an opportunity for the Council to promote local policies to address climate change more pro-actively through both policies and actions. Parts of the district already have issues with air quality, water quality and flooding, affecting both communities and the natural environment.
- 5.5 Green infrastructure: Planning of green infrastructure is an important part of place-making and is especially important in this area. Not only do we need to protect and look after areas of acknowledged importance for wildlife, nature conservation and landscape quality, but green infrastructure is increasingly recognised as an essential element for the health and well-being of communities, as well as providing places for recreation and outdoor sports and enhancing the landscape and visual qualities of the area. The protection and enhancement of green infrastructure is a key element of the national agenda to promote nature recovery, enhance bio-diversity (Biodiversity Net Gain), and to deliver ‘green growth’. Planning for the ‘green lungs’ is a vital part of planning for sustainable development.
- 5.6 Affordable Housing and First Homes: On 1 April the Government confirmed that it will introduce policies to promote the building of ‘First Homes’. This will have an impact of the Council’s affordable housing policies in LPP1. There may be implications for site delivery and viability. As a consequence, Policy HOU2 may need early review – this

needs to be explored (an Affordable Housing Supplementary Planning Document will be prepared as a priority.) Work will need to be progressed with the Housing Services to consider how these changes will impact on the Council's Housing Strategy.

- 5.7 The Local Plan Part Two will not necessarily update all the previous (pre 2020) Local Plan policies currently saved for continued use. This is a matter of scope that will be kept under review pending further announcements on government planning reform e.g. proposals to introduce standardised national policies for development planning management purposes. As noted in section 6 for some key matters Supplementary Planning Documents or informal guidance will be published as an interim output before the Part 2 review is completed, so that new policies can be put into effect sooner.
- 5.8 For areas where a Neighbourhood Plan is being actively prepared and positive progress is being made, the scope and content of the Local Plan Part Two will be considered in the light of community-led planning objectives. The aim will be to work constructively and cooperatively to ensure the timely progression of a sufficient and consistent planning framework for the district as a whole, whilst avoiding unnecessary duplication. But if and where necessary the Local Plan Part Two process and supporting work will drive forward the changes required in designated Neighbourhood Planning areas.

6. OTHER RELATED WORK

- 6.1 This section identifies other work areas which will complement work on the Local Plan, and/or support and enable the sustainable delivery of the adopted LPP1 sites and strategy.

- **Town Centres, including:**

- **Fordingbridge Town Centre** with a focus on access, circulation, green infrastructure and the commercial and other facilities needed for its expanding population
- **Lymington** with a focus on green infrastructure and access and local design and local distinctiveness
- **New Milton Town Centre**, subject to the outcome of the Neighbourhood Plan referendum, to support and enable the delivery of the Plan
- **Ringwood Town Centre** with specific focus on creating a vision for the town centre in light of the growth through the strategic sites focused on bringing forward development on sites such as the Old Cinema site
- **Totton Town Centre** to deliver a Regeneration Plan to reflect the ambition of the Totton and Waterside Vision document
- **Local Design Codes** to set a place-making vision for the area and identify how new development can sustain and enhance local character through high quality design
- **Green infrastructure Strategy:** The Council has a key role to play in delivering environmental and community objectives as a provider and manager of green infrastructure across the district. Work on a Green Infrastructure Strategy will include consideration of the role of NFDC as a provider of green infrastructure and what can be achieved on our own estate.

- **Waterside Environmental Infrastructure Strategy** as set out in the Vision for the Waterside
- **Supplementary Planning Document preparation** including the following, some of which will be interim policy outputs whilst the LPP2 progresses:
 - **Climate Change Adaptation and Mitigation** (an interim output from the LPP2 review process)
 - **Air Quality**
 - **Affordable Housing** (an interim output from the LPP2 review process)
 - **Employment and Skills Plan** – to provide local people with training and job opportunities through growth across the district
 - **Construction Environmental Management Plans (CEMP)**
 - **Parking** and related standards for new development
 - **Design for Waste Management**, standards for new development
- **A Playing Pitch Strategy** for the District
- **Local Cycling Walking Infrastructure Plans** (Waterside and District-wide).

7. CONCLUSIONS

- 7.1 Despite the current uncertainty over the future of the planning system, it is important that the Council effectively progresses work on the key policy areas identified in this report over the next 12 months.

8. FINANCIAL IMPLICATIONS

- 8.1 Budgetary provision of £350,000 has been made for Local Plan work.

9. CRIME & DISORDER IMPLICATIONS

- 9.1 There are none.

10. ENVIRONMENTAL IMPLICATIONS

- 10.1 Significant beneficial impact associated with lifting and securing higher environmental standards and sustainability in new development.

11. EQUALITY & DIVERSITY IMPLICATIONS

- 11.1 Policies and proposals will need to ensure they are no equality or diversity issues arising.

12. DATA PROTECTION IMPLICATIONS

- 12.1 None

13. PORTFOLIO HOLDER COMMENTS

- 13.1 I support the recommendations set out in the report. While potential changes are creating some uncertainty in the Planning System in England, it is important that we make progress in key work areas, as set out.

For further information contact:

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023 8028 5345
Claire.Upton-Brown@nfdc.gov.uk

or

Louise Evans
Service Manager Policy and Strategy
023 8028 5345
louise.evans@nfdc.gov.uk

Mark Williams
Local Plan lead, Planning Policy
023 8028 5475
mark.williams@nfdc.gov.uk

Background Papers:

Published government documents

Appendix A: Local Development Scheme May 2021

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New Forest District (Outside the National Park)

Local Development Scheme

May 2021



Contents

		Page
Section No.		
	Map of New Forest District Council Local Planning Authority Area	2
1.	Introduction	3
2.	Context for the Local Development Scheme 9th revision	3
3.	Local Plan Review Part Two 2016-2036 approach and programme	4
4.	Documents supporting the Local Plan Review	5
Appendix 1	Programme for the preparation of the Local Plan Part Two Review 2016-2036	

1. Introduction

- 1.1. The Local Development Scheme provides information about the production of the New Forest District Local Plan for the area outside the New Forest National Park (see Map on page 2, areas in orange and settlements in dark grey). The National Park Authority is responsible for producing the Local Plan for the National Park area.
- 1.2. The Local Development Scheme (LDS) sets out the Local Plan Review work programme and identifies when the public and other interested parties can get involved in the process of plan-making. It includes information about the content and production timetable for the Local Plan Review Part Two 2016-2036, updating the previous versions which addressed preparation of the Local Plan Part One.
- 1.3. Detailed timetabling and minor adjustments between full Local Development Scheme updates are published on the Council website¹.
- 1.4. The Local Plan is the most important part of the Development Plan for the district. The Development Plan is the statutory basis for deciding planning applications, provided that it is up-to-date. As at May 2021 the Development Plan for New Forest District (outside the National Park) comprises the following:
 - the Local Plan Part 1: Planning Strategy adopted July 2020
 - Saved policies from the following earlier Local Plans as listed in Appendix A of the Local Plan Part 1: Planning Strategy (2020)
 - the Local Plan Part 1: Core Strategy adopted in October 2009
 - the Local Plan Part 2: Sites and Development Management adopted in April 2014
 - Policy DW-E12: Protection of Landscape Features – saved from the Local Plan First Review (2005).
 - the Hampshire Minerals and Waste Local Plan adopted by the Hampshire Minerals and Waste authorities in October 2013

¹ <http://www.newforest.gov.uk/article/16541/Local-Plan-Review>

- ‘Made’² Neighbourhood Development Plans for Hythe & Dibden Town or Parish Council areas.
- New Milton Neighbourhood Plan whilst being given weight in determining planning applications will be going to Referendum in early May 2021.

- 1.5. As at May 2021 Neighbourhood Plans are being prepared by Totton, Lymington and Pennington, Ringwood and Fordingbridge Town or Parish Councils. If ‘made’ these will also become part of the Local Development Plan

2. Context for the Local Development Scheme (LDS) update

- 2.1. From the outset in 2016 it was intended that the Local Plan Review would be prepared in two stages. Part One would establish a planning strategy, including housing target and strategic (larger) site allocations for planned development. Part Two would update a range of development management policies and review and supplement smaller site allocations.
- 2.2. The Local Plan Part One was adopted in July 2020. It was prepared in a period of national planning policy transition, notably in respect of calculating housing need and the setting of housing targets. The Plan was found sound (subject to agreed modifications) with no requirement for early review in the light of the new planning guidance in place at the time of Local Plan examination.
- 2.3. Shortly after the adoption of the Local Plan Part 1 the government published the ‘Planning for the Future’ White Paper to consult on further fundamental and wide ranging changes to the planning system and plan-making process. The Council paused work on the Local Plan Part Two until it became clearer whether further work on the Local Plan Part 2 would serve a useful purpose, rather than being overtaken by events. Various supplementary planning guidance was progressed instead.
- 2.4. A full government response to the White Paper consultation is due later this year. It has become clear that the way ahead is not fixed

² Adopted by a supportive local referendum, after review by an independent examiner.

and that of major reforms are progressed it would require significant changes to several pieces of existing legislation unlikely to be completed until later in this parliament.

- 2.5. Some important announcements on key reform elements have been made and these pave the way for a return to work on the Local Plan Part Two. In December 2020 government made a decision in relation to national policy for calculating housing need, with no material changes to the approach in place at the time the Local Plan Part 1 was examined (the changes made mostly affect major urban areas).
- 2.6. As there is no immediate 'housing need' policy compliance reason to undertake an early full local plan review and there are planning matters the Council wishes to address now, work on the Local Plan Part 2 will resume with a focus on the following matters.
- The identification of additional smaller development sites to enable Local Plan Part One targets to be fully met
 - Opportunities in local town centres, in the light of significant changes to permitted development rights and the acceleration by the COVID pandemic of structural changes to retailing and high streets
 - Planning for climate change and sustainability, in the light of national policy commitments to accelerate progress towards achieving zero net carbon
 - Green infrastructure, nature recovery networks and landscape matters
 - Revisiting aspects of the Local Plan policy on affordable and specialist need housing, including to address the new 'First Homes' affordable housing tenure government will introduce shortly³.

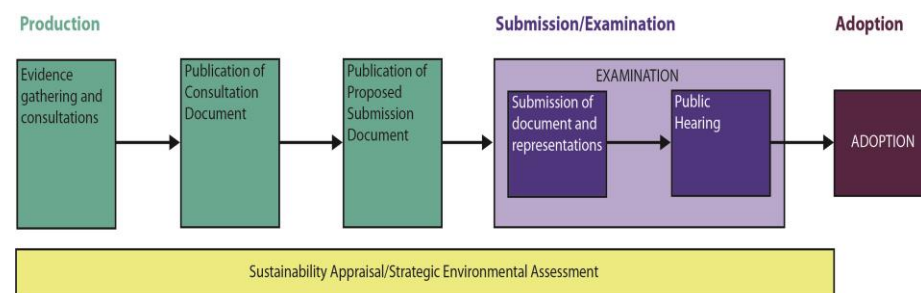
- 2.7. The Local Plan Part 2 review will be progressed in a manner that keeps open the option of amending the process to a full local plan review if necessary. This LDS will be updated further in that eventuality. In addition to the progress of possible planning reforms

³ <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-first-homes-proposals-in-changes-to-the-current-planning-system>

this provides scope to consider other strategically significant events which may justify or influence the shape of the next full local plan review, such as:

- Progress with the Solent Freeport proposals
 - Related but independent aspirations by the port operator to expand the Port of Southampton at Dibden Bay
 - Work the Council is involved in as part of the Partnership for South Hampshire on a subregional framework for meeting strategic development needs in Solent area.
- 2.8. The Local Plan Part Two will not necessarily update all the previous (pre 2020) Local Plan policies currently saved for continued use. This is a matter of scope that will be kept under review pending further announcements on government planning reform proposals to introduce standardised national policies for development management purposes.

3. Local Plan Part Two Review 2016-2036 approach and programme



- 3.1. Regulations set out the main requirements for preparing a Local Plan⁴. The process followed is shown in the illustration above.
- 3.2. Assuming the review progress to completion (rather than being rolled into a full local plan review if events merit doing so) it is intended that the **Local Plan 2016-2036 Part Two** will be published for public

⁴ Currently *The Town and Country Planning (Local Planning)(England) Regulations 2012*

consultation early in 2023 and (subject to the Planning Inspectorate) examined and adopted by the end of 2023.

- 3.4 For areas where a Neighbourhood Plan is being prepared, the scope and content of the Local Plan Part Two will be scaled back to complement and leave room for community-led planning, whilst also ensuring that a sufficient and consistent planning framework is in place for the district as a whole.

4. Documents supporting the Local Plan

- 4.1 A range of existing SPD and other supplementary guidance supports the adopted Local Plan. Details are [published](#)⁵ on the Council website.
- 4.2 Whilst the Local Plan Review progresses, the Council will consider the merits of publishing parts of the emerging new policy as a Supplementary Planning Document or as informal guidance, where it would assist with the preparation and determination of development applications.

⁵ <https://www.newforest.gov.uk/article/1168/Planning-Policy-guidance>

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CABINET – 5 MAY 2021

**PORTFOLIO: FINANCE, INVESTMENT AND
CORPORATE SERVICES / ALL**

RECAST ORIGINAL BUDGET 2021/22

1. Recommendations

- 1.1 Cabinet is asked to:
 - 1.1.1 adopt the revised makeup of the original General Fund Net Budget Requirement for 2021/22 as set out in appendix 1 to this report,
 - 1.1.2 confirm the lead Portfolio Holder(s) for each project as included within the Council's Capital Programme for 2021/22, as set out in appendix 2 to this report; and
 - 1.1.3 give delegated authority for the Section 151 Officer to make further adjustments between Portfolio's, if necessary.

2. Purpose of Report

- 2.1 To reflect the new Cabinet structure as announced by the new Leader of the Council on the 12 April 2021 and as set out in a Portfolio Decision Notice on 13 April 2021, in the original budget for 2021/22.

3. Recast Original Budget 2021/22

- 3.1 The Council's General Fund, Housing Revenue Account and Capital Programme budgets for 2021/22 were set by Council on the 25th February 2021. This paper does not make any amendments to the overall gross budgets as set by the Council.
- 3.2 A new Leader of the Council was elected by Council on 12th April 2021 and the new Leader immediately appointed his Cabinet. The new Portfolio Holders and their roles and responsibilities were set out in a Leaders Portfolio Holder Decision Notice, published on 13th April 2021.
- 3.3 Appendix 1 of this paper sets out the recast General Fund Budget for 2021/22 in a format conducive to the new Cabinet, and the individual roles and responsibilities of each Portfolio Holder. The Council's Financial Regulations allow for decisions to be made by individual Portfolio Holders up to set thresholds, and so it is imperative that the remit of these individual decisions align correctly to their areas of financial responsibility as set out in the Council's budget. A summary of the authorisation levels required is provided at Appendix 3.
- 3.4 There are no presentation changes required to the Housing Revenue Account although it should be noted for the avoidance of doubt that the Portfolio Holder for Housing and Homelessness Services takes on the Cabinet role for this ringfenced account.
- 3.5 Appendix 2 of this paper sets out the Council's Capital Programme for 2021/22 and confirms the Portfolio for each scheme.

4. Crime and Disorder / Equality and Diversity

4.1 There are none as a direct consequence of this report.

5. Environmental Implications

5.1 There are none as a direct consequence of this report.

6. Portfolio Holder Comments

6.1 This paper aligns the previously agreed budget with the changes made to the portfolios and ensures transparency and an ease of understanding for anyone using or looking at the District Council's finances.

For Further Information Please Contact:

Alan Bethune
Chief Finance Officer (S151 Officer)
Telephone: (023) 8028 5001
E-mail: Alan.Bethune@nfdc.gov.uk

Background Papers:

MTFP & 21/22 Budget – Feb '20
HRA Budget and Cap Prog – Feb '20

RECAST GENERAL FUND BUDGET 2021/22

	2020/21	2021/22	2021/22	2021/22
	£'000's	£'000's	£'000's	£'000's
	Budget	Gross	Income	Budget
		Expenditure		
PORTFOLIO REQUIREMENTS				
Business, Tourism and High Streets	297	298	-2	296
Environment and Coastal Services	3,423	9,548	-5,960	3,588
Finance, Investment and Corporate Services	3,660	40,029	-37,307	2,722
Housing and Homelessness Services	1,846	5,225	-3,434	1,791
Leader	445	442	-7	435
Partnering and Wellbeing	3,574	11,471	-6,426	5,045
People and Places	3,504	4,286	-713	3,573
Planning, Regeneration and Infrastructure	2,456	4,147	-1,635	2,512
	19,205	75,446	-55,484	19,962
Reversal of Depreciation	-1,545	0	-1,526	-1,526
Contribution to/(from) Earmarked Revenue Reserves	-256	119	-934	-815
Contribution to Revenue Reserves	1,250	1,250	0	1,250
NET PORTFOLIO REQUIREMENTS	18,654	76,815	-57,944	18,871
Minimum Revenue Provision	1,181	1,265	0	1,265
RCCO	375	0	0	0
Interest Earnings (Net)	-730	0	-569	-569
New Homes Bonus	-286	0	-276	-276
GENERAL FUND NET BUDGET REQUIREMENTS	19,194	78,080	-58,789	19,291
COUNCIL TAX CALCULATION				
Budget Requirement	19,194	78,080	-58,789	19,291
Less:				
Settlement Funding Assessment				
Lower Tier Services Grant	0		-170	-170
Council Tax Reduction Support Grant			-209	-209
Business Rates Baseline	-3,997	24,802	-28,799	-3,997
	-3,997	24,802	-29,178	-4,376
Locally Retained Business Rates	-2,398	954	-3,088	-2,134
Budget Equalisation Reserve	1,062	0	-138	-138
Estimated Collection Fund (Surplus)/Deficit Business Rates	-892	424	0	424
Estimated Collection Fund (Surplus)/Deficit Council Tax	-218	94	0	94
Irrecoverable Tax Loss Grant	0	0	-44	-44
Use of General Budget Reserve				0
COUNCIL TAX	12,751	104,354	-91,237	13,117
TAX BASE NUMBER OF PROPERTIES	71,492.90			71,538.70
COUNCIL TAX PER BAND D PROPERTY	178.36			183.36
GENERAL FUND BALANCE 31 MARCH	3,000			3,000

CAPITAL PROJECTS WITH NEW PORTFOLIO

	Portfolio	PROJECT REQUIREMENTS £		
		2021/22	2022/23	2023/24
Disabled Facilities Grants	HOU	1,200,000	1,200,000	1,200,000
Strategic Regional Coastal Monitoring (15-21)	ENV & COAST	2,300,000	2,161,000	1,966,000
Barton Drainage Test (19-21)	ENV & COAST	125,000	50,000	
Westover Phase 2 Scheme Development	ENV & COAST	275,000		
Public Convenience Modernisation Programme	P&P	300,000	300,000	300,000
Public Convenience Additional Enhancements	P&P	75,000		
New Depot Site: Hardley	F,CS&I	2,000,000	3,300,000	
New Depot Site: West	F,CS&I	100,000		
V&P; Replacement Programme	F,CS&I	3,462,000	2,992,000	692,000
Smarter Working; Future Delivery	LEADERS	250,000	250,000	
Economic Sustainability & Regeneration Projects	F,CS&I			
- Crow Lane Ringwood (provisional sum)	F,CS&I	5,000,000	5,000,000	
Residential Acquisitions	F,CS&I			
Open Space Schemes	P,R&I	265,000	300,000	200,000
Transport Schemes	P,R&I			
Mitigation Schemes	P,R&I	595,000	475,000	250,000
TOTAL GENERAL FUND CAPITAL PROGRAMME		15,947,000	16,028,000	4,608,000

NFDC FINANCIAL REGULATIONS SUMMARY - AUTHORISATION LEVELS REQUIRED

Table 1: Authorisations Required for Budget Transfers, Virements & Supplementary Budgets							
Value	S151 Officer	Service Manager	Executive Head	Portfolio Holder	Finance Portfolio Holder	Cabinet	Council
Transfers: Any Value	Y	Y					
Virements:							
<= £25,000	Y	Y					
£25,001 - £50,000	Y	Y	Y	Y			
£50,001 - £240,000 revenue	Y	Y	Y			Y	
£50,001 - £240,000 capital	Y	Y	Y	Y	y		
> £240,000	Y	Y	Y			Y	Y
Supplementary Budgets:							
<= £10,000	Y	Y					
£10,001 - £50,000	Y	Y	Y	Y	Y		
£50,001 - £120,000 revenue	Y	Y	Y			Y	
£50,001 - £120,000 capital	Y	Y	Y	y	y		
> £120,000	Y	Y	Y			Y	Y

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