

# NOTICE OF MEETING

<b>Meeting:</b>	<b>PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL</b>
<b>Date and Time:</b>	<b>THURSDAY, 12 SEPTEMBER 2024 AT 6.00 PM</b>
<b>Place:</b>	<b>COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA</b>
<b>Enquiries to:</b>	<b>Email: <a href="mailto:joe.tyler@nfdc.gov.uk">joe.tyler@nfdc.gov.uk</a> Joe Tyler Tel: 023 8028 5982</b>

## **PUBLIC INFORMATION:**

This agenda can be viewed online (<https://democracy.newforest.gov.uk>). It can also be made available on audio tape, in Braille and large print.

Members of the public are welcome to attend this meeting. The seating capacity of our Council Chamber public gallery is limited under fire regulations to 22.

Members of the public can watch this meeting live, or the subsequent recording, on the [Council's website](#). Live-streaming and recording of meetings is not a statutory requirement and whilst every endeavour will be made to broadcast our meetings, this cannot be guaranteed. Recordings remain available to view for a minimum of 12 months.

## **PUBLIC PARTICIPATION:**

Members of the public may speak in accordance with the Council's [public participation scheme](#):

- (a) on items within the Place and Sustainability Overview and Scrutiny Panel'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 attend the meeting, or speak in accordance with the Council's public participation scheme, should contact the name and number shown above no later than 12.00 noon on Monday, 9 September 2024.

**Kate Ryan**  
Chief Executive

Appletree Court, Lyndhurst, Hampshire. SO43 7PA  
[www.newforest.gov.uk](http://www.newforest.gov.uk)

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# AGENDA

## Apologies

### 1. MINUTES

To confirm the minutes of the meeting held on 18 July 2024 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 receive any public participation in accordance with the Council's public participation scheme.

### 4. WASTE PROGRAMME UPDATE (Pages 5 - 18)

To consider the waste updates detailing all elements of the programme for the proposed new refuse, recycling, and food waste collection service and the roll out timetable.

### 5. COMMUNITY INFRASTRUCTURE LEVY EXPENDITURE FRAMEWORK & THE USE OF STRATEGIC CIL (Pages 19 - 102)

To consider the Expenditure Framework for Community Infrastructure Levy (CIL) and the approach for the expenditure of the strategic element of the CIL.

### 6. PROPOSED CONSULTATION RESPONSE TO PROPOSED CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK (Pages 103 - 148)

To consider the Council's draft response to the proposed changes to the National Planning Policy Framework (NPPF).

### 7. NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECTS – APPROACH, GOVERNANCE AND RESOURCING (Pages 149 - 162)

To consider a summary of the Nationally Significant Infrastructure Projects and to note how the Council should be involved in the process, including the use of Planning Agreements.

### 8. RESPONSE TO EXXON MOBIL'S NON-STATUTORY CONSULTATION ON ITS SOLENT CO2 PIPELINE PROJECT (Pages 163 - 178)

To consider the Council's proposed response to the non-statutory, public consultation regarding the proposed pipeline route to transport carbon dioxide.

### 9. CLIMATE CHANGE AND NATURE EMERGENCY ANNUAL UPDATE 2023/24 (To Follow)

To consider the Climate Change and Nature Emergency Annual Update for 2023/24.

**10. PORTFOLIO HOLDER'S UPDATE**

An opportunity for the Portfolio Holder's to provide an update to the Panel on developments within their portfolio.

**11. WORK PROGRAMME (Pages 179 - 180)**

To agree the work programme to guide the Panel's activities over the coming months.

**12. DATES OF FUTURE MEETINGS**

To agree the following dates for meetings in 2025/26 (Thursdays at 6pm):

**2025**

19 June

11 September

**2026**

15 January

12 March

To: **Councillors**

Steve Rippon-Swaine (Chairman)  
Alvin Reid (Vice-Chairman)  
Peter Armstrong  
Allan Glass  
Matthew Hartmann

**Councillors**

Stephanie Osborne  
Adam Parker  
Malcolm Wade  
Conservative Vacancy

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## Place and Sustainability Overview and Scrutiny Panel – 12 September 2024

**Cabinet – 2 October 2024**

### **Waste Programme Update**

Purpose	For Review and Decision
Classification	Public
Executive Summary	This report appraises and updates all elements of the programme for the proposed new refuse, recycling, and food waste collection service, and confirms dates for the roll out in three phases during 2025/6.
<b>Recommendation(s)</b>	<p><b>It is recommended that Cabinet:</b></p> <p><b>(i) Approves the waste programme timeline attached at Appendix A</b></p> <p><b>(ii) Delegates authority to the Strategic Director for Place, Operations and Sustainability, in consultation with the Portfolio Holder for Environment and Sustainability and the Waste Management Programme Board, to keep the roadmap at Appendix B under review and agree any minor variations to the waste programme.</b></p>
Reasons for recommendation(s)	<p>NFDC has been working on a new approach to waste and recycling services, detailed in a new Joint Municipal Waste Management Strategy (via Project Integra) approved in October 2021 and the NFDC Waste Strategy 2022-27, approved by Council in July 2022.</p> <p>On 21st October 2023, DEFRA released a response to the “Consistency” consultation from May 2021, though this has still to be formally passed in legislation.</p> <p>The new waste collection service will help to meet NFDC’s environmental and climate change objectives, increase recycling rates, reduce emissions, and reduce the amount of overall general waste and littering from sacks.</p>
Ward(s)	All

Portfolio Holder(s)	Councillor Blunden – Environment and Sustainability Portfolio
Strategic Director(s)	James Carpenter – Strategic Director of Place, Operations and Sustainability
Officer Contact	Karyn Punchard Waste Programme Director Tel: 02380 285618 Email: karyn.punchard@nfdc.gov.uk

## Introduction and background

1. In February 2024 NFDC Cabinet approved the timeline, procurement, and budget to enable the new refuse collection, recycling, and food waste collection service to go live in 2025, rolling out in three phases.
2. The agreed service comprises:
  - **New weekly food waste collections**  
Households will receive a 23-litre lockable caddy for kerbside collections, and a smaller 7-litre caddy to use in the kitchen.
  - **New recycling and rubbish collections using wheelie bins**  
Recycling will be collected one week and rubbish the following week. Households will receive a 240-litre wheelie bin for recycling, and a 180-litre wheelie bin for rubbish. This will allow residents to recycle everything currently collected in clear recycling sacks: including plastic bottles, aerosols, tins, cans, paper and card.
  - **Four weekly glass collections**  
Glass collections will continue to be every four weeks, using existing glass collection boxes, or communal bins for those living in flats.
3. A new internal governance structure for the waste programme has also been set up comprising:
  - Waste Management Programme Board (Leader, Environment and Finance Portfolio holders, Chief Executive, relevant strategic directors and waste lead officers)

- Waste Management Steering Group (Portfolio holder, Strategic Directors, waste lead officers, waste project lead officers, chairs of each of the working groups)
  - Three working groups - Waste Strategy Working Group, Waste Operations and Fleet Working Group and Waste Infrastructure Working Group (project leads, waste leads and waste managers).
4. The new structure is working well for the majority of decisions around the waste programme. The Waste Management Programme Board has no decision-making powers delegated from Cabinet and will decide when matters need to be referred to Cabinet for decision.

## **Timeline**

5. A high level timeline has been prepared setting out the start date of each phase, as set out below and at **Appendix A**.
- Phase 1 (Lymington Depot area) June 2025
  - Phase 2 (Ringwood Depot area) October 2025
  - Phase 3 (Totton/Hardley Depot area) March 2026
6. The new collection service can be delivered to the majority of households (Phases 1-3) in the next financial year 2025/26, including most flats. The original timeline included a Phase 4 for flats, and it is likely that this will not now be needed. Operational staff are in the process of undertaking flat/bin compound assessments and agreeing any physical improvements with the landowner(s) or management companies. Several NFDC flat schemes managed internally by the housing service fall into this category. It is possible that some flats may not be able to go on a wheeled bin service if they do not have space for bins, or they may need an interim sack service if they are awaiting improvements to accommodate bins. The assessments and requirement for a fourth phase will therefore be kept under review.
7. The start date for Phase 3 (the Totton and Waterside area) has been extended to March 2026 to allow for changes to collections over the Christmas period 2025/26, to catch up on the bank holidays when waste operatives are not working.

## **Roadmap**

8. A proposed roadmap is set out at Appendix B, showing each of the key elements that could impact upon start dates and phasing. This roadmap will form the basis of more detailed project planning for each element as set out below.

## **Project Integra and Disposal Infrastructure**

9. The decision on long term collection systems for Hampshire under the Project Integra partnership is awaiting the outcome of reports from consultants. If a fully comingled service is agreed as the way forward, changes to the Materials Recycling Facilities (MRFs) in the County will need to take place. This may involve changes in layout and capacity at the new site at Eastleigh and/or changes to other facilities. This is a major change and the whole process of gaining planning, EA and other consents and commissioning and implementing the changes is likely to take 3-4 years, i.e., beyond the current NFDC interim roll out programme (to 2026). Officers will keep apprised of HCC modelling work and the implications for NFDC.
10. The disposal infrastructure improvements for the Phase 1 rollout (Lymington area June 2025) are required to transfer food waste from the new food waste collection vehicles to a skip or other bay for onward transport to an anaerobic digester (AD) facility, as food has not been collected as a separate waste stream in NFDC under current arrangements. This will require changes to Veolia's Marsh Lane transfer station (Lymington) and changes either to Veolia's Blue Haze disposal site (north of Ringwood) or diversion to Eco Composting at Hurn (near Bournemouth Airport). Hampshire County Council (HCC) has advised that the changes at Marsh Lane are able to be undertaken before the Phase 1 roll out, but the disposal site in the west of the district is still to be confirmed. Food waste in the east of the district will be transferred at Marchwood.

## **Vehicle, Container and Wheeled Bin Distribution Procurements**

11. Risks still exist around both vehicle and container procurement, and retro fitting of bin lifts, as these are complex procurements. The contract for the award of new food waste vehicles has been awarded, and the tender for new refuse vehicles is currently being prepared. The contract has been awarded for new containers supply, and a direct award has been made for wheeled bin distribution.
12. Delivery of vehicles and containers is planned in line with an earlier estimate of roll out phases, ahead of roll-out dates. NFDC owned sites will be used to store the containers, where needed, before they are delivered to households by the distribution company, as was the case with the Garden Waste wheelie bin roll out.

## **Human Resource (HR) Planning**

13. HR processes are complex and time consuming. A new HR post has been created to assist with this large body of work, which is now underway. Changes to working practices will be required as a result of moving from sack collection to wheeled bin collection services,



and as a result of route planning (see below). Officers are considering the appropriate approach to be taken for staff and union consultation. Early engagement with the unions and preparation of new Job Descriptions (JDs) for evaluation will be undertaken up to December 2024, and temporary transition staff (e.g., waste advisors) will be appointed over a similar period.

14. Early in 2025 a recruitment campaign for new operational staff for Phase 1 will take place (with the newly agreed JDs) over 4-5 months, and similar recruitment plans will be required for phases 2 and 3.

### **Depot Improvements**

15. Depot improvements are required to accommodate new vehicles and staff/crews for the additional collection rounds for the new collection service. This includes the completion of the new Hardley depot (expected January 2025), and an extension of the Ringwood Depot (subject to completion of extended lease with HCC) which is due for completion in March 2025. Changes to the layout for vehicle parking may also be required at Marsh Lane Depot (Lymington).

### **Route Planning**

16. A significant project has been underway led by IT to introduce the Bartec system to waste and street scene services. One of the most useful modules is route optimisation which allows a number of factors to be calculated once data has been input – this includes routes required; the likely time each route will take; the likely tonnage from residual, recycling and food collections for each route; and helps to evaluate the most efficient use of vehicles from the 3 depots when disposal and/or transfer points (tipping distances) are calculated. Data on a district wide basis needs to be analysed first as this is the first major route optimisation project undertaken in NFDC. More detailed route planning will take place for Phase 1 (up to early 2025), with a period of 3 months for operational staff to test and validate the routes, and to enable practical changes to be made in good time before the roll out.
17. Route optimisation (2.5 months) and validation by staff (3 months) will also need to take place for Phases 2 and 3 and adequate time has been included in the programme roadmap shown at **Appendix B**.
18. As vehicles are delivered and/or retrofitted the in-cab devices (tablets) will be fitted. This allows the driver and crew members to input key information about collections using the Bartec system, that is picked up by the back office at the depot and/or customer services.

## **Administrative Processes**

19. Each phase has allowed 3 months for any policy and procedure changes as a result of learning from earlier phases and/or any new government guidance. This would include any new or reviewed health and safety or risk assessments leading to changes in operational procedures or working practices.

## **Business Waste Review**

20. The Simpler Recycling reforms require Business Waste collections to separate food and recyclables by 31 March 2025 for businesses employing 10 or more staff. A piece of work is currently underway to agree the scope and approach required and will be reported to the Waste Management Programme Board. The Roadmap at Appendix B allows time between November 2024 and February 2025 for a project to deliver any changes that might be agreed for business waste collections, though the number of larger businesses affected for March 2025 is likely to be minimal.

## **Garden Waste**

21. The new Garden Waste service is extremely successful and is likely to continue to grow over the next 2-3 years. As the number of customers increases, more vehicles and crews will be required. A fifth vehicle and crew are already being planned. However, the routes have never been optimised, so there is an opportunity to use the Bartec system to do this to ensure services are running as efficiently as possible. Time has therefore been included on the roadmap for Garden Waste route optimisation once the route optimisation work for the main service has been completed.

## **Flats Rollout Planning**

22. The assessment period for flats and communal properties is nearing completion. Time has been set aside in the programme from January to May 2025 for a project to clarify the proposed arrangements for each property, and any interim arrangements. These arrangements will be reviewed again following the Phase 1 rollout (August-September 2025).

## **Communications**

23. Effective and constant communications is essential to the success of any new waste service, to increase/maintain recycling rates, reduce residual waste, and reduce contamination. Recycling can be confusing for many residents, and it can sometimes not be clear what should be put in which bin, or how the collection dates for each waste stream work. A Communications Plan is being prepared that will be considered by the Waste Management Programme Board. On this basis a long period of time has been allowed in all

phases, with an extended period for Phase 1 as the first roll out from December 2024 up to and beyond the proposed roll out date in June 2025.

24. Phases 2 and 3 each have a 3-month period set aside for comms.

### **Corporate plan priorities**

25. The new waste collection service will help to meet priority 2: Protecting our climate, coast, and natural world by:

- Reducing the amount of non-recycled waste produced by households, by separating food waste.
- Reducing emissions from the council's waste vehicle fleet by using the Bartec system to develop the most efficient rounds.
- Increasing the percentage of household waste sent for recycling by collecting food waste separately from general waste and providing large capacity wheeled bins.
- Reducing the amount of littering and spillages from sacks

### **Options appraisal**

26. In February 2024 NFDC Cabinet approved the timeline, procurement, and budget for the agreed collection service following an appraisal of options reported to Cabinet in July 2022 as part of the development of the Waste Strategy. Options for each element of the roadmap detailed above have been explored in the officer working groups and the most realistic and achievable options proposed.

### **Consultation undertaken**

27. The timeline and roadmap have been considered and agreed by the Waste Management Steering Group and Programme Board (membership at para 3 above)

### **Financial and resource implications**

28. The MTFP includes provision in base budgets for increased staffing resources (for the new food waste rounds), and capital has been allocated for the purchase of new vehicles and containers, and distribution of containers. The waste transition budget was based upon an earlier estimate of phasing that assumed all three phases would be completed over a shorter time period. This is set out in the waste strategy report agreed by Cabinet in February 2024.

The full financial implications of the confirmed timeline and programme will be included in a future MTFP report. It is likely that transition costs will increase over a slightly longer time period, and with a more detailed understanding of each element of the

programme, and that frontline costs (e.g. staff) costs will be delayed. In addition, new burdens funding (£1.8mill) is intended to cover the cost of new food waste caddies and food waste vehicles. DEFRA are also due to provide transitional funding support to authorities introducing a weekly food waste collection service and £150,000 has been allowed for in the 2024/25 budget for this. From 2025/6 Extended Producer Responsibility (EPR) payments will also be received to cover the cost of collecting packaging and the amount each local authority receives will be announced in November 2024.

HR implications – see paras 13 and 14 above.

### **Legal implications**

29. None.

### **Risk assessment**

30. None required.

### **Environmental / Climate and nature implications**

31. See corporate plan priorities above.

### **Equalities implications**

32. Equality Impact Assessments were conducted as part of the waste strategy approval in 2022. The proposals in this report are not fundamentally different to those in the strategy itself.

### **Crime and disorder implications**

33. None.

### **Data protection / Information governance / ICT implications**

34. None.

### **New Forest National Park / Cranborne Chase National Landscape implications**

35. Reducing the amount of littering and spillages from sacks will contribute to the interests of the National Park and National Landscape by enhancing the natural beauty and reducing risks for wildlife. It should be noted that wheeled bins are already in use in other parts of the national park covered by other (waste collection authority) councils.

**Appendices:**

Appendix A – Waste Programme  
Timeline

Appendix B – Waste Programme  
Roadmap

**Background Papers:**

Waste strategy implementation –  
revised timeline and financial  
appraisal Cabinet February 2024  
[Agenda for Cabinet on  
Wednesday, 21st February, 2024,  
10.00 am Council Services  
\(newforest.gov.uk\)](#)

Waste Strategy 2022-2027  
Cabinet July 2022  
[Agenda for Cabinet on  
Wednesday, 6th July, 2022,  
10.00 am Council Services  
\(newforest.gov.uk\)](#)

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# Appendix A - Waste Programme Timeline

2025

2026

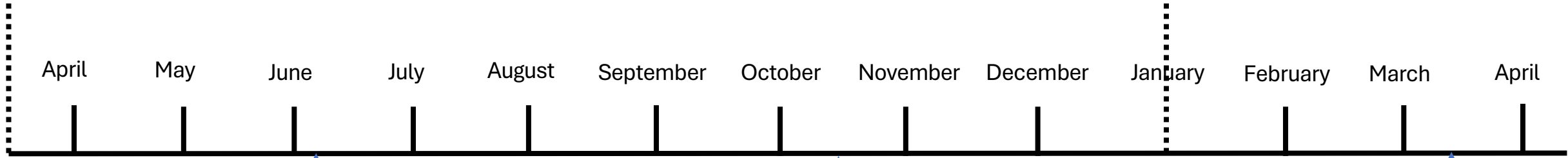
April May June July August September October November December January February March April

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Phase 1 (Lymington Depot area) June 2025

Phase 2 (Ringwood Depot area) October 2025

Phase 3 (Totton/Hardley Depot area) March 2026



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# APPENDIX B

WORKGROUP	WORKSTREAM	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25	Oct-25	Nov-25	Dec-25	Jan-26	Feb-26	Mar-26															
Milestone	Milestone	Implementation stage							Phase 1 prep							Phase 1							Phase 2							Phase 3						
Infrastructure	Disposal	Project integrate - Long term Collection systems and MRF Process																																		
Infrastructure	Disposal	Disposal Infrastructure HCC improvements - Marsh Lane (Veolia), Eco Composting (Hum)																																		
Fleet and Ops	Vehicles	vehicle lift retrofitting							Vehicles delivered for phase 1							Vehicles delivered for phase 2							Vehicles delivered for phase 3													
Fleet and Ops	Containers	Procurement of all containers							Delivery and distribution of Containers							Delivery and distribution of Containers							Delivery and distribution of Containers													
Fleet and Ops	Containers	Procurement of all containers							Delivery and distribution of Containers							Delivery and distribution of Containers							Delivery and distribution of Containers													
HR	HR	HR Preparation							Recruitment Process - interviews, onboarding, Training							Phase 2 - New Staff recruitment - onboarding and training							Phase 3 - New Staff recruitment - onboarding and training													
Strategy	HR	JD Change process							Recruitment Process - Transition Staff							Phase 2 - New Staff recruitment - onboarding and training							Phase 3 - New Staff recruitment - onboarding and training													
Infrastructure	Depot Improvements	Ringwood depot extension lease agreed							Ringwood depot: completion of on site work																											
Infrastructure	Depot Improvements	Ringwood depot extension lease agreed							Ringwood depot: completion of on site work																											
Infrastructure	Bartec - Route Planning	Route planning Phases 1- 3																																		
Fleet and Ops	Bartec - Route Planning	Phase 1 - Route planning - Refuse, recycling, Food							Operational validation of Routes							Operational validation of Routes							Operational validation of Routes													
Strategy	Admin Processes	Policy and procedure changes																																		
Strategy	Business Waste review	Scope, Approach and Impleme							New business waste service project							Policy and procedure review							Policy and procedure review													
Strategy	Garden Waste								Garden waste route optimisation							Garden waste route optimisation							Garden waste route optimisation													
Fleet and Ops	Flats Rollout planning	Assessment period							Interim flat collection arrangements project							Flat collection review																				
Strategy	Comms								Communication activities - Get Ready/set/Go Phase 1							Communication activities - Get Ready/set/Go Phase 2							Communication activities - Get Ready/set/Go Phase 3													

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## Place and Sustainability Overview and Scrutiny Panel – 12 September 2024

**Cabinet – 2 October 2024**

### **Community Infrastructure Levy Expenditure Framework & the use of strategic CIL**

Purpose	For Review
Classification	Public
Executive Summary	This paper provides an update to the Expenditure Framework for Community Infrastructure Levy (CIL) and the approach for the expenditure of the strategic element of the CIL.
<b>Recommendation(s)</b>	<p><b>Recommend to Cabinet that:</b></p> <ul style="list-style-type: none"> <li>• <b>The revised CIL Expenditure Framework and communication strategy attached at Appendix 2 and 3 be adopted.</b></li> <li>• <b>the allocations and approach to strategic element of CIL be approved.</b></li> <li>• <b>the five identified projects are progressed noting that formal decision making in respect of projects as they progress will be in accordance with the Council’s Constitution and Financial Regulations</b></li> </ul>
Reasons for recommendation(s)	<p>CIL is collected to mitigate the impacts of new development on its infrastructure. The CIL Expenditure Framework sets the process to spend this money and requires moderate revisions following its initial implementation in 2023.</p> <p>The recommendation aligns with priorities across the place, people and prosperity elements of the council’s Corporate Plan including:</p> <ul style="list-style-type: none"> <li>• Place Priority 1: Shaping our place now and for future generations.</li> <li>• People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.</li> </ul>

	<ul style="list-style-type: none"> <li>Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow</li> </ul>
Ward(s)	All
Portfolio Holder(s)	Councillor Tipp – Planning and Economy
Strategic Director(s)	James Carpenter – Strategic Director Place, Operations and Sustainability
Officer Contact	Dean Brunton Planning Implementation and Monitoring Team Leader 023 8028 5454 dean.brunton@nfdc.gov.uk

## Introduction and background

1. This paper provides an update on work to develop a strategy for the expenditure of the strategic element of the council’s Community Infrastructure Levy (CIL).
2. New development needs to be supported by physical, social, and green infrastructure. Developer contributions are collected to make new developments acceptable in planning terms, providing mitigation that serves to minimise the impacts on the local community and infrastructure. CIL provides a funding stream for this infrastructure.
3. CIL can be used to fund a wide range of infrastructure, including transport, flood defences, schools, hospitals, and other health and social care facilities. This definition allows the levy to be used to fund a broad range of facilities.
4. Local authorities must spend the levy on infrastructure needed to support the development of their area, and they will decide what infrastructure is needed.
5. The levy can be used to increase the capacity of existing infrastructure or to repair failing existing infrastructure if that is necessary to support development.
6. The current CIL Expenditure Framework was adopted by Cabinet in October 2023 and sets out the mechanism for allocating CIL into three separate areas:
  - i) recreational mitigation programme.
  - ii) local infrastructure; and
  - iii) strategic infrastructure.

7. Following its adoption expenditure has been agreed towards recreational mitigation (£800k) and just over £1 million allocated for the first time for local infrastructure projects for 24-25.
8. As of 1 April 2024, the council had issued CIL invoices totalling just over £9m. A further £10-14m is forecast to be received over the next 5 years, depending on the rate of development. The impacts on any potential CIL income from Fawley Waterside is only likely to occur after this five-year period.
9. The decision from Cabinet 2023 was that the CIL Expenditure Framework would be reviewed before the end of 2024, including an indication on the approach to spending the strategic element of CIL. This paper sets out that approach.

## **Corporate priorities**

### Current Development Plan

10. The currently adopted Local Plan 2016 - 2036 Part 1: Planning Strategy (July 2020) sets out the planning strategy for the plan area. CIL monies are collected to mitigate the impacts of new development. It is therefore important that any projects proposed positively align with the provisions, objectives, and policies of the adopted development plan, including those projects identified in the Infrastructure Delivery Plan.

### Corporate Plan 2024-28

11. The Corporate Plan 2024-28 was adopted by Cabinet on 3 April 2024. It outlines the vision, values, and priorities for the council over the next four years.
12. The vision of the Corporate Plan is to secure a better future by supporting opportunities for the people and communities we serve, protecting our unique and special place and securing a vibrant and prosperous New Forest. This has been organised into the thematic areas of People, Place and Prosperity. This paper aligns with the following priorities:
  - Place Priority 1: Shaping our place
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow

### Local Plan Review

13. As part of the Local Plan Review, officers will be engaging with infrastructure providers and internal officers to understand the infrastructure demands based on future housing/economic growth scenarios.

14. The CIL funds currently held, and currently forecast to be received, are based on housing that has already happened, or is forecast to be built, in accordance with the current Local Plan.

### Freeport

15. At a meeting of Cabinet on 3 April 2024, a list of priorities for the council was agreed in relation to the development of a New Forest Solent Freeport Delivery Plan. These priorities were:
- Transport/wider infrastructure.
  - Employment and Skills:
  - Prosperous Communities:
  - Environmental Sustainability: and
  - The Development of a Local Delivery Plan
16. It is important alignment is made between any strategic CIL spending decisions and the infrastructure asks within the Freeport Delivery Plan as it continues to be developed. There is potential that some projects are better to be delivered through CIL in the short term compared to others that would be delivered through the Freeport Delivery Plan.

### **Options appraised for the use of strategic CIL**

17. In preparing an emerging strategy for the use of strategic CIL, the following matters have been considered by officers:
- Infrastructure baseline – Officers have begun work on an Infrastructure Business Plan. This will set out the baseline infrastructure position across the Plan Area and help understand the range of infrastructure needs and where this may be funded from (e.g. directly by utility providers).
  - Amount – the proportion of the existing and forecast future CIL pot which should be allocated at this time to strategic CIL expenditure.
  - Timing – the period over which the amount allocated for strategic CIL should be aimed to be spent by
  - Location of projects – the weight to be given to where development has taken place, other geographic considerations (e.g. areas of deprivation) or not take geography into account in allocating spend.
  - Identifying projects – whether there should be a specific list of projects, or whether to allocate pockets of funding to projects or themes.
  - Local infrastructure bids – whether they should continue, and if so, how much funding to make available.
18. In addition, the following points have been considered:
- Strategic CIL should not be used to provide infrastructure to unlock development sites. This is on the basis that infrastructure required to deliver these will have been identified within the existing Local Plan and taken into account by developers.

- Financial implications – there is currently no statutory requirement for all CIL funds to be committed/spent. Further, as a local authority focussed on improving outcomes for our communities and continuing to invest in our unique place, expenditure of CIL is a key part of this work.
- Governance discussion – a clear governance position would need to be agreed and accord with the adopted CIL Expenditure Strategy

### **Preparing an initial list**

19. A working group of officers was tasked with capturing an initial list of ideas of strategic infrastructure projects for consideration. Alongside this work, and taking into account their respective strategic responsibilities as organisations working in the district, officers from Hampshire County Council and the New Forest National Park Authority were also contacted to identify any strategic projects to include for consideration. A long list of projects identified is set out in Appendix 1
20. It is important to note that other infrastructure providers, including those in the private sector, have not been actively engaged in this process to date, albeit informal dialogue with many partners has not identified any specific strategic needs over and above those identified in Appendix 1.
21. There are also a number of other partners with more localised interests, including town and parish councils, who have not been specifically engaged in this process. Historically, parish and town councils have received money directly from development (through S106 developer contributions and as a proportion of CIL monies collected), as well as bidding for funds from the local infrastructure element of CIL.

### **Preferred approach to the use of strategic CIL**

22. Until a baseline infrastructure position is established, it is acknowledged that there may be some existing infrastructure needs that have yet to be identified. In addition, as the council embarks on a Local Plan Review, it is likely that additional strategic infrastructure needs will be identified which may be suitable for funding from CIL.
23. It is therefore considered appropriate to not commit all held and forecast CIL funding to projects at this stage, but limit to a small number (officers have suggested five) of key projects, from those identified in Appendix 1, whilst retaining further monies pending discussions with a wider audience of infrastructure providers.
24. Officers propose that a pot of around £4.5m should be made available to progress the five identified projects. This figure represents approximately 50% of the CIL invoices issued to date, as outlined in paragraph 8 of this report.

25. Making this sum available at this stage, ensures that the residual CIL monies currently held will be available to progress recreational mitigation projects and local infrastructure bids for the next three years without being dependant on any further CIL receipts. It is also a significant amount of funds to help ensure delivery of these projects but does not prejudice further strategic projects being identified and delivered if the forecast for CIL income proves accurate (and based on the developed housing trajectory).
26. The following strategic projects over the next 3 years (to 2027) have been identified following officer review and evaluation.
- Ringwood town centre – there are opportunities to invest in strategic projects around the town centre to reflect the proposed development in the area, The proposed project (‘Thriving Marketplace’) is being developed in partnership with Ringwood Town Council and Hampshire County Council to reinvigorate the Marketplace.
  - Milford on Sea seafront – There is an opportunity to invest in a strategic project around the current public conveniences. The proposed project will take a holistic view of this frontage in terms of our assets and what opportunities there may be for developments and enhancements. The council are currently awaiting results of a structural survey on the building. As part of the project the whole frontage requirements will need to be considered, particularly with regards to flood and erosion risk measures as detailed in the Christchurch Bay Strategy.
  - Bath Road Lymington – There is a project for the redevelopment of site including play area, recreational habitat mitigation and flood defence works. The land is owned by the Town Council who are keen to see improvements at the site. Flood and erosion matters will need to be considered as part of the masterplanning work.
  - Totton town centre regeneration – Through the development of a Town Centre Masterplan, a number of projects could be identified for implementation of both strategic and small scale with funds channelled through the Totton Partnership for agreed priorities.
  - Forestry England walking routes – The establishment of a wider multiuser trail network using pre-existing gravel tracks and trails to link New Forest communities and places of interest. The project includes new wayfinding and waymarking of the trail network and the upgrade of a number of broken links to connect established gravel tracks.
27. These projects have been identified by officers on the basis of long term ideas and objectives throughout the Council and by reviewing their alignment against a series of factors including:
- Projects emerging through existing strategic community partnership work;
  - Links to significant housing growth identified in the adopted Local Plan;



- Links to opportunity areas in adopted and developing neighbourhood plans or through the council's Solent Freeport Delivery Plan;
  - Links to recreational mitigation projects and wider infrastructure projects (e.g. flood mitigation works with the Environment Agency);
  - Links to enhancing council assets for the benefits of our communities; and
  - Likely value for money/benefit to cost ratio based on preliminary officer judgements.
28. Appendix 1 sets out the rationale taken for grouping the long list of projects into themes and aligning them to the objectives above to come to a recommended list of projects to be taken forward at this point in time. The rationale for further allocations for strategic CIL will be kept under review.
29. By identifying an initial release of £4.5m towards the strategic element of CIL projects, the council will retain a significant amount of money to review further opportunities and potential funding as part of the Solent Freeport Business Plan and to react should new priorities emerge.
30. It will be important that full project teams are set up for the delivery of these projects and a need for departments to have input to and an oversight of the delivery of each project to ensure issues such as climate/emissions/culture/biodiversity/ engagement issues are embedded in design/delivery.
31. It is proposed that there will be an annual opportunity for 'Expressions of Interests' for further strategic projects over and above these first five (and in addition to those in Appendix 1) for review and inclusion in further funding rounds. This will be open to anyone, including infrastructure providers and other partners, who are actively engaged in the district.

### **Review of CIL Expenditure Framework**

32. The CIL Framework adopted in October 2023 provided a robust basis for the allocation of the £1m local infrastructure bids awarded for 2024-25. Some minor textual changes have been proposed to further tighten this, including the amendment to allow a maximum bid towards local infrastructure bids of £100k. The revised CIL Expenditure Framework can be seen at Appendix 2. Other amendments proposed to the framework are as follows:

#### **Cultural infrastructure fund**

33. The need for cultural facilities is recognised both nationally and locally. The council is taking a leading role in developing the creative and cultural industries in the New Forest and is committed to playing its role in a cultural strategy currently in preparation.
34. The National Planning Policy Framework (NPPF) states planning policies should "plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places,

sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;” . This paragraph remains unchanged in the Government’s proposed amendments to the NPPF.

35. The council’s Corporate Plan People Priority 2 ‘empowering our residents to live healthy, connected and fulfilling lives’ also sets a measurement of the ‘number of events and cultural activities supported by New Forest District Council’.
36. Integrating public art/cultural facilities into new developments significantly enhances the cultural well-being of communities and improves the overall quality of the environment.
37. It helps promotes quality and inclusive design, as well as catering to community needs through enhancing health, social, and cultural well-being. Cultural facilities and public art are also recognised as a valuable contributor to creating distinctive and culturally rich places.
38. There are a number of further benefits to the district of investing in cultural facilities including:
  - Physical and psychological health and wellbeing: culture in the public realm is a key factor in generating collective wellbeing and a sense of place and belonging;
  - Economic success: There is a wide range of evidence demonstrating the links between a rich artistic and cultural offer and economic success; and
  - Place identity: Creating a sense of identity, place, ownership, and belonging are among the significant benefits that culture can bring, whether inspired by the area’s landscape and history or through hosting events that bring communities together.
39. Whilst contributions can be collected through S106 legal agreements, the wider community values and benefits this brings to the whole area make CIL a more appropriate method to fund this element rather than through individual applications. It is therefore recommended that a dedicated fund for the development of cultural infrastructure is created from CIL monies.
40. To begin with, it is recommended that £150,000 (approximately 2% of held funds) is made available for 25/26 for officers to develop schemes. It is proposed that 2% of future CIL receipts is allocated to this fund for the life of the current Corporate Plan. The scope for this specific fund be included within the CIL Expenditure Framework with projects allocated in consultation with the Portfolio Holder. A figure of 2% is proposed as this will provide a modest budget to help deliver a programme, but this will not significantly impact on the overall amount of CIL available for other projects/initiatives at this time.

## **Continuing investment in recreational mitigation programme and local infrastructure**

41. Recreational pressures arising from residential development within our Plan Area have a potentially harmful impact on the internationally important nature conservation sites within the New Forest. To comply with both national and international legislation to protect the designated sites, measures need to be taken to ensure adverse effects on the integrity of protected sites from recreational impacts is avoided or mitigated. Our adopted mitigation strategy sets out a way to address these issues, which in part is via the implementation of a number of projects year.
42. The current CIL Framework set out the importance for delivering local infrastructure projects alongside strategic projects. During the initial bidding window, the council received 61 bids and allocated funding to 26, this highlights that there is a demand for projects of this scale and, in areas where there is no strategic project identified, a way to provide local projects to mitigate the impacts from new development.
43. For the purposes of understanding the potential financial implications arising, and to give a degree of clarity for the overall CIL budget for the next few years, the following is proposed:
  - A maximum of £1 million per annum is allocated towards the recreational mitigation programme in support of the delivery of the existing local plan. The current CIL Expenditure Framework indicates approximate expenditure of £800k per annum which officers will continue to aim to target with the £1million allocated providing headroom for inflationary pressures etc.
  - £1 million will continue to be allocated per annum for life of the current Corporate Plan for local infrastructure projects in recognition of the successful allocation for 24/25. This figure is included within the revisions to the framework. The next call for projects will begin shortly after the adoption of the revised framework.
44. Officers are working towards a full review at the end of 26/27 to look at the delivery of both the local and strategic CIL schemes and identify further opportunities for investment. This could include an independent evaluation of the local CIL programme to consider its impact.

### **Alternatives considered**

45. Option 1 – Allocate the full CIL monies held to strategic projects known as of this point. This would help ensure that the monies are spent. Whilst there is currently no statutory requirement for all CIL funds to be committed/spent, annual reporting of spending on infrastructure is required by government. Any unallocated CIL held by the council is recognised to be capable of generating a financial return (e.g. through investment or interest accrued) which is not retained within the CIL fund. Conversely, in a time of high inflation,

the purchasing power of the CIL fund to deliver infrastructure is capable of reducing significantly over time if unspent.

46. Option 2 – Do not allocate any strategic CIL at this time until further consultation has been carried out with all partners. Officers have begun work on an Infrastructure Business Plan to support the new Local Plan. This will set out the baseline infrastructure position across the Plan Area and help understand the range of infrastructure needs and where this may be funded from (e.g. directly by utility providers). It is recognised that new development has taken place with CIL having been paid to help mitigate the wider impacts of development on infrastructure. There are now compelling reasons to identify strategic infrastructure projects to reflect that growth has taken place and to identify a key number of projects as a starting point for providing the necessary infrastructure.

### **Next Steps**

47. At this stage the proposed strategic projects have not been fully developed. Subject to Cabinet agreement to progress these projects, the next steps would be to produce / agree:
- full governance arrangements to be agreed, including how officers will work with Members on the development and delivery of the projects.
  - the formation of an officer project group from within existing resources.
  - a full business case approved including resourcing costs which would need to be contained within the agreed budgets;
48. Once a business case, and appropriate resource, has been signed off these projects would be monitored by the council's Capital Change Board.
49. Additionally, officers are looking to recruit to a new vacant post (included within the approved 2024/25 establishment), funded by CIL.

### **Financial and resource implications**

50. After the release of the funding towards local infrastructure and recreational mitigation for 24/25, the council is still holding around £9m of invoiced CIL funds specifically towards infrastructure projects.
51. Based on the housing trajectory it is likely that over the next 5 years a further £10m-£14m will be received, depending on the rate of implementation of the council's strategic sites.
52. The likely CIL figure will increase over time with CIL payable on commencement and many of the strategic sites due to commence in the later stages of the local plan period.

### **Legal implications**

53. The collection and spending of CIL is governed by The Community Infrastructure Levy Regulations 2010 as amended (“the CIL Regulations”). Part 7 of the CIL Regulations sets out how CIL may be applied and, in particular, Regulation 59(1) places a duty on the council to apply CIL to funding the provision, improvement, replacement, operation or maintenance of infrastructure to support the development of its area. The recommendations set out in this report meets these requirements.

**Risk assessment**

54. The following risks are applicable to this paper.

<b>Risk Description</b>	<b>Likelihood</b>	<b>Impact</b>	<b>Risk</b>	<b>Mitigation Measures</b>
Failure to allocate expenditure such that if we do not secure investment in infrastructure (schools, health, broadband, transport etc.), then development is stifled and/or unsustainable.	Unlikely (2)	Major (3)	Medium (6)	Adopted Community Infrastructure Levy (CIL) in 2014 to secure investment on infrastructure via planning process (e.g. S106). Production of Infrastructure Delivery Plan as part of the Local Planning processes, with an associated Infrastructure delivery Strategy will ensure that infrastructure across the council is addressed.
Failure to produce a Regulation 121A report (Infrastructure Funding Statement) would result in non-compliance with the CIL Regulations 2010 (as amended) and may mean that Members and the public are not aware of CIL	Highly Unlikely (1)	Moderate (2)	Low (2)	The Implementation and Monitoring Team Leader produces the required report which is checked and verified by Senior Management. Reminders are set to ensure the report is published by the statutory date. The format of the Regulation IFS is laid out in the CIL Regulations, so

income and expenditure activities.				there is no risk in relation to the way the information is presented
Failure to monitor expenditure such that CIL expenditure is not effective.	Unlikely (2)	Major (3)	Medium (6)	The software which supports CIL collection will be used to support CIL expenditure. In addition, the council's CCB will received details of all allocated and proposed CIL expenditure and this together with the software will be used for effective monitoring.

### **Environmental / Climate and nature implications**

55. Any strategic project should help to deliver environmental benefits as well as health and well-being and climate change benefits through the enabling greater use of existing open space, the creation of new of sustainable Connectivity, enhanced cultural facilities and facilitating sustainable travel for young people.

### **Equalities implications**

56. Through investing in the strategic projects identified it will seek to regenerate and enhance key centres of communities across the plan area, including opportunities to positively address/design-out any existing crime and disorder issues.

### **Crime and disorder implications**

57. There will also be the opportunity to widen access to key community hubs and countryside for all, with consequential benefits for disadvantaged communities and those that currently do not feel that such areas are accessible to their needs.

### **Data protection / Information governance / ICT implications**

58. Alongside the CIL Expenditure Framework is a series of internal governance/process notes. The initial bidding round was robustly audited by our internal audit team who found that the process was in order.

### **New Forest National Park implications**

59. The proposed multiuser trail will enable visitors and residents to safely navigate through the National Park. By having upgraded and designated routes, this will help conserve and enhance the natural beauty, wildlife and cultural heritage of the area comprised in the National Park by providing a safe trail route.
60. Additionally, the investment in the other four other projects identified may help to take some visitor pressures from the National Park by providing alternative destinations at times.

### **Appendices**

Appendix 1 – Long list Strategic CIL projects

Appendix 2 – Revised CIL Expenditure Framework

Appendix 3 – Revised CIL Communication Strategy

### **Background Papers:**

[Cabinet – 4 October 2023 – Community Infrastructure Levy \(CIL\) Framework for CIL Expenditure](#)

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# SHORTLISTING OF PROJECTS FOR THE USE OF STRATEGIC COMMUNITY INFRASTRUCTURE LEVY

## 1. INTRODUCTION

1.1 This paper sets out the list and prioritisation process for the proposal to identify the first tranche of strategic CIL projects.

## 2. PROCESS FOR LONG LISTING

2.1 The long list of projects can be themed to ten areas as set out below (with the costs only relating to the known costs of the projects):

- Community provision (£500k) – project includes creation of a concession stand at a Council asset.
- Connectivity (£7.95m) – projects include enhancements to the Public Right of Way by measures including signage, car parking facilities and surface enhancements.
- Culture (£6.38m) – projects include creation of gallery/exhibition space and installation of public art.
- Energy Infrastructure (no cost estimate) – projects include improving electrical capacity at the grid through the provision of net zero infrastructure.
- Flood management / Coastal defences (£8.2m) – projects regarding coastal flood and erosion risk but excluding the costs being identified in the Environment Agency led long term strategies for coastal management.
- Highways (£134m) – projects include junction and access improvements on HCC highways (of which Dft would fund 85%).
- Formal open space / playing pitches (£10.445m) – projects include additional formal pitches, multi-use games areas (MUGAs) and changing facilities.
- Public Transport (£10.14m) – projects include enhancements to bus services and the Hythe Ferry.
- Informal open space (£600k) – projects include enhancements to the existing open space owned by the Council.
- Town centre regeneration (£22m) – projects including regeneration schemes around key towns in the District.

2.2 Each project (as listed in Appendix A) is at a different stage in development with costs often not known or provided on a very indicative basis. On those projects where an indicative cost is known, the total sum is around £200m of which the A326 project totals £125m. If all projects were fully costed, the estimated costs will be significantly more.

### 3. PROJECTS NOT LISTED

3.1 Despite a considerable number of projects being identified to date, there are still some areas where we may wish to consider further exploration, including potential liaison with the private sector in future years. These include (for each, we have summarised why they have not been included at this stage):

- Education – on the basis that school enrolment numbers are declining within the existing population, and forecast to continue to decline, there is currently limited rationale for including as part of a S106 requirement (thus enabling more affordable homes to be included).
- Nursery/childcare provision for under 5s – with the recent role out of additional 'free' hours of childcare provision for those over 2 years old there is expected to be increasing demand for space from this sector. Officers have engaged with HCC Children Services who are currently appraising capacity to accommodate this demand. Taking account
- Waterside Rail – on the basis that Network Rail/Department of Transport have not indicated an appetite for progressing at this stage.
- Water
  - Supply issues caused by flood inundation (rainfall), particularly at Testwood, Totton – on the basis that this is an issue that officers are engaging with Southern Water to progress as they are the responsible body for this, alongside the Environment Agency and Hampshire County Council.
  - Waste water treatment works upgrades – these are now required to be upgraded following changes to government regulations, funded by the respective water companies.
- Utilities provision (e.g. energy providers) – on the basis that they have a duty to connect, and officers are progressing this separately with them. This would also include where and when renewable energy solutions are implemented.
- Health – on the basis that no specific needs have been identified by the NHS, other than needs arising at Ashurst Hospital which are being addressed through the approved local CIL project spend for 24/25.
- Leisure/community facilities – no such needs have been identified to date, but could potentially include energy improvement projects as part of infrastructure projects..
- Skills training – on the basis that this is expected to come through the Freeport process.

## 4. SHORTLISTING

4.1 Of the ten themes identified in section 2, officers have sought to refine these in the light of the following key priorities, all of which reflect the Council's adopted Local Plan and Corporate Plan:

- Projects emerging through existing strategic community partnership work;
- Reflecting significant housing growth identified in the adopted Local Plan;
- Links to opportunity areas in adopted and developing neighbourhood plans or through the council's Solent Freeport Delivery Plan;
- Links to recreational mitigation projects and wider infrastructure projects (e.g. flood mitigation works with the Environment Agency);
- Links to enhancing council assets for the benefits of our communities; and
- Likely value for money/benefit to cost ratio based on preliminary officer judgement.

4.2 Following this assessment, the following four key themes are identified as performing best against these priorities:

- Connectivity
- Town centre regeneration
- Informal open space
- Community provision

4.3 Taking account of these key themes, 5 projects were identified that it was felt scored highly within those themes and could be delivered using a proportion of held funds. It is considered that at this stage a pot of around £4.5m should be made available to progress the following projects over the next 3 years (to 2027).

- Ringwood town centre – there are opportunities to invest in strategic projects around the town centre to reflect the proposed development in the area, The proposed project ('Thriving Market Place') is being developed in partnership with Ringwood Town Council and Hampshire County Council to reinvigorate the Market Place. This project aligns with:
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Prosperity Priority 1: Maximising the benefits of inclusive economic growth and investment

- Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow
- Milford on Sea seafront – There is an opportunity to invest in a strategic project around the current public conveniences. The proposed project will take a holistic view of this frontage in terms of our assets and what opportunities there may be for developments and enhancements The Council are currently awaiting results of a structural survey on the building. As part of the project the whole frontage requirements will need to be considered, particularly with regards to flood and erosion risk measures as detailed in the Christchurch Bay Strategy. This project aligns with:
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Place Priority 1: Shaping our place
  - Place Priority 2: Protecting our climate, coast and natural world
- Bath Road Lymington – There is a project for the redevelopment of site including play area, recreational habitat mitigation and flood defence works. The land is owned by the Town Council who are keen to see improvements at the site. Flood and erosion matters will need to be considered as part of the masterplanning work. This project aligns with:
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Place Priority 2: Protecting our climate, coast and natural world
- Totton town centre regeneration – Through the development of a Town Centre Masterplan, a number of projects could be identified for implementation of both strategic and small scale. This project aligns with:
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Place Priority 1: Shaping our place
  - Prosperity Priority 1: Maximising the benefits of inclusive economic growth and investment
  - Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow
- Forestry England walking routes – The establishment of a wider multiuser trail network using pre-existing gravel tracks and trails to link New Forest communities and places of interest. The project includes new wayfinding and waymarking of the trail network and the upgrade of a number of broken links to connect established gravel tracks. This project aligns with:

- People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives
  - Place Priority 2: Protecting our climate, coast and natural world
- 4.4 These projects provide a reasonable representation of the prioritises against the ten key strategic themes of projects identified across the plan area, and delivers projects where development has (and will) take place as part of the current Local Plan.
- 4.5 By identifying a release of £4.5m as this first round of identifying projects at a strategic CIL level, it allows the Council to retain a significant amount of money to review further opportunities and potential funding as part of the Solent Freeport Business Plan and have funding to react should new priorities emerge. Over the 3-year period there will also be the opportunity to identify further funding through the Freeport Delivery Plan and further strategic CIL projects.
- 4.6 Until a baseline infrastructure position is established, it is acknowledged that there may be some existing infrastructure needs that have yet to be identified. In addition, as the Council embarks on a Local Plan Review, it is likely that additional infrastructure needs will be identified which may be suitable for funding from CIL.

## Appendix A – Call for ideas list of projects

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Community provision	Calshot Concession	Calshot Beach – slipway car park	Provision of a facility to be operated as a concession.	Other	£500,000	Delivery 2025/26
Flood management	Supporting Future FCERM Projects	Christchurch Bay	Provision of flood and erosion risk management defences to better protect our coastline	<ul style="list-style-type: none"> <li>• Strategic Flooding</li> <li>• Climate Change/Net zero</li> <li>• Other</li> </ul>	£500k per year	Strategy is due to be adopted late Spring 2024. Following this business cases will need to be developed for each option. Delivery to be over next 15 years circa
Flood management	Milford-on-Sea Coast protection Scheme	Milford on Sea	Provision of rock structure to coastal frontage to protect concrete seawall	<ul style="list-style-type: none"> <li>• Strategic Flooding</li> <li>• Climate Change/Net zero</li> <li>• Other</li> </ul>	£700,000	Strategy is due to be adopted in late Spring 2024. Following this business cases will

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
						need to be developed for each option. Delivery to be over next 15 years circa
Quality improvements	Langdown walk/Tates Copse paths	Hythe	<p>The existing paths are unattractive and potentially discourage many users from accessing these areas or recreating within this space. They may also present slip/trip hazards during some weather conditions.</p> <p>This proposal aims to renovate existing desire lines and supplement these with new pathways to connect other woodland path/routes. This presents several benefits (outlined below), including recreation mitigation</p>	<ul style="list-style-type: none"> <li>• Provision of offsite OS</li> <li>• GI</li> <li>• Strategic Flooding</li> <li>• Leisure/Community Facilities</li> <li>• Public transport improvements</li> <li>• Provision of health facilities</li> <li>• Climate Change/Net zero</li> <li>• Other</li> </ul>	£400,000	June 2024 – June 2027

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			and promoting active green travel choices.			
Informal open space	Bath Road, Lymington	Lymington	Redevelopment of site including play area, recreational habitat mitigation and flood defence works	<ul style="list-style-type: none"> <li>• Provision of offsite OS</li> <li>• GI</li> <li>• Strategic Flooding</li> <li>• Leisure/Community Facilities</li> </ul>		
connectivity	Enhancements to PROW in Fordingbridge	Fordingbridge	Enhancements to a number of PROW in and around Fordingbridge, particularly around the locations of the main strategic sites that are currently being implemented.	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Public transport improvements</li> </ul>	£400,000	
town centre regeneration	Totton Town Centre Regeneration	Totton	To be determined through the development of a Town Centre Masterplan.	Other		
town centre regeneration	Ringwood Thriving marketplace	Ringwood	To be determined through the development of a project between HCC, NFDC and RTC	Other		
community provision	Milford on Sea Public conveniences	Milford on Sea	Awaiting results of a structural survey on the building. That may	Other		



Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			tell us that we can invest a relatively small £ to keep the building ticking over while we plan, or it could tell us we need to replace ASAP or risk the building needing to be closed altogether			
Culture	Cultural Infrastructure Development Project	Various	<p>Improved cultural infrastructure across the district. This could include, but not limited to:</p> <ul style="list-style-type: none"> <li>• New and/or improved gallery/exhibition space.</li> <li>• Creative health hubs for the delivery of preventative and early intervention creative community programmes.</li> <li>• New artist/creative/maker studios.</li> </ul>	Leisure/Community Facilities	£2m-£6m	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			<ul style="list-style-type: none"> <li>• Performance rehearsal and performance spaces.</li> <li>• Consideration for existing under-utilised community assets to be developed in line with cultural strategy.</li> <li>• Expansion and development projects at existing 'artistically excellent' businesses and organisations.</li> </ul>			
Culture	Public Art Programme	Various	To deliver six public art commissions across the district, co-created with the local community. This work is designed to deepen sense of place, pride of place and community cohesion and safety, as well as furthering our ambitions to make	<ul style="list-style-type: none"> <li>• Leisure/Community Facilities</li> <li>• Other</li> </ul>	£380,000	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			<p>arts and culture more accessible and visible throughout the district.</p> <p>Additional aims include:</p> <ul style="list-style-type: none"> <li>• Scope and testing for a longer-term public art programme.</li> <li>• To develop a public art policy and/or strategy in partnership with NFDC and NPA planning teams.</li> </ul> <p>Develop legacy community programmes through our ongoing partnership with Culture in Common.</p>			
Highways	Transport Projects	Totton/Marchwood/Hythe	Capacity and Junction Improvements along A326 HCC/DfT grant / Developer contributions where	Transport	£2.5 million (based on LTP)	Not known

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			there are site specific Impacts. Local Transport Plan Scheme will provide improved efficiency and capacity of the bypass.			
Highways	Transport Projects	Totton	Access junctions and roundabouts along A36 Salisbury Road Walking and cycling routes for SS1 HCC / Site Promoter TA Study	Transport	Not known	Not known
Highways	Transport Projects	Fawley	Downgrade the existing B3053 (Calshot Road) between site access and Calshot- works to be agreed between Developer and HCC  Walking/cycling route between site, Fawley Calshot, Blackfield, Holbury	Transport	Not known	Fawley Waterside Consortium (within draft S106)
Highways	Transport Projects	Ringwood	A338, A31 and B3347 Roundabout - Scope to modify the design and convert the junction to traffic signal control.	Transport	Not known	Not known

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			Recommendations of mitigation works within Systra report.  Ringwood TAP			
Public Transport	Public Transport	Lyndhurst	Improved bus services to Lyndhurst from major train stations and towns at peak times to enable arrival in/departure from Lyndhurst at a time conducive to working hours	Public Transport	£140,000	Not known
Quality improvements	Changing Rooms	Fawley	To deliver two changing rooms as ancillary facilities for two public open space playing pitches in our most deprived location (a top decile deprived LSOA on the IMD), replacing current shipping containers	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite OS</li> <li>• Provision of health facilities</li> </ul>	£200,000	Spring 2024
Playing Pitches	Floodlights	New Milton	Provide floodlights on the public open space to facilitate the training and playing of formal activity, supporting the	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite OS</li> </ul>	£95,000	Summer 2024

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			documented shortfall in playing and training facilities in the in the district against current standard and evidenced need. Supporting targeted and informal activity by young people at the newly developed youth club allowing activity afterschool for at risk young people.	<ul style="list-style-type: none"> <li>• Provision of health facilities</li> </ul>		
Playing Pitches	Pitch and Pavilion	Fordingbridge	To safeguard the current extension to the recreation ground and the essential rugby pitch. To develop suitable changing rooms for the formal open space on the recreation ground	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite OS</li> <li>• Provision of health facilities</li> </ul>	£1,200,000	
Playing Pitches	Pitch and Pavilion	Ringwood	The purchase of land, laying out of a minimum of three pitches and develop suitable ancillary facilities to address the evidenced short	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite OS</li> <li>• Provision of health facilities</li> </ul>	£2,000,000	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			fall in rugby pitches in the town			
Playing Pitches	Pitch improvement	Totton	To improve the drainage and therefore the playability of the rugby pitches ensuring that the pitches can be better used	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£50,000	
Playing Pitches	Artificial Grass Pitch	Testwood	The redevelopment of the artificial pitch to a rugby/football compliant pitch to address the under provision of artificial pitches as evidenced in the New Forest Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£100,000	Summer 2024
Playing Pitches	Artificial Grass Pitch	Hounslow	The build a football compliant artificial pitch to address the under provision of artificial pitches as evidenced in the New Forest Football Facilities Strategy and support the lack of playing and training facilities in the district, increasing	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£800,000	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			participation rates, especially with targeted groups.			
Playing Pitches	Artificial Grass Pitch	Fawley	The build a rugby/football compliant artificial pitch to address the under provision of artificial pitches as evidenced in the New Forest Football Facilities Strategy and support the lack of playing and training facilities in the district, increasing participation rates, especially with targeted groups.	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£800,000	
Playing Pitches	Artificial Grass Pitch	Brockenhurst	The redevelopment of the artificial pitch to a rugby/football compliant pitch to address the under provision of artificial pitches as evidenced in the New Forest Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£500,000	Summer 2025



Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Playing Pitches	Artificial Grass Pitch	New Milton	The build a rugby/football compliant artificial pitch to address the under provision of artificial pitches as evidenced in the New Forest Football Facilities Strategy and support the lack of playing and training facilities in the district, increasing participation rates, especially with targeted groups.	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> <li>• Provision of health facilities</li> </ul>	£800,000	
Playing Pitches	Artificial Grass Pitch	Noadswood School	To replace the AGP with a 7v7 football compliant surface. As identified in the Football Facilities Strategy	Provision of leisure and community facilities	£100,000	
Playing Pitches	Pitch improvements	New Milton – Fawcetts Field Sports Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	TBC	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Playing Pitches	Pitch improvements	Brockenhurst College	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	Provision of leisure and community facilities	TBC	
Playing Pitches	Pitch improvements	Milford on Sea – Barnes Lane Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	TBC	
Playing Pitches	Pitch improvements	Lyndhurst – Coles Mead/Wellands Road Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	Provision of leisure and community facilities	TBC	
Playing Pitches	Pitch improvements	Fawley – QE2 Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> </ul>	TBC	
Playing Pitches	Pitch improvements	Totton – Testwood Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	TBC	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Playing Pitches	Pitch improvements	Hythe- Shore Road playing fields	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	Provision of leisure and community facilities	TBC	TBC
Playing Pitches	Pitch improvements	Bransgore Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	TBC	TBC
Playing Pitches	Pitch improvements	Hordle Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	TBC	TBC
Playing Pitches	Pitch improvements	Pennington Recreation Ground	Improvements to the grass playing pitches to make them more resilient. As identified in the Football Facilities Strategy	Provision of leisure and community facilities Provision of offsite Open Space	TBC	TBC
Playing Pitches	Changing Room development	Hythe Shore Road Playing Fields	Development of changing rooms to support the formal open space. As identified in the Football Facilities Strategy	Provision of leisure and community facilities	£300,000	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Playing Pitches	Pavilion	Fawley	A pavilion with changing rooms as ancillary facilities to support the cricket and football club that use the formal open space pitches.	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of health facilities</li> </ul>	£500,000	2025
Playing Pitches	Small sided MUGA	Netley View	Delivery of a small sided informal multi use games area as identified in the Football Facilities Strategy	Provision of leisure and community facilities	£150,000	TBC
Playing Pitches	Small sided MUGA	Heather Road	Delivery of a small sided informal multi use games area as identified in the Football Facilities Strategy	Provision of leisure and community facilities	£150,000	TBC
Playing Pitches	Club house roof	Lymington	To replace the roof and air conditioning at the boxing club to	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of health facilities</li> </ul>	£50,000	TBC
Formal play	Skatepark	Hythe	To build a skate park for the young people of Hythe to replace the one that was removed	Provision of leisure and community facilities	£200,000	TBC
Formal play	Skatepark	Fawley	To build a wheeled park facility for informal activity and	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> </ul>	£200,000	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			play options for older young people. To mitigate impact on the NPA of off-road cycling	<ul style="list-style-type: none"> <li>• Provision of offsite Open Space</li> </ul>		
Formal play	Changing room pavilion development	Paultons Cricket Club	To support the building of the changing rooms as part of the new pavilion (last one a victim of arson) in easy reach of the developments in north Totton. To address the short fall caused by escalating costs as the building becomes fit for modern purposes	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of offsite Open Space</li> </ul>	£50,000	January 2024
Formal play	Changing rooms and pavilion development	Cadnam	To support the development of the pavilion to be fit for purpose	Provision of leisure and community facilities	£100,000	2025
Formal play	Layout of pitches and provision of ancillary facilities to support formal open space	Hawkers Fields Totton.	To bring forward the formal open space provision that the space was provided for, helping to address the shortfall of formal open space in the town and displaced local teams.	Provision of leisure and community facilities	£2,000,000	

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Formal play	Ancillary facilities for New Forest Hockey Club	Lymington	To develop ancillary facilities to support the New Forest Hockey club and create additional community space.	Provision of leisure and community facilities	£300,000	
Energy Infrastructure	Electrical capacity and infrastructure upgrades	District Wide	Improved electrical capacity (grid access or renewable generation) and infrastructure (including substations and cabling)	<ul style="list-style-type: none"> <li>• Provision of Climate change/net zero infrastructure</li> <li>• Other</li> </ul>	Unknown	Unknown
Connectivity	New Forest Multiuser Trail	Across New Forest National Park / Crown Lands	The establishment of a wider multiuser trail network using pre-existing gravel tracks and trails to link New Forest communities and places of interest. The project includes new wayfinding and waymarking of the trail network and the upgrade of a number of broken links to connect established gravel tracks.	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision of sustainable travel and green tourism</li> </ul>	£630,000	TBC
Connectivity	Extending the Castleman	Ringwood to New Forest	Bridging a gap in public access along a disused rail line to	<ul style="list-style-type: none"> <li>• Provision of off-site open space</li> </ul>	£700,000	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
	Trail into the open Forest		provide an off-road route for walking, cycling and horse-riding from Ringwood into the open Forest, providing sustainable travel, green tourism, and support for the local economy.	<ul style="list-style-type: none"> <li>• Provision of sustainable travel and green tourism</li> <li>• Other</li> </ul>		
Connectivity	Avon Valley Path	Fordingbridge/Ringwood area	A strategic approach to improving this walking route through or close to NFDC Strategic Sites 12-18 inclusive, linking communities to each other and to the countryside. Project can be sized to suit budget.	Provision of off-site open space	£1,000,000	TBC
Connectivity	A waterside path along Southampton Water	Marchwood to Fawley	To provide a through route for walkers along the edge of Southampton Water, incorporating Strategic Sites 2 and 3 at Marchwood and 4 at Fawley. This will need feasibility work including discussions with landowners;	Provision of offsite open space	£1,000,000	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			could potentially be delivered over several years as developments take place.			
Connectivity	Lepe Country Park	Exbury Southampton	Two projects identified in Lepe Masterplan both are from the park masterplan which was developed in response to visitor growth.	<ul style="list-style-type: none"> <li>• Provision of offsite open space</li> <li>• Provision of leisure and community facilities</li> </ul>	£250,000	2024-2030
			<p><b>Car Park improvements</b> Redesign of the clifftop car park to maximise vehicle numbers as well as reviewing other parking opportunities on site (with the eventual loss of the beach car park). Work includes resurfacing of parking spaces and access roads as well as demarcation and signage.</p> <p><b>Heritage &amp; Community Space</b> Design and construction including service provision (e.g.</p>		£600,000	2024-2030



Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			water, power, drainage). The building will probably be modular in construction allowing for flexibility of use and siting.			
connectivity	Bridge & boardwalk programme for Strategic Sites	Ringwood, Fordingbridge and Fawley	A programme to resolve bridge and boardwalk issues on the rights of way network near Strategic Sites. There is also opportunity to upgrade (e.g. wider bridges with handrails) and/or replace with much longer-lasting materials such as recycled plastic boardwalks. This could be combined with a programme replacing stiles with gates, opening up access to people with mobility difficulties, purchasing gates which are then	<ul style="list-style-type: none"> <li>• Provision of offsite open space</li> <li>• Provision of leisure and community facilities</li> <li>• Provision of sustainable travel and green tourism</li> <li>• Other</li> </ul>	£450,000.	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			installed by local volunteer groups.			
Highways	Infrastructure improvements A326	Totton, Marchwood	Improvements to A326	Provision transport improvements	£125M	TBC
Highways	A326 complementary TM measures	Totton, Marchwood and surrounding areas	Traffic management on parallel or side roads near or adjoining A326. Project will improve tranquillity of the Forest area and local settlement	Provision transport improvements	£250,000-£500,000	TBC
town centre regeneration	Traffic Management	Fordingbridge High Street	Traffic and placemaking scheme in high street	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision transport improvements</li> </ul>	£500,000	TBC
town centre regeneration	Regeneration scheme (probably focused on Market Place)	Ringwood – Town centre	Regeneration placemaking scheme for Ringwood. Focus on marketplace and road closure to SRN	<ul style="list-style-type: none"> <li>• Provision of leisure and community facilities</li> <li>• Provision transport improvements</li> </ul>	£1,500,000	TBC
connectivity	River walk	Lymington	River Walk from Station to Lymington Town Sailing Club via Captains Row possibly involving road narrowing and 1-way	Provision of offsite open space	£3,000,000	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			systems to make a boulevard type walk. Creating an alternative pedestrian scheme potential to also assist with the Redrow issue by creating an alternative option to the bridge			
Highways	Traffic Management Plan – identify and reclassify roads.	Wider New Forest area	A plan to identify a New Forest road hierarchy and reclassify each road by its movement and place function in the context of the special character of the New Forest. Essentially to create a low traffic forest so would involve road closures/gates, improvement of main corridors and a focus on changing the commuter routes that now have much more traffic as a result of development around the National Park.	Provision public transport improvements	Revenue project therefore project cost not identified	TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
Highways	Junction improvement A337	New Milton	Placemaking scheme to downgrade scale of junction and improve active travel facilities.	Provision public transport improvements	£3,000,000	TBC
Highways	Active travel improvement B3058	New Milton	Placemaking scheme to downgrade scale of junction and improve active travel facilities. Plus, a small regeneration scheme	Provision public transport improvements	£3,000,000	TBC
town centre regeneration	Regeneration and Public realm	Totton	Public realm and regeneration scheme	<ul style="list-style-type: none"> <li>• Provision of leisure and community</li> <li>• Other infrastructure</li> </ul>	£10M to £20M	TBC
Public Transport	Hythe ferry interchange	Hythe	Hythe Ferry interchange. Modern technologies exist which could see Ferry operation change. On the back of this a new interchange and waterfront opportunity for change potentially exists	<ul style="list-style-type: none"> <li>• Other infrastructure</li> <li>• Provision public transport improvements</li> </ul>	£10M	TBC
connectivity	New off road cycle link between Lyndhurst – Brockenhurst	Lyndhurst	This was an agreed action in the predecessor Partnership Plan (2015-2020) which enjoyed the	<ul style="list-style-type: none"> <li>• Provision of offsite open space</li> <li>• Provision of leisure and community facilities</li> </ul>		TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			<p>unanimous support of the local town and parish councils at the time (it was voted on at a New Forest Association of Local Councils' meeting). There are obvious regulatory hurdles to overcome (e.g. consent from Natural England as it would be on designated SSSI land) but with the emergence of the New Forest LCWIP and our recent success in securing grant funding from Active Travel England, this would be a great project that would enjoy widespread support as a vital piece of infrastructure for the Forest.</p>	<ul style="list-style-type: none"> <li>• Provision of sustainable travel and green tourism</li> <li>• Other</li> </ul>		
connectivity	Signage and interpretation board	Across the District	NFNPA Signage and interpretation boards at key gateway locations to assist visitors and to get key	<ul style="list-style-type: none"> <li>• Provision of offsite open space</li> <li>• Provision of leisure and community facilities</li> </ul>		TBC

Theme	Project Name	Project Location	Summary	Type of infrastructure	Cost (if known)	Timescales
			partnership messages across to the public – such as the New Forest Code. If the current PSPOs are to continue and or be extended in scope, then having some CIL funds available to support signage would be helpful.	<ul style="list-style-type: none"> <li>• Provision of sustainable travel and green tourism</li> <li>• Other</li> </ul>		
Highways	A326 Additional and/or improvements to existing access structure	A326	Additional and/or improvements to existing access structure to support delivery of/enhancements to the A326 improvements, such as upgrading existing underpasses, putting in ecological corridors etc.	<ul style="list-style-type: none"> <li>• Provision of offsite open space</li> <li>• Provision of leisure and community facilities</li> <li>• Provision of sustainable travel and green tourism</li> <li>• Other</li> </ul>		TBC



# Community Infrastructure Levy

## Expenditure Framework

Planning

September 2024

Revision version for Place and Sustainability Overview and Scrutiny Panel Meeting

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# 1 Background

- 1.1 The development of a detailed framework for Community Infrastructure Levy (CIL) expenditure for consideration and adoption is required as there is no set approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations 2010 (as amended).
- 1.2 As such all Councils across the country where a CIL charging regime has been adopted and is being implemented have brought in their own schemes for how CIL monies are spent.
- 1.3 The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. Each Council is required to publish a list of infrastructure that they will put the CIL towards in an Infrastructure Funding Statement
- 1.4 This Framework should be read alongside the CIL Expenditure Framework Communication Strategy (revised 2024).
- 1.5 This CIL Expenditure Framework will be kept under periodic review with details of any forthcoming review to be set out in the yearly CIL Key dates calendar which will be published on the Web site.
- 1.6 This document sets out the key elements and information relating to the CIL Expenditure Framework under the following headings: -
  - Key principles of the CIL Expenditure Framework
  - Processes of the CIL Expenditure Framework
  - Validation and screening of bids and prioritisation criteria of bids under the CIL Expenditure Framework (to allow bids to be considered and determined)
  - Governance of the CIL Expenditure Framework

## 2 Key principles of the CIL Expenditure Framework

### 2.1 These are: -

- The process should encourage openness and transparency of decision taking.
- CIL data must be 100% accurate and software database must have integrity and be trusted.
- Decisions must be compliant with the CIL Regulations 2010 (as amended).
- The expenditure approach must be legally sound.
- Deliverability and Timeliness must be demonstrated.
- CIL expenditure should support The Local Plan 2016-2036 Part 1: Planning Strategy and the Infrastructure Delivery Plan (IDP) and any review
- CIL expenditure should contribute positively towards climate change.
- The apportionment of CIL monies into three separate funds:
  - The Strategic Infrastructure Fund occurs after
  - the 5% administrative costs are removed; and
  - the Neighbourhood CIL portion (either 15% for Parishes (subject to a cap) with no made Neighbourhood Plan or 25% for Parishes (without a cap) where a Neighbourhood Plan is made).
- Publication of all expenditure through the Infrastructure Funding Statement (IFS).
- CIL expenditure will be regularly audited, including The CIL Expenditure Framework Review process.
- A Communication Strategy for the CIL Expenditure Framework is necessary.

- Infrastructure projects that are funded by using CIL funds shall be carried out on publicly owned or controlled land/buildings or where public access is guaranteed (unless exceptional circumstances apply). However where leased buildings or land is involved and a CIL Bid is made for infrastructure the lease must be long (i.e. no shorter than 25 years with a break clause no sooner than 15 years. Shorter leases will normally be regarded as unacceptable.
- Spending outside the geographical boundary of the District Council is acceptable where appropriate to the circumstances of the infrastructure to be provided and where there is clear benefit to the residents.
- Where offers of CIL funds are made to authors of Bids the monies will be allocated to the infrastructure project for a period of no longer than 2 years whereupon the allocation of funds would be withdrawn and it would be necessary to reapply through the Bid process to secure CIL funds for that project.
- CIL funds can be used for an infrastructure project to make it Disability Discrimination Act compliant.
- Evidence of need for the proposed Infrastructure project must be submitted with all CIL Bids.
- Parish/Town Councils will only be able to apply for CIL Bids provided that evidence is submitting showing that their CIL Neighbourhood element has either been spent or formally allocated.
- Maximum limit of £100,000 for CIL Bids (per project/CIL Bid) . Those bids with third party match funding will be scored more favourably.
- Regular meetings between the Council officers and Infrastructure providers will take place to develop an Infrastructure Business Plan (e.g. for Rail, Health and Hampshire County Council – Education and Bus Passenger transport).

- Those CIL Bids that are within the Infrastructure Delivery Plan (IDP) will have greater weight when prioritisation criteria are used in the technical assessments of each CIL Bid
- No monies will be awarded through a CIL Bid towards costs which have already been paid for a project (i.e. no claiming retrospectively)
- Churches are not excluded from CIL funding, but proposed projects must be for infrastructure and the proposal must benefit the community in the widest sense by offering wide community benefits and be capable of being used by the whole community. Any Bids must also address additionality and not include maintenance or church restoration costs.
- Greater weighting towards Bids that align with spend priorities designated in Local Plan and IDP. Agreed critical/ essential infrastructure will carry more weight than desirable infrastructure
- Best value criteria should include land values where CIL Bids involve purchase of land for infrastructure
- Agreed that CIL Bids that demonstrate positive impacts on climate change and show sustainability characteristics shall carry greater weight in determination terms than those CIL Bids which do not.
- If a CIL Bid is invalid upon submission, opportunity will be given for the next 12-month period (from the date of its submission) to be made valid. If it is still invalid after the expiry of the 12-month period, the CIL Bid will be treated as withdrawn and no formal decision (Cabinet or delegated) will be made on it.

## 3 Processes of the CIL Expenditure Framework

### Distribution of CIL Income

3.1 The council will retain up to 5% of the CIL income received within each District (for administrative costs).

3.2 The Neighbourhood CIL allocation to Parish/Town councils (either 15% or 25% subject to a cap) occurs in April and October each year.

CIL funds will be saved into four separate funding streams with the following definitions:-

- Recreational Mitigation Programme Delivery – to support the implementation of the Council’s adopted Mitigation Strategy and ensure compliance with the Habitat Regulations (approx. £800k per annum)
- Strategic Infrastructure Fund (£4.5m in total until 27/28 for the first five identified projects)
- Local Infrastructure Fund (£1m per annum for the duration of the current Corporate Plan)
- Cultural Development pot (2% of CIL receipts per year for the duration of the current Corporate Plan)

3.3 The Neighbourhood CIL allocation to Parish/Town councils (either 15% or 25% subject to a cap) occurs in April and October each year.

### Definitions of Strategic and Local Infrastructure:

3.4 One or more of these elements constitute Strategic infrastructure:

- is of strategic economic or social importance to the council;

- would contribute substantially to the fulfilment of any of the objectives of the Corporate Plan 2024 to 2028, The Local Plan 2016-2036 Part 1: Planning Strategy or in any other spatial and economic strategy in respect of the area;
- would have a significant effect on the area of more than one planning authority; and
- Illustrated Examples include strategic flood defence, town centre regeneration, new strategic (District wide) walking routes and large highways infrastructure

3.5 One or more of these elements constitute Local infrastructure:

- meeting need at a local level; and
- projects which support the expansion, improvement, provision of local services for the people living or visiting within the local area;
- Illustrated examples include:
  - extensions to early years, primary, secondary, or further education not constituting an entirely new facility.
  - bus stops and Real Time Passenger Information notice boards (RTPI);
  - provision of leisure and community facilities, such as extensions to community buildings and leisure centres, provision of play equipment and areas, sports facilities and open space; and
  - waste recycling facilities.

## Definitions of Cultural Development projects:

3.6 Improved cultural infrastructure across the district as a whole. This could include, but not limited to:

- New and/or improved gallery/exhibition space.
- Creative health hubs for the delivery of preventative and early intervention creative community programmes.

- New artist/creative/maker studios.
- Performance rehearsal and performance spaces.
- Consideration for existing under-utilised community assets to be developed in line with cultural strategy.

Expansion and development projects at existing 'artistically excellent' businesses and organisations.

## Apportionment of CIL Funds

- 3.7 The apportionment of CIL monies into four funds; recreational habitat mitigation, Strategic Infrastructure Fund, Local Infrastructure Fund and cultural development fund will occur annually. This apportionment, in particular, allows saving of monies towards strategic infrastructure projects for the betterment of the Council and the prospect of collaborative spend with other funding organisations and or funding streams to achieve strategic infrastructure. The annual recreational mitigation programme for each financial year will be set during February/March of the preceding financial year and approved by the Portfolio Holder
- 3.8 The Local infrastructure Fund will be set at £1m per annum for the duration of the current Corporate Plan, with a funding round to begin during October of the previous financial year and be ready for inclusion in a budget for the next financial year.
- 3.9 The priorities for Strategic CIL will be set by Cabinet with an annual call for Expression of Interest
- 3.10 The Cultural development pot will be drawn out each year of 2% of all CIL funds received during that year for the duration of the current Corporate Plan. The Cultural Development Officer, will be able to draw on this pot when required in consultation with the Portfolio Holder. Any funds released will be subject to suitable governance arrangements to ensure that monies are directed to the relevant projects.

3.11 Whilst CIL is identified as the source of funding for the recreational mitigation programme, the Council also collects S106 from developments that are exempt from paying CIL (e.g. social housing or self builders). As this money is specifically ringfenced in a legal agreement towards the recreational mitigation programme this ‘pot’ will always be used first ahead of CIL.

## Process and timetable for local infrastructure bids

3.13 The CIL Expenditure Framework will operate with the following approach:

- The process is centred upon a bidding round with consideration on yearly basis, with email submission of bids by Infrastructure Providers and all towns/parishes
- The yearly bid round cycle will be as follows:

Bid Round for the year	
October - December	Bid Window open
December/January	Bids validated screened and assessed against prioritisation criteria
January / February	Information presented to Task and Finish group by officer
March	Consideration of CIL Expenditure Programme by Cabinet. Letters issued confirming outcome of bids to applicants

- Details of the process for submitting a bid and its subsequent assessment and determination will be made available on the Council’s website.
- The timetable for the bid process will be clearly documented on the Council’s website. Bespoke emails will be sent to parish/town councils, Hampshire County Council, other key partners and organisations and community groups in the New Forest to highlight upcoming bidding opportunities.



- A proforma will be available on the website all year where a potential bidder can submit an idea to check its eligibility

## Expressions of Interest for Strategic CIL Projects

3.14 The decision for allocating a Strategic CIL project will sit with Cabinet. Each year the Council will hold a round of expressions of interest. Any EOI will be screened and prioritised using the same criteria set out in section 4 of this framework and considered annually by Cabinet for inclusion in any given budget year. Should any additional criteria be identified this will be published alongside the EOI.

## Apportionment of Neighbourhood CIL

3.15 Currently six monthly allocations to Parish/Town Councils (which occur in April and October) continue, and where Neighbourhood CIL is received.

3.16 The Parishes apportionment of CIL monies (set out in the CIL Regulations) will remain at 15% (where there is no Neighbourhood Plan) and 25% where a Neighbourhood Plan is made.

## Infrastructure Project Decisions and Delivery

3.17 There will be a collaborative approach towards expenditure, working with infrastructure providers and Parishes to get projects delivered and to “add value” is important and supported

3.18 Funding bids must provide adequate evidence/information to provide necessary certainty on timely delivery

3.19 CIL monies can be spent flexibly alongside s106 monies, Community grants and Locality monies and any other external or internal funding streams but expenditure of s106 monies must be in accordance with the terms of the s106 agreement.

3.20 The following will apply to CIL bid decisions

- All decisions to be final.
- No appeals process
- Only one bid per project per bidding round per Council funding scheme (if when a bid is received that officers identify could be better funded through a different funding pot they will direct this accordingly).
- After a funding award, no more Bids for this project unless funding circumstances are materially different and/or a time period passes of not less than 1 year.
- Where bids are to be submitted, evidence of community support shall be required (which could include from a county councillor, district ward member, NPA Member , parish council or evidence of community engagement activities)
- Once Bids are validated and screened (see below) Officers will direct any appropriate Bids towards other funding streams where this is considered to be more appropriate

3.21 A yearly report on CIL and s106 expenditure is required as part of the CIL Regulations 2010 (as amended). This document is known as an Infrastructure Funding Statement (IFS) and will need to be produced by the 31st December each year in addition to the twice yearly CIL Expenditure Programme.

3.22 Payment of successful bids to be retrospective following receipt of paid invoices from the successful bid authors.

3.23 For local infrastructure bids, evidence of a competitive tender will be required in accordance with the Council's procurement standing orders. These quotes must be offered to the Bidders and then submitted as part of the Bids on the basis that the cost of the works will remain held and not vary for a 6-month basis. (to ensure that when CIL monies are offered the project can be completed for the cost of the works submitted).

3.24 Where infrastructure being proposed also carries a dual use (such as education provision which would also be used by the community) the completion of a Community User Contract is required so that the community use can be guaranteed.

- 3.25 Technical assessments of all CIL bids where decisions are being made will be undertaken and published as part of the CIL Expenditure Programme documentation so that decision taking is open and transparent.

## Screening part of process

- 3.26 Where a CIL Bid is valid, it will be screened against other forms of funding (external/unspent s106/community grant/neighbourhood CIL). This will ensure the outcomes of these other funding opportunities are known before committing to CIL expenditure. Bidders should be encouraged to explore all possible alternatives for other sources of funding alongside requests for CIL funding including using crowd funding/encouraging donations/gifts.
- 3.27 Churches not excluded from CIL funding despite many other funding opportunities for Churches but proposal must be for infrastructure and the proposal must benefit the community by offering community benefit.
- 3.28 CIL Bids will be treated as withdrawn if no progress is made after 12 months and no further action will be taken on them. Where a Bid is refused, the Council will not reconsider an identical Bid.

## 4 Validation and Screening of Bids and Prioritisation Criteria

4.1 Each Bid will be validated, screened, and prioritised and a technical assessment will be completed (and ultimately published on the web site as part of the CIL Expenditure Programme documentation).

1. The correct CIL Bid form must be submitted and all the questions on the Bid application form must be fully completed (where information known or where additional information is required (e.g. Business Case) together with evidence of need for the infrastructure). Bids should be emailed to [developer.contributions@nfdc.gov.uk](mailto:developer.contributions@nfdc.gov.uk) or, if available, online via a consultation platform.

4.2 The bid form should include the following:

- Description of infrastructure, location, purpose
- Need /Justification
- Costs and funding streams for provision
- Quotations for works
- How much financial support is sought
- Collaborative spend – yes/no and if yes give details
- Who is leading on delivery
- Delivery proposal and timescales
- Will the Infrastructure be provided on Public or Private land – has the Bidder obtained all the necessary permissions to implement the infrastructure
- If the infrastructure needs planning permission - has this been sought and obtained
- Are there any implications under the Subsidy Control Act to receive this funding.
- Consideration of future funding/maintenance once project is complete

- Business Plan required dependant on size of the project (see guidance documents)

4.3 When Bids are made valid, consultation will occur with the District Ward Member the County Councillor for the Ward affected and the Parish Council for that ward (except where the Parish Council is the Bidder for the Infrastructure project). The Consultation will occur by email and 14 days will be allowed for the submission of comments. A copy of the CIL Bid application form and a location plan will be made available to the consultee.

4.4 The screening process is as follows: -

- Could this infrastructure bid be provided using other internal and external funding streams that the Council can either submit Bids for or support others or where the Council has access to other funding (e.g. LEP Government funding or other external funders s106 or, Community Grants? – if so, can it be delivered using this without complete or any reliance on CIL funds)
- Any incomplete bids will be considered, and effort will be made to improve these bids to enable them to be capable of then being assessed against the priority criteria.
- Where appropriate, information will be checked or sought to verify the information within the bid
- Where there are CIL infrastructure asks under Development Management decisions on major projects, these will be given consideration in terms of devising the CIL Expenditure Programme and through a programme of delivery working collaboratively with the Infrastructure Providers

4.5 Prioritisation criteria is as follows: -

- Does it positively score against provisions /objectives of the Local Plan 2016-2036 Part 1: Planning Strategy and the Infrastructure Delivery Plan?

- Does it offer value for money ?
- Are there clear community benefits?
- Is there community support?
- Is it deliverable?
- Is it affordable?
- Can it be delivered in good time?
- Supports housing and employment growth
- Positively supports climate change activities
- Have a package of measures been proposed and submitted which allow for ongoing maintenance of the infrastructure such that its longevity can be assured
- Does the provision of this infrastructure address a current inadequacy in infrastructure terms?
- Will the infrastructure be capable of being used by the wider community
- How does the proposal affect green infrastructure principles
- How does the project address green/sustainability principles/infrastructure
- Does the project accord with the principles of the Equality Act 2010
- Does the project have implications in regards to the Subsidy Control Act
- How does the project affect security and safety in the community

4.6 In addition to this, any monies allocated to the recreational mitigation programme will have to meet the criteria for projects as set out in the Recreational Mitigation Strategy adopted by the Council in 2021.

## 5 Governance of the CIL Expenditure Framework

2. All decisions once validated, screened and assessed will be collated and considered by an Executive advisory task and finish group. Following this, a report will be presented to the Cabinet for decision.
- 5.1 There will be tiered approach to decision taking in respect of bids submitted for Recreational habitat mitigation, the Cultural Development Fund and any amendments to the Strategic Infrastructure Fund and Local Infrastructure Funds (if required during the course of the year) as follows: -

### Delegated Decisions to Director Place, Operations, and Sustainability

- a) Decisions to approve/amend the allocation towards infrastructure projects the subject of bids where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less and the total spend can still be contained within the annual approved amount.
- b) Decisions to carry forward Infrastructure projects the subject of bids to the next Bid Round where the amount of monies sought from the Local Infrastructure Fund is £10,000 or less

### Delegated Decisions to Portfolio Holder, Planning, and Economy

- a) Decisions to approve the recreational habitat mitigation programme of works
- b) Decisions to approve projects under the Cultural Development portion
- c) All other decisions to approve or refuse all other Local Infrastructure Fund bids which are not covered by the delegated decision outlined above where a bid is deemed required to be progressed outside of the annual bidding window

## Cabinet decision

- a) Decisions to amend the CIL Expenditure Framework
- b) Decisions to approve the annual local infrastructure bid
- c) Decisions to approve the Strategic Infrastructure Fund bids

5.3 Following the decision to grant an allocation of CIL to a project, the applicant will be sent an offer letter and terms of conditions which must be returned to the Council to confirm the allocation is in place. The terms and conditions are attached as Appendix 1 to this framework.

5.3 Each year an annual Expression of Interest process will take place for further Strategic Infrastructure Projects, this list should be reviewed by Cabinet each year on the basis of including those within an annual programme for the following year.



# Terms and Conditions of grant award

## Award of Funding

Any grant of funding from the Community Infrastructure Levy (CIL) Infrastructure Fund, is subject to the applicants acceptance of the offer, these terms and conditions and the requirements set out in the Offer Letter

Any award must be used exclusively for the delivery of the project as set out in the application submitted, summary annexed to the Offer Letter and in the Offer Letter itself ('the Project').

The Project must be carried out and completed to the standard and specification stated within the attached application form.

If the Applicant fails to comply with any of these terms and conditions, NFDC ('the Council') may withhold, vary, terminate, or require any or all of the CIL award to be repaid.

The CIL funding will be conditional upon the applicant obtaining any necessary building regulations and/or planning permission and any other consents or permissions as may be required.

The CIL funding is a one-off payment and will not result in any future revenue commitment by the Council. The Council will not be responsible for any future maintenance, revenue liability or ongoing funding related to the application.

There is no right of appeal against an award, refusal or withdrawal of CIL funding.

## Starting the Project

The Project must commence within the period stated in the Offer Letter. If this is not possible, the applicant must inform the Council, in writing, of when they will start the project and the reason for the delay for approval by the Council. For the purpose of this document, commencement is defined as when the works relating to the delivery of the Project materially begins.

Works already completed or expenditure incurred prior to the Applicant's acceptance of the offer, these terms and conditions and the Offer Letter will not be funded.

## Approved Projects for CIL Funding

The works that are the subject of the CIL funding must be carried out strictly in accordance with the details as described in the attached application submission and in accordance with these terms and conditions and any requirements contained within the Offer Letter.

The Council reserves the right to carry out independent financial checks where appropriate and may withdraw the offer at its sole discretion if it considers the public funds may be put at risk

If during the course of the work, the applicant finds it impracticable to carry out the work in accordance with what was approved, then changes must only be made after written approval has been given by the Council. Failure to do so may result in the withdrawal or withholding of the funding or requirement to repay any sums already provided by the Council

Where requested by the Council the applicant must provide a written statement or an appropriate certificate of completion and the Council must be satisfied that the work has been carried out in accordance with the attached application Form before payment of the funding.

On completion of the project, for publicity purposes, the applicant agrees to submit photographs (with no copyrights) of the completed project and agrees that these may be used to promote the CIL funding allocations.

## Payment of funding

Subject to the terms of these terms and conditions the Council shall pay the funds to the Applicant only after completion of the project and the submission of verifiable invoices. The original invoices/receipts need to be submitted to the Council as proof of purchase and/or expenditure. The Applicant agrees and accepts that the payment of the funds can only be made to the extent that the Council has available funds.

You must have a bank account in your name or the name of your organisation into which the Council will pay the funding. As part of the acceptance of the offer of funding, you will need to provide the bank account details including the sort code, account number and name on the account.

The award of funding contained in the Offer Letter is the maximum CIL funding awarded to this scheme. If the Project cost is lower than the amount stated in the attached application form, unspent monies cannot be used on matters not included. If the total Project cost is lower than amount stated in the attached application form, there will be a pro rata reduction in CIL funding.

There will be no obligation on the Council to increase its offer in the event of cost increases on eligible work.

The Applicant shall promptly repay to the Council any money incorrectly paid to it either because of an administrative error or otherwise. This includes (without limitation) situations where either an incorrect sum of money has been paid or where monies have been paid in error before all conditions attaching to the funds have been complied with by the Applicant

## Withholding or Recovery of Payment

It is the Council's intention that the funds will be paid to the Applicant in full. However, without prejudice to the Council's other rights and remedies, the Council may at its discretion withhold or suspend payment of the Funds and/or require repayment of all or part of the Funds if:

the Applicant uses the funds for purposes other than those for which they have been awarded;

the Council considers that the Applicant has not made satisfactory progress with the delivery of the Project;

the Applicant is, in the reasonable opinion of the Council, delivering the Project in a negligent manner;

the Applicant obtains funding from a third party which, in the reasonable opinion of the Council, undertakes activities that are likely to bring the reputation of the Project or the Council into disrepute;

the Applicant provides the Council with any materially misleading or inaccurate information

the Applicant commits or committed a prohibited act under the Bribery Act;

any member of the governing body, employee or volunteer of the Applicant has (a) acted dishonestly or negligently at any time and directly or indirectly to the detriment of the Project or (b) taken any actions which, in the reasonable opinion of the Council, bring or are likely to bring the Council's name or reputation into disrepute;

the Applicant ceases to operate for any reason, or it passes a resolution (or any court of competent jurisdiction makes an order) that it be wound up or dissolved (other than for the purpose of a bona fide and solvent reconstruction or amalgamation);

the Applicant becomes insolvent, or it is declared bankrupt, or it is placed into receivership, administration or liquidation, or a petition has been presented for its winding up, or it enters into any arrangement or composition for the benefit of its creditors, or it is unable to pay its debts as they fall due; or

the Applicant fails to comply with any of the terms and conditions set out in this Agreement and fails to rectify any such failure within 30 days of receiving written notice detailing the failure.

The Council may retain or set off any sums owed to it by the Applicant which have fallen due and payable against any sums due to the Applicant under this Agreement or any other agreement pursuant to which the Applicant is a party.

Where the Applicant receives or intends to apply to a third party for other funding for the Project, it will notify the Council in advance of its intention to do so and, where such funding is obtained, it will provide the Council with details of the amount and the purpose of that funding. The Applicant agrees and accepts that it shall not apply for duplicate funding in respect of any part of the Project.

If the Applicant receives funding from a third party either during the delivery or after completion of the project the Council reserves the right to recover that amount of funding from the applicant.

If the Project does not comply with the delivery timetable stated within the application form and Offer Letter, the Council reserves the right to revoke or recover the amount of the funding, or such other amount as it considers reasonable.

## Compliance and Insurance

The applicant must ensure compliance with all regulations and legislation relating to the project including equality, sustainability and health and safety.

The applicant must ensure appropriate and sufficient insurance cover, including public liability and employer liability applicable to the project.

## Limitation of liability

The Council accepts no liability for any consequences, whether direct or indirect, that may come about from the Applicant running the Project the use of the funds or from withdrawal of the funds. The Applicant shall indemnify and hold harmless the Council, its employees, agents, officers or sub-contractors with respect to all claims, demands, actions, costs, expenses, losses, damages and all other liabilities arising from or incurred by reason of the actions and/or omissions of the Applicant in relation to the Project, the non-fulfilment of the obligations of the Applicant or its obligations to third parties.

Subject to clause 27, the Council's liability under these terms and conditions is limited to the payment of the funds.

## Communication & Monitoring

The Applicant must maintain regular communication with the Council following the acceptance of the offer, these terms and conditions and the Offer Letter. The Applicant should provide regular updates and information on the project until it has been completed.

In any event the Applicant shall within 7 days after written request by the Council provide the Council with such information and documents as the Council may reasonably require to enable to the Council to verify that the Applicant has complied with its obligations under these terms and conditions.

The applicant must provide an annual return no later than 01 May each year, with information on the progress of the Project, within the previous financial year This will ensure the Council is able to fulfil its monitoring requirements under the CIL Regulations 2010 (as amended Sept 2019).

## Publicity for the Project

The Applicant must acknowledge the support of the Council in any materials that refer to the Project and in any written or spoken public representations about the project in a form or style agreed in advance with the Council.

Where the Council has provided the Applicant with any of its intellectual property rights for use in connection with the Project (including without limitation its name and logo), it shall only be used in accordance with reasonable brand guidelines.

The Council reserves the right to use images of the project, resulting from the award of the CIL funding, as part of any publicity material that it may wish.

### Freedom of information

The Applicant acknowledges that the Council is subject to the requirements of the Freedom of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIRs).

The Applicant shall:

provide all necessary assistance and cooperation as reasonably requested by the Council to enable the Council to comply with its obligations under the FOIA and EIRs;

transfer to the Council all requests for information relating to this agreement that it receives as soon as practicable and in any event within 2 working days of receipt;

provide the Council with a copy of all information belonging to the Council requested in the request for information which is in its possession or control in the form that the Council requires within 5 working days (or such other period as the Council may reasonably specify) of the Council's request for such information; and

not respond directly to a request for information unless authorised in writing to do so by the Council.

The Applicant acknowledges that the Council may be required under the FOIA and EIRs to disclose information without consulting or obtaining consent from the Applicant. The Council shall take reasonable steps to notify the Applicant of a request for information (in accordance with the Secretary of State's section 45 Code of Practice on the Discharge of the Functions of Public Authorities under Part 1 of the FOIA) to the extent that it is permissible and reasonably practical for it to do so but notwithstanding any other provision in this agreement) the Council shall be responsible for determining in its absolute discretion whether any information is exempt from disclosure in accordance with the FOIA and/or the EIRs.

### Miscellaneous

The Council reserves the right to vary these terms and conditions. Such a right will be exercised by the Council acting reasonably.

No provision of these terms and conditions shall be enforceable or intend to confer any contractual benefit on any person under the Contracts (Rights of Third Parties) Act 1999.

Insofar as any clause or clauses of these terms and conditions are found (for whatever reason) to be invalid, illegal or unenforceable then such invalidity, illegality or unenforceability shall not affect the validity or enforceability of the remaining provisions of these terms and conditions.

All notices and other communications in relation to these terms and conditions shall be in writing and shall be deemed to have been given if personally delivered, emailed or mailed (first class postage prepaid) to the address of the relevant party, as referred to above or otherwise notified in writing. If personally delivered or if emailed all such communications shall be deemed to have been given when received (except that if received on a non-working day or after 5.00 pm on any working day they shall be deemed received on the next working day) and if mailed all such communications shall be deemed to have been given and received on the second working days following such mailing.

These terms and conditions shall not create any partnership or joint venture between the Council and the Applicant, nor any relationship of principal and agent, nor authorise any party to make or enter into any commitments for or on behalf of the other party.

No waiver (whether expressed or implied) by the Council or Applicant of any breach or default in performing or observing any of the covenants terms or conditions of these terms and conditions shall constitute a continuing waiver and no such waiver shall prevent the Council or Applicant from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default.

These terms and conditions are governed by and interpreted in accordance with the laws of England and Wales

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# Communication Strategy

For the Community Infrastructure Levy Expenditure  
Framework

Planning

September 2024

Revision version for Place and Sustainability Overview and Scrutiny Panel  
Meeting

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# 1 Background

- 1.1 Following the decision by New Forest District Council to adopt the Community Infrastructure Levy (CIL) in April 2021, the council have been charging for CIL liable development since April 2015.
- 1.2 A framework for CIL expenditure has been adopted and sits alongside this Communications Strategy. This expenditure framework has been reviewed at the same time as this communication strategy.

## 2 Aims of the Strategy

### 2.1 These are: -

- To identify the key messages and ensure these remain consistent throughout all communications which this Strategy covers.
- Establish the key stakeholders and determine the communication channels and tools needed to convey the key message.
- Set out the framework for communication in terms of where and when and how to deliver key messages.
- Identify opportunities for proactive communication and address circumstances when communication is necessary to address any CIL collection and expenditure issues.
- Identify any potential risks and put in place communication counter measures to mitigate against these.

## 3 CIL collection

- 3.1 CIL is collected and allocated in accordance with the CIL Regulations 2010 (as amended). The council retains 5% of the total CIL income for administration of CIL. From the remainder, 15% is allocated to Parish or Town Councils (subject to a financial cap) but where there is a Neighbourhood Plan in place this figure rises to 25%.(with no financial cap)
- 3.2 Each year the council is required as a CIL charging authority to publish monitoring statistics for collection, allocation and expenditure of CIL monies by the 31st of December for each year known as the Infrastructure Funding Statement (IFS). The statement is available on the council's website at [Infrastructure Funding Statement - New Forest District Council](#)
- 3.3 The IFS is a factual document and does not include any information where a formal decision is required. Therefore this document is published following officer signoff without a Cabinet or Portfolio decision.

## 4 CIL Expenditure

- 4.1 The development of a detailed framework for CIL expenditure for consideration and adoption has been devised as there is no set approach for CIL expenditure prescribed either by Central Government or through the CIL Regulations.
- 4.2 As such all CIL charging authorities have established their own schemes for how CIL monies are spent.
- 4.3 The CIL Regulations stipulate that CIL monies which are collected must be spent on infrastructure. Each Council must publish a list of infrastructure that will be all or partially funded through CIL in their annual IFS.
- 4.4 The CIL Expenditure Framework which sits alongside this 'Communication Strategy' is critical to the funding of infrastructure to support inclusive growth, sustainable development and to support climate change activities.
- 4.5 The CIL Expenditure Framework operates on an annual bid cycle, with bids sought in October each year.
- 4.6 The bids will be reviewed and scored by officers, prior to a Member task and finish group before a final decision on allocations by Cabinet.
- 4.7 Some of the information (including financial information) around the bids when submitted may be commercially sensitive. However, it is intended that basic information concerning the infrastructure to be provided by the Bid will be capable of being placed on the council's website together with outcomes both when the Bids are determined and when the infrastructure project has been completed. This information will be placed in the CIL Expenditure Programme, updated regularly.
- 4.8 The key messages of this Communication Strategy reflect this position and strike a balance between openness and transparency and the need to safeguard any commercial sensitivity that may apply.

## 5 Key Messages and the Framework for Communication

### General

- 5.1 These will relate to CIL expenditure (including CIL collection – see section 3). They will involve the process and any specific cases where Bids are made together with the outcome following decision taking.
- 5.2 Key messages will also include details of the completion of any infrastructure projects which are the outcome of successful Bids (for Strategic or Local infrastructure expenditure) where CIL monies are spent including infrastructure projects which are the subject of a collaborative spend.
- 5.3 There will be reports provided throughout each year in the following way:
- Annual reports on CIL collection and expenditure including updates on process and detailed CIL expenditure for all District Members
  - Annual briefings on CIL collection and expenditure including updates on process and detailed CIL expenditure for all Parish and Town Councils within the Districts
  - Regular engagement with appropriate infrastructure providers as needed throughout the year to ensure that infrastructure is planned for and provided as part of a developing programme of infrastructure delivery linked to growth (funded either through s106 or CIL)

### Regular Communication - Frequency and type

- 5.4 From the 1 September 2019 the CIL Regulations introduced a new requirement for the production of an Infrastructure Funding Statement (IFS) about infrastructure including s106 and CIL expenditure.
- 5.5 Details of, and payment of, Neighbourhood CIL monies from the Councils CIL income to the Parish /Town Councils and will be undertaken twice yearly (April and October).

- 5.6 Details of the CIL Expenditure Framework, (including details of the yearly cycle of Bid submission and consideration) any supporting Guidance Documents, Bid Application forms and prioritisation criteria (which will be applied to Bids) will be available on the councils' web site in order to facilitate Bid submission. Clear information of the process will also be provided on the web site.
- 5.7 In advance of the Bid Round opening, advance monthly email communications will be sent to all Infrastructure Providers and all Parish and Town Councils to advise of the Bid process being open for the submission of Bids. This will also be communicated through the web site and email notification to potential Bidders.
- 5.8 Following validation of submitted Bids, the Ward Member(s), County Councillor for that Ward and the Parish Council (via the Clerk) shall be advised of the receipt of the validated Bid via email and be given 14 days to comment upon the submitted Bid. Further details of the bid will be made available on request, in order to assist with the submission of a response.
- 5.9 A list of all validated Bids received will be placed on the website at the time that local consultation takes place containing basic information only to safeguard any commercial sensitivity.
- 5.10 For the duration of the Bid when it is validated, during consultation and whilst being assessed until decision taking, there will be no comment on individual Bids or comments made following consultation except for required communication with affected Infrastructure Providers, the District and County Councillor for the Ward and the Parish or Community Group or the author of the Bid. (This will allow resources to be directed towards consideration of and determination of the Bids). No proactive press statements will be made during this time.
- 5.11 All authors of successful Bids will receive an offer letter and a grant award form which would need to be signed and returned and which would make the terms of the Bid decision clear. The website will be updated with the decisions on the Bid and appropriate press/media coverage will be undertaken involving joined up communication for all organisations where collaborative spend is involved. When all press releases are devised, section 9 of this strategy will be taken into account and the communication will reflect the inclusion of District Ward Members and relevant Parish Councils and other key organizations (or funding bodies) particularly in the case of the latter where collaborative spend is involved.



- 5.12 The annual Infrastructure Funding Statement will contain details of CIL collection, details of all Bids approved and, any other allocated spend whether collaborative or not with details of delivery (of the infrastructure project) and timescales and any details of decisions for infrastructure.
- 5.13 Our key audience will be advised of decisions by email and the annual CIL Expenditure Programme will be made available on the website.
- 5.14 A yearly CIL Calendar will be issued outlining all the key dates in that year affecting CIL and this will also be publicised on the website.

## 6 Key Audience

### 6.1 These are: -

- Infrastructure Providers, including schools and churches
- All District Members
- County Council Members for the New Forest area
- All Parish Councils
- Community Groups where Bids are made
- Local Residents
- The Leader and Cabinet Member for New Forest District Council
- Chief Executive
- All Staff (including all Strategic Directors, Assistant Directors and Service Managers)
- Media

## 7 Communication Channels

7.1 These are: -

- District Council websites
- Emails to our Key Audience
- Town and Parish Council Meetings
- Leader and Cabinet Member briefings
- District Council Member Briefings
- Parish and Town Council briefings and workshops
- Media releases
- Social media (Facebook, X and LinkedIn)
- Town and Parish Council newsletter (if applicable)

## 8 Communication Tools

- 8.1 Many of our audience already receive a number of communications from us across a range of subjects and projects. To help ensure our communication on CIL is easily recognisable and read, it will be necessary to clearly identify the purpose of the communication at the top of the key message.
- 8.2 Templates for emails, and updates will also be developed to ensure clarity of message. Our website will identify how the process will work and when Bid submission and decision taking will occur.
- 8.3 Social media will also be a key channel for communicating with our audiences and to help ensure these messages are recognised is intended to use the CIL expenditure and CIL collection hashtag for each X and Facebook update where appropriate.

## 9 Spokespeople

- 9.1 For CIL collection information will be communicated through the website and this will be regularly updated subject to the other requirements in this document.
- 9.2 For Strategic Infrastructure Expenditure – which has considerable impact on each District suggest the following: -
- Portfolio Holder for Planning and Economy
- 9.3 For Local Infrastructure Expenditure which has significant impact on the District suggest the following: -
- Portfolio Holder for Planning and Economy
  - Strategic Director for Places, Operations and Sustainability
- 9.4 With the exception of press announcements of the decisions on the CIL Bids after determination of the CIL Expenditure Programme , every decision on submitted Bids or where Infrastructure projects are delivered, the District Ward Member for the Community where the infrastructure is to be provided must be included in the Key message. In respect of press announcements of the decisions on the CIL Bids after determination of the CIL Expenditure Programme , the lead messages will be from the Portfolio Holder for Planning and Economy. However, when such CIL Bids are determined, Ward Members affected will also be given the opportunity to offer a quote to support the press announcement.
- 9.5 Where proactive or reactive Key messages are delivered these must be managed so that where the Bids involve collaborative spend the different organisations working in collaboration including Parishes must be part of the Key message and the key message is effective and joined up (including the Ward Member)
- 9.6 Every opportunity will be taken wherever possible to undertake joint communication messages with infrastructure providers and other funding bodies and partners including those carrying out the infrastructure project together with Parish Councils. Members must always remain involved.

## 10 Risks

- 10.1 The successful delivery of Infrastructure projects across the Council are important for a number of reasons. Not only are these projects aligned with a range of our key strategic priorities but the infrastructure that is provided will mitigate any harm from new development and make that development sustainable. In addition, some infrastructure projects may address current infrastructure inadequacy or deliver a Parish or community infrastructure initiative. As such they will be the focus of a great deal of interest from our key audience and may generate media interest and engagement on a wider level.
- 10.2 All this audience is invested in the outcome of these projects for a variety of reasons. (financial, social and economic). This will bring these projects under very close scrutiny and we need to acknowledge that failure to effectively communicate with our audience could have a significant impact on its success and the reputation of the Council.
- 10.3 It is also important to recognise that communication needs to be accurate and clear and there is a need to take appropriate measures to correct any factual inaccuracies should they occur.

## Place and Sustainability Overview and Scrutiny Panel – 12 September, 2024

### Proposed consultation response to proposed changes to the National Planning Policy Framework

Purpose	For Review
Classification	Public
Executive Summary	The report sets out and summarises the main proposed changes to the National Planning Policy Framework (NPPF) and how they could impact on New Forest District Council. The report also contains, as an appendix, the draft response to consultation on changes to the NPPF which will be finalised under delegated authority by the Planning and Economy Portfolio Holder. Members of the Panel are encouraged to consider the changes to the NPPF and the implications for the district and recommend to the Portfolio Holder any specific elements where they would wish the Council to support or object to the proposed changes.
<b>Recommendations</b>	<p><b>The Panel is recommended to consider the contents of this report and advise the Portfolio Holder of any specific changes to the NPPF that it considers the Council should support or object to in its consultation response; and</b></p> <p><b>The Panel is recommended to note the intention of the Portfolio Holder to write to the Secretary of State in relation to infrastructure funding, for key statutory consultees to be resourced effectively and provide comments on any specific points that the Panel would like Portfolio Holder to consider when drafting the letter.</b></p>
Reasons for recommendations	The recommended response aims to assess the potential impacts of the changes to the NPPF on planning in New Forest District, outside of the National Park, and the implications for the provision of Council planning services.

	<p>The government has indicated that it will introduce formal strategic planning mechanisms through new legislation – although not an immediate short-term measure.</p> <p>The recommendation aligns with priorities across the place, people and prosperity elements of the council’s Corporate Plan including:</p> <ul style="list-style-type: none"> <li>• Place Priority 1: Shaping our place now and for future generations.</li> <li>• People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.</li> <li>• Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow</li> </ul>
Wards	All
Portfolio Holders	Councillor Derek Tipp – Planning and Economy
Strategic Directors	James Carpenter – Strategic Director Place, Operations and Sustainability
Officer Contact	<p>Tim Guymer Acting Assistant Director for Place Development <a href="mailto:tim.guymer@nfdc.gov.uk">tim.guymer@nfdc.gov.uk</a></p> <p>James Smith Planning Policy Team Leader <a href="mailto:james.smith@nfdc.gov.uk">james.smith@nfdc.gov.uk</a></p>

## Introduction and background

1. The new government has prioritised planning reforms as part of its first actions since the election. The reforms aim to address the housing crisis and facilitate economic growth and are wide ranging. A full list of policy objectives is included in Chapter 2 of the consultation document.
2. Of particular relevance for the New Forest are suggested changes to government policy with respect to:
  - The assessment of housing need



- Green Belt policy
  - Affordable housing policy
  - Planning application fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects (NSIP).
3. The government has set out a proposed new standard method for calculating housing need and proposed changes to the National Planning Policy Framework for consultation. The proposed consultation response is appended to this report. The consultation response will need to be submitted by the 24 September and the government has indicated that it intends to publish the revised NPPF this year.
  4. When finalised the new NPPF will guide the preparation of local plans and be a material consideration in the determination of planning applications.
  5. This report aims to summarise the changes before commenting on some of the implications for the New Forest. The report and comments are made in relation to the part of the district outside of the National Park for which the District Council is the Local Planning Authority. The National Park Authority has the opportunity to provide its own response to the consultation.
  6. After the 'Corporate Plan' priorities heading below, the report headings largely relate to the chapter headings in the [consultation document](#).
  7. Due to the broad scope and number of proposed changes it has not been possible to provide a detailed commentary on every aspect of the current consultation. The Panel should refer to the draft consultation response for the suggested wording of responses to individual questions. If Panel members have a particular interest in a specific topic area that they intend to raise at the meeting it would be helpful if they could advise officers in advance to enable thorough research and preparation prior to the meeting.
  8. On 30<sup>th</sup> July 2024, the Chancellor of the Exchequer made a statement to parliament outlining the need for a review of spending on transport infrastructure projects and that the A303 Stonehenge Tunnel, A27 Arundel Bypass and Restoring Our Railway programme will not be going ahead. There is a lack of clarity on the implications for this for infrastructure investment on the Waterside, including the widely supported upgrading of the A326 as well as the potential reopening of the Waterside railway line for passenger trains.

9. In this context, the Portfolio Holder intends to write to the Secretary of State expressing concern that infrastructure investment is being reviewed by the government and highlight the important role that such infrastructure could have in the Waterside. In particular, the significant role that the proposed improvements to the A326 is expected to have in enabling the full potential for the Freeport to be delivered.
10. In addition, the Portfolio Holder also intends to take the opportunity to emphasise the need for key statutory consultees, including Natural England and the Environment Agency, to be resourced effectively to engage in the planning process. This is particularly relevant for this district, which has a number of environmental considerations which require proactive engagement from such consultees.
11. Panel Members are invited to comment on any specific points they would like the portfolio holder to consider when drafting the letter to the Deputy Prime Minister.

### **Corporate Plan priorities**

12. The recommendations support all Corporate Plan objectives to a certain extent, either directly or indirectly. However, they are particularly relevant to the following objectives:
  - Meeting housing needs
  - Shaping our place now and for future generations
  - Protecting our climate, coast and natural world.
13. In particular, the national policy context influences the ability of the council to provide effective planning services, balancing the social and economic needs of the population with environmental protection and planning in the context of climate change.

### **Planning for the homes we need – reversing previous changes**

14. The NPPF was last revised by the previous government in December 2023. The government is now proposing to reverse the changes that were made to the document at this time as it considers that those changes run counter to the government's ambitions on increasing housing supply.
15. Of particular note are the following changes:
  - Removal of key caveats from paragraph 60;
  - Removal of the addition to paragraph 61 setting out that the outcome of the standard method is an advisory starting point for establishing a housing requirement for the area and further context on the exceptional circumstances where the

use of alternative approaches to the standard method may apply;

- Removal of paragraph 62 referring to accommodating the urban uplift within those cities and urban areas themselves;
- Removal of paragraph 130 that sets out that significant uplifts in density may be inappropriate if this would result in development wholly out of character with the area and that this could be taken into account when local planning authorities consider their ability to meet their housing needs; and
- Reversal of the changes to the requirements to demonstrate a 5-year housing land supply, regardless of plan status.

16. It is considered that some of these changes can be supported but others have significant implications for the New Forest.

17. The calculation of housing need has always been the starting point in setting a housing requirement figure in a local plan since the NPPF was introduced and Regional Spatial Strategies abolished. The New Forest has wide ranging constraints which justify not meeting housing needs in full and these are not repeated here. Past local plans have not met need in full and the removal of text from paragraph 61 itself is unlikely to have any significant effect on the final housing requirement figure in the next local plan. However, it is considered that the removal of the words<sup>1</sup> from paragraph 60 would not be an accurate reflection of the reality of being able to meet need in a constrained area such as the unique area of the New Forest, and that the reversal of this change is not supported.

18. The existing standard method for calculating housing need, which relies on the 2014-based household projections, is proposed to be replaced with a stock-based approach and the urban uplift (which affected cities including Southampton) would no longer be relevant. Notwithstanding this, the urban uplift was not based on any demographic (or other) assessment of need and in many cases across the country the urban uplift could not be met within the urban area and so the introduction of paragraph 62 simply meant that unmet housing need would remain unmet.

19. The intentions of paragraph 130 (now proposed to be deleted) are unclear and given its recent introduction it has yet to be fully tested in a range of circumstances through the local plan-making process. It could have been applied to greenfield development to prevent any development, although it is understood that this was not the purpose of the paragraph. There are other parts of the NPPF that encourage densification, particularly in relation to encouraging viable sustainable modes of transport, and the

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<sup>1</sup> The words proposed to be deleted are shown in bold - 'The overall aim should be to meet **as much of** an area's identified need **as possible**,..'

paragraph could have been used to restrict potential development in accessible suburban areas with good public transport. The NPPF contains other protection based policies in relation to landscape and heritage considerations and therefore there is no objection to the removal of this paragraph.

20. It is considered that the need to demonstrate a 5-year housing land supply with a 5% buffer undermines the plan-led system and that the reinstatement of the previous NPPF requirements is not supported. Further to this, both past under-delivery and past over-delivery should be taken account of through the 5-year housing land supply calculation.

### **Planning for the homes we need – maintaining effective cooperation and the move to strategic planning**

21. The Levelling Up and Regeneration Act 2023 will revoke the Duty to Cooperate in relation to the reformed plan-making system. However, the Duty remains in place for now and in the short term there are proposed amendments to the NPPF that immediately strengthen the recognition of the need for strategic planning, in particular that *'unmet development needs from neighbouring areas are accommodated in accordance with paragraph 11b'*.
22. In the longer term, the government is planning to legislate to enable universal coverage of strategic planning (within this parliament). This will support elected Mayors in overseeing the development and agreement of Spatial Development Strategies (SDSs) for their areas. The government will also consult on appropriate arrangements for developing SDSs outside of mayoral areas.
23. It is considered that the lack of effective strategic planning is not helpful when considering future needs within New Forest District. The majority of the land area is within the National Park and there are significant other constraints, not least relating to nature conservation and Green Belt along with it being a coastal authority. It would be extremely challenging to meet identified needs for housing and economic development within the district and unless those needs are met in less constrained areas elsewhere there will be significant adverse impacts for the residents and businesses in the district.
24. Overall, there is a need to think of strategic planning on a wider scope rather than just neighbours and it will be important that the Council and key partners engage with the government as it develops its proposals prior to introducing formal legislation.

### **A new standard method for assessing housing needs**

25. The existing standard method for calculating housing need relies on use of the 2014-based household projections. These have been criticised by those who consider that they rely on out-of-date data and in many cases the households predicted have been significant over-estimates. There are others that argue that as there has been a consistent shortfall in housing, households have been prevented from forming and therefore updating to more recent household projections would reinforce the under-estimate of housing need.
26. The government is now proposing to move to a stock-based approach that will mean that every Council will take that starting point of its housing need calculation a 0.8% annual increase in housing stock. A multiplier will then be applied which will give much greater emphasis to relative affordability. This approach will lead to a very significant increase in the identified housing need for the district to some 1,465 dwellings per annum (compared to the current local plan target of 521 dpa). Nationally, the sum of local authority housing need will be approximately 370,000 dwellings per annum. The government considers that this level of housing will be required to deliver 1.5 million new homes during this parliament.
27. As referenced above, whilst ensuring the Council takes every opportunity to meet needs within its own boundaries, it will still be extremely challenging to fully meet housing needs within the district and therefore the method for calculating that need is not likely to have a significant impact on the housing provision figure in the new local plan. However, there are a couple of observations that it would be relevant to include in the consultation response in relation to the method of calculation.
28. The use of a stock-based approach is crude and not well related to the specific housing needs of an area, including accurately reflecting areas with significant over or under occupation of dwellings. Furthermore, it takes no account of constraints that may prevent that need being met. The government should develop a more nuanced evidence-based approach, preferably based on the household projections, but also taking account of constraints. It is considered that the total of 370,000 dwellings per annum is not appropriate and the government should work to a total of 300,000 dpa.
29. It also fails to recognise that local authority boundaries do not necessarily align with equal opportunities to accommodate additional growth – indeed New Forest District’s administrative boundary for planning has been gradually reduced over the last fifty

years due to local government reorganisation and the creation of the New Forest

30. Whilst the Council remains concerned about the increasing unaffordability of housing in relation to local income levels, it is not convinced that the multiplier based on affordability is logical or reasonable in relation to the New Forest. Now that it is proposed to increase the multiplier it will have no impact on the number of homes to be planned for in the new local plan, given the constraints. Even if the government is successful in achieving delivery of 1.5m homes in the lifetime of this parliament, it is very unlikely that this would bring prices down in the New Forest making them more affordable. The New Forest attracts migration from throughout the country due to the presence of the National Park and the coast and only if so many homes were built that it was no longer so attractive would it be likely that house prices would fall. It is the external demand from beyond the district, together with the designation of the National Park itself that restricts delivery of major development, which has resulted in the disconnect between local incomes and house prices.

### **Brownfield, grey belt and the Green Belt**

31. The government proposes to strengthen the policy approach to brownfield development by adding to the NPPF in relation to commentary on brownfield land within settlements, 'proposals for which should be regarded as acceptable in principle'.
32. The consultation is seeking views on whether the definition of Previously Developed Land should include hardstanding and glass houses. The government want to understand how expanding the definition might affect the availability of horticultural land.
33. Some of the most significant proposed reforms are in relation to the Green Belt, both in terms of plan-making and decision-making. This includes a new definition of 'grey belt' land. This is proposed to be defined as,

*'Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the green belt comprising Previously Developed Land and any other parcels and/or areas of Green Belt land that make a limited contribution to the five Green Belt purposes (as defined in para 140 of this Framework), but excluding those areas or assets of particular importance listed in footnote 7 of this Framework (other than land designated as Green Belt).'*

34. As part of the solution to the lack of identified land for development the government is proposing a targeted release of grey belt land. This will support local planning authorities to facing acute housing and development pressures to meet their needs, while securing environmental improvements, affordable housing and other infrastructure improvements. Where a local planning authority is unable to meet needs, it should undertake a Green Belt review. This should look to release poor quality grey belt land from the Green Belt through both local plan making and decision making. The release will be subject to sustainable development principles and to clear 'golden rules'.
35. In relation to plan-making, the government is proposing a sequential approach to guide the allocation of sites within the Green Belt. Firstly, local authorities are required to consider the release of of previously developed land, before moving on to other grey belt sites and finally to higher performing Green Belt sites where these can be made sustainable. Land that is safeguarded by other existing environmental designations will remain protected. The consultation makes clear the government's expectation that local planning authorities should seek to meet their development needs in full, but the release of land should not be supported where doing so would fundamentally undermine the function of the Green Belt across the plan area as a whole. The proposed NPPF amendment clarifies that *'exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for housing, commercial or other development through other means.'*
36. In the short term, in relation to decision-making, the government is proposing to amend national policy so that housing, commercial and other development in the Green Belt should not be regarded as inappropriate if it is on grey belt land in sustainable locations, the 'golden rules' apply and the local planning authority cannot demonstrate a five year housing land supply.
37. The 'golden rules' that government proposes to introduce in relation to development in the Green Belt, for both planned releases in a local plan and through planning applications are as follows:
- In the case of development involving the provision of housing, at least 50% affordable housing (with an appropriate proportion being for social rent), subject to viability;
  - Necessary improvements to local or national infrastructure; and
  - Provision of new, or improvements to existing, green spaces that are accessible to the public.

38. The government is proposing specific guidance on viability in relation to Green Belt release, which is set out in a new Annex 4 of the NPPF. This involves establishing a benchmark land value on the basis of the existing use value of the land, plus a reasonable and proportionate premium for landowners. The consultation is seeking views on what the benchmark land value should be. The guidance indicates the circumstances where planning permission should be refused if the policy requirements cannot be met, and land released from the Green Belt is transacted above the benchmark land value. Government is also proposing enhanced use of compulsory purchase powers where such land is not brought forward on a voluntary basis.
39. It is considered that the clarification of the emphasis that should be placed on brownfield development within settlements reflects sound planning principles and should be supported. However, it is suggested that it would be appropriate to express concern about the potential to consider hardstanding and glasshouses within the definition of 'previously developed land'. This could easily lead to large and small scale glass houses and their related hardstanding being considered as appropriate for release for residential development. Given the significant increase in land value it could be difficult to maintain a sustainable horticultural industry and may lead to development in relatively unsustainable places.
40. The proposed changes to Green Belt policy are significant and need to be seen in the national and regional contexts as well as from a New Forest perspective. The New Forest District has some relatively small areas of Green Belt around New Milton and Lymington. There are larger areas of Green Belt around Bournemouth, Christchurch and Poole, but the vast majority of the land designated as Green Belt in the South East is around London.
41. New Forest District Council previously released some of the poorer performing land from its Green Belt as part of the preparation of the Local Plan adopted in 2020 and there have been other past releases through local plans in adjoining authorities. However, many authorities have not proposed any release and given the additional protection that Green Belt land has through planning applications this has led to inconsistencies of approach across the country and been a contribution to the shortage of housing supply. This has the effect of pushing unmet housing need away from the Green Belt areas, which in themselves may not be of



good environmental quality or have public access, to areas beyond the Green Belt.

42. The clarification that meeting development needs should require consideration of Green Belt release through local plans is welcomed. However, there are some concerns with the proposed definition of 'grey belt' land. Whilst the definition of previously developed land in sustainable locations is relatively clear (subject to the definition of a sustainable location), the proposal to include land that makes a limited contribution to the five Green Belt purposes introduces ambiguity and a judgement based on evidence. Whilst this might be appropriate as part of the plan-making process, where the cumulative impact of release can be assessed, it is considered that it should not apply to planning applications. Further to this, there are reservations about the appropriateness of single dwellings being justified by this policy as opposed to more quantifiable contributions to wider development needs.
43. The government wants to ensure that where land is released from the Green Belt, the maximum public benefits are achieved, and that the overall strategic function of the designation is not undermined. The requirements related to affordable housing, infrastructure and public access to green spaces are welcomed. As is the guidance on viability. This is a radical change of approach, and the government is seeking views on what the benchmark land value should be.
44. The change in approach on land value and use of compulsory purchase powers could ensure that where land is released from the Green Belt it can come forward to provide a larger proportion affordable housing with the viability caveats, that have previously allowed developers to not meet policy requirements, largely removed. This could effectively reduce the cost of land that is released from the Green Belt.

### **Delivering affordable, well-designed homes and places**

45. The government intends to maintain local decision-making on the appropriate mix of affordable housing but makes it clear that there will be increased emphasis on social rented housing and that expectations for this tenure will need to be specified as part of broader affordable housing policies. Allied to this will be the removal of prescriptive requirements relating to affordable home ownership products.

46. The proposed amendments to the NPPF will remove the requirements to deliver at least 10% of the total number of homes on major sites as affordable home ownership and that a minimum of 25% of affordable housing units secured through developer contributions should be First Homes.
47. References to 'beauty and beautiful' that were added to the 2023 NPPF will be removed, but references to well-designed buildings and places remain, recognising policy and guidance for national and local design guides/codes.
48. Officers welcome these changes on the basis that as they are they will help the council ensure that the affordable housing provided through new development will be available to help those most in need. The removal of the most recent references to 'beauty and beautiful' will avoid the difficulty of definition and potential ambiguity in decision-making.

### **Building infrastructure to grow the economy**

49. The government aims to speed up delivery of critical infrastructure to help drive economic growth. It aims to do this through proposed changes to the NPPF but is also seeking views on whether the definition of projects that are of national significance is fit for purpose, given recent technological advancements and industrial innovation.
50. The proposed changes to the NPPF are intended to provide particular support for laboratories, gigafactories<sup>2</sup>, digital infrastructure and the freight and logistics sector by making it clearer that identified needs should be met, both through plan-making and decision-taking. The government is suggesting that the NPPF amendments could be supported by enabling infrastructure projects falling into the above sectors to request that they are directed into the Nationally Significant Infrastructure Projects consenting regime (rather than requiring a planning application to the local authority).
51. It is considered that the proposed changes to the NPPF are too permissive and there should be some recognition that there may be constraints which would make some of the economic development inappropriate in some locations. There should therefore be greater recognition that there will inevitably be some unmet needs arising and given the larger than local authority area

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<sup>2</sup> Battery cell manufacturing plants

requirements for some industries with large buildings (height/footprint) it would be better if these issues are addressed at a sub-regional or regional level. This emphasises why some form of strategic planning is essential so that needs are met in the most appropriate places and not just where a particular site is promoted, either through a planning application or as a proposed local plan allocation.

### **Delivering community needs**

52. The government proposes to amend the NPPF to indicate that *'Significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure when considering proposals for development.'* This is to facilitate the provision and modernisation of key public services infrastructure such as hospitals and criminal justice facilities.

53. The government is proposing a change of emphasis in transport planning through proposed references in the NPPF to 'vision-led' transport planning as opposed to the more traditional 'predict and provide' approach. The aim is to ensure that places are designed around the needs of residents and movement rather than to accommodate the worst-case traffic scenario.

54. The change in relation to public infrastructure reflects some of the concerns about the condition and adequacy of public service buildings and it is considered should be welcomed. The change of emphasis to transport planning is welcomed and reflects the change of emphasis in the Hampshire Local Transport Plan 4 and reduces some of the disparity between national and local planning and transport policy.

### **Supporting green energy and the environment**

55. The government proposes to revise the NPPF and change the NSIP regime to increase support for renewable energy schemes, tackle climate change and safeguard environmental resources. It considers this to be vital to meet the commitment to reaching zero carbon energy generation by 2030. The proposed NPPF changes would significantly change the national policy context (albeit largely reverting back to pre-Dec 2023 position), making it more permissive for onshore wind proposals and giving increased weight to the benefits associated with renewable and low carbon development.

56. The government is proposing to increase the thresholds at which onshore wind and solar power projects are subject to the NSIP regime. This is to reflect the better technical efficiency of electricity generation that has evolved as the technology has developed, meaning that smaller-scale projects are being captured by the current 50MW threshold. It is proposed to increase the thresholds to 100MW for onshore wind and 150MW for solar projects so that projects are required to follow a proportionate process to secure consent and focus the NSIP regime on projects that are large-scale and nationally significant. The NSIP regime is typically more complex and expensive than local decision-making through the planning application system.
57. The consultation is asking some fairly open-ended questions about how climate change can be reflected in strengthened policy and views on potential improvements to flood risk policy to make it more proportionate. It is also seeking views on extending the NSIP regime to capture water resources infrastructure projects of national significance.
58. It is suggested that the proposal to reduce the barriers to onshore wind and giving weight to the benefits of renewable and low carbon development should be supported as important steps to enable national zero carbon targets to be met. Similarly, returning some of the smaller scale renewable energy proposals to local decision-making rather than the NSIP regime is welcomed.
59. New Forest District Council has recently adopted a Climate Change Supplementary Planning Document. Amongst other provisions, it seeks to measure the potential energy requirements from new development and renewable energy generation potential for new buildings, with the aim of providing information to assess compliance with adopted local plan climate change related policies. It is proposed that the consultation response should include the suggestion to government that it should allow local authorities to set higher energy efficiency standards than current building regulations, or it should amend the building regulations to provide minimum carbon related performance standards for new buildings.

### **Changes to local plan intervention criteria**

60. The Planning and Compulsory Purchase Act 2004 contains powers for the Secretary of State to intervene if a local planning authority is perceived to be failing or omitting to do anything it is necessary for it to do in connection with the preparation, revision or adoption of a development plan document. Policy criteria were set

out in the 2017 Housing White Paper. The government is now consulting on whether the policy intervention criteria should be revised to those suggested in the consultation or removed entirely with reliance on the text of the legislation without further policy criteria.

61. It is suggested that proposed policy criteria against which the decision to intervene would be assessed are helpful rather than just relying on the judgment of the Secretary of State in line with the existing legislation. Further, this should align with the gateway assessments for local plan preparation as provided for in the Levelling Up and Regeneration Act which are designed to ensure a more supportive approach to plan-making through regular reviews by a Secretary of State appointed qualified person.

### **Changes to planning fees and cost recovery for local authorities related to Nationally Significant Infrastructure Projects**

62. Current planning fees do not generate enough income to cover the full cost of some planning applications. The government estimates that there remains an overall funding shortfall for local authority development management services of £262 million. The applications with the greatest shortfall in cost recovery are householder applications and the government is consulting on proposals to increase householder application fees from £258 to £528 to meet broad cost recovery levels, or alternative options (including no fee increase).
63. The government is also seeking views on whether there are other applications for which the current fee is inadequate and the potential to introduce fees for applications where there is currently no charge. Also, whether fee levels should be locally determined and whether fees should be increased to fund wider planning services.
64. Evidence from local authorities has highlighted that engagement with the development consent process through the NSIP regime can be time consuming and resource intensive. There is no statutory power for local authorities to charge fees for the work required on these applications, rather a reliance on the goodwill of an applicant to enter into a planning performance agreement. There can be ongoing resource requirements to discharge of conditions or obligations. The government is consulting on whether to make statutory provision to require local authorities to recover costs in relation to applications and proposed applications.

65. It is considered that the proposed increase in householder application fees to £528 is appropriate and welcomed. Given that larger applications tend to generate a fee which meets cost recovery there are no other applications where an increase would be justified. However, applications for listed building consent, consent to undertake demolition in a conservation area and works to trees in a conservation area or protected by a Tree Preservation Order generate a major call on resources for the District Council and it would be appropriate for fees to be charged for the determination of these applications.
66. Given the particularly complexities of planning in the New Forest Plan Area, its high property prices and the need to provide sufficient salary levels to attract staff, the ability for a local authority to set all, or some of its fees locally, albeit with a nationally-set fee as the default. It would be appropriate if a proportionate increase was made to enable a part of the fee to be used to help fund the enforcement function.
67. Should the Council have to engage in NSIP applications as a consultee this would be for large scale development (of national significance) and it would likely draw significant resources to ensure it could engage effectively. It is suggested that a statutory obligation requiring full cost recovery for relevant services provided by local authorities should be introduced and should cover all the necessary disciplines to address the relevant material planning considerations.

### **The future of planning policy and plan making**

68. The consultation sets out proposed transitional arrangements for emerging plans at more advanced stages of preparation, giving clarity on which version of the NPPF they will be examined against. Furthermore, the government has clarified that it currently intends to implement the new plan-making system as set out in the Levelling Up and Regeneration Act from summer or autumn 2025 and plans submitted for examination before December 2026 will be examined under the existing 2004 Act.
69. The initial transitional arrangements for plans at advanced stages of preparation will not apply to New Forest District Council, given the timetable for its Local Plan Review. However, the deadline of December 2026 will have to be achieved for plan submission or there is the potential for a period of uncertainty (and potential delay) whilst the new process in the Levelling Up and

Regeneration Act is followed. The government has indicated that it will publish further details of its intentions around plan-making reform in due course.

### **Options appraisal**

70. Officers have considered the proposed reforms and the likely impact they would have on the provision of planning services by the Council. Alternative responses were considered in the drafting of the report.

### **Consultation undertaken**

71. There has not been sufficient time to carry out internal officer consultation on the proposed response. However, it has been circulated to relevant housing and climate change officers for information.
72. The portfolio holder has been consulted on the content of the report and draft consultation response.

### **Financial and resource implications**

73. The council would benefit from the positive financial implications should the scope for planning fees be widened and fees for householder applications be increased. On the other hand, the NPPF as currently proposed also places increased burdens on the council with regard to reviewing Green Belt, and in potentially contributing to significantly increased levels of development activity with consequential impact on council resources.

### **Legal implications**

74. There are no direct legal implications arising from the recommendations, albeit the proposed reforms being consulted upon will, if carried forward to a final version, have a material impact to the legal framework within which the planning system operates within

### **Risk assessment**

75. As the report and recommendations relate to a government consultation a formal risk assessment is not required.

### **Environmental / Climate and nature implications**

76. As the report and recommendations relate to a government consultation an environmental impact assessment is not required. As detailed in the report, there are potential direct and indirect

environmental, climate and nature implications arising from the proposed changes to the NPPF and planned wider reforms.

### **Equalities implications**

77. As the report and recommendations relate to a government consultation an equalities impact assessment is not required.

### **Crime and disorder implications**

78. There are no crime and disorder implications arising from the recommendations.

### **Data protection / Information governance / ICT implications**

79. There are no implications arising from the recommendations.

### **New Forest National Park / Cranborne Chase National Landscape implications**

80. The national planning reforms the subject of the current consultation will apply to and affect all part of the district, including that within the New Forest National Park and the Cranborne Chase National Landscape. Whilst the government is clear that the protections directly afforded these areas are largely unchanged, the potential increased development pressures on areas close to such areas is material and covered in the proposed response to the consultation. It is expected that the National Park Authority and Cranborne Chase Partnership Board will provide their own responses to the consultation.

### **Appendices**

Appendix 1 – Proposed NPPF Consultation Response

### **Background Papers:**

[Proposed reforms to the National Planning Policy Framework and other changes to the planning system](#)  
[National Planning Policy Framework: draft text for consultation](#)  
[Outcome of the proposed revised method – available on MHCLG website](#)



## **Appendix 1 – Proposed NPPF Consultation Response**

### **Government consultation on the proposed reforms to the National Planning Policy Framework (NPPF) and other changes to the planning system**

**Link to consultation page:**

<https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

**Link to government’s consultation questions:**

<https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system>

**Question 1: Do you agree that we should reverse the December 2023 changes made to paragraph 61?**

**Question 2: Do you agree that we should remove reference to the use of alternative approaches to assessing housing need in paragraph 61 and the glossary of the NPPF?**

First and foremost, the NPPF could and should say more about how and where the Government’s national housebuilding objectives should be met, rather than relying on a formula that is not sustainably deliverable in many areas where current growth pressures are highest. It would be helpful to include in the NPPF a high-level positive strategy (i.e. a national spatial plan) that better aligns the provision of homes and other development with where the sustainable opportunities genuinely exist. Failure to do this represents a significant risk to the government’s objective of significantly increasing housing supply. This is because authorities like New Forest District Council, whom have been attributed a notional housing need which is nearly three times it’s adopted local plan requirement, yet are significantly constrained by policies that seek to protect areas or assets of particular importance (as per paragraph 11 (b) & footnote 7 of the NPPF), will be required to demonstrate it’s limited capacity to meet this need through the local plan making process prior to then in engaging in strategic planning with other authorities to seek to address this need. This issue is particularly exacerbated in coastal local authorities. Such processes are by their very nature lengthy and the risk to national policy objectives could be reduced by more proactive direction from the government in directing growth needs to those areas most able to accommodate them.

Retain wording in Para. 60 of the existing NPPF “to meet as much of an area’s identified housing need as possible” as this reflects situations where constraints may prevent meet need in full.

In terms of the precise proposed changes to paragraph 61 and 62 of the NPPF, it could be argued that the issue here is not so much the proposed reversal/deletion of the wording rather the fact that the standard method proposed is simply not appropriate nor an objective assessment of housing need (see answers to questions 15, 16 and 19 for the detailed explanation for why the proposed standard method is not considered to be the most appropriate approach). The previous and current wording setting out the context on where the use of alternative approaches to assess housing needs may be appropriate was never particularly clear, and arguably created uncertainty within the planning system as to what would constitute exceptional circumstances and what figure was / should be used as the need figure for an area. Similarly, removing wording on the outcome standard method being 'an advisory starting point' probably makes the NPPF as a whole more consistent with itself, provides greater clarity as to what is the expectation regarding plan-making and of itself, is not necessarily a fundamental shift.

**Question 3: Do you agree that we should reverse the December 2023 changes made on the urban uplift by deleting paragraph 62?**

No comments.

**Question 4: Do you agree that we should reverse the December 2023 changes made on character and density and delete paragraph 130?**

This proposed reversion is supported, noting that the NPPF as otherwise presented and considered as a whole provides an appropriate basis for ensuring that character and density are taken into account in considering development proposals and in potentially preparing future design codes.

**Question 5: Do you agree that the focus of design codes should move towards supporting spatial visions in local plans and areas that provide the greatest opportunities for change such as greater density, in particular the development of large new communities?**

Generally, agree that this should represent the focus of design code work in the first instance, noting that many authorities have yet to commence the formal preparation of design codes and have limited resources to do so. It is considered important to ensure that the NPPF also provides sufficient flexibility for the preparation of design codes in other areas, noting for example the enthusiasm for design codes in some neighbourhood planning groups.

**Question 6: Do you agree that the presumption in favour of sustainable development should be amended as proposed?**

Yes. The amendment of part of criterion (d) which removes "which are most important for determining the application" and specifies that this relates to policies "for the supply of land" is useful as it removes a degree

of ambiguity and the scope for legal discussions on 'importance' during the application process and during any subsequent appeals.

**Question 7: Do you agree that all local planning authorities should be required to continually demonstrate 5 years of specific, deliverable sites for decision making purposes, regardless of plan status?**

In summary, it is considered that local planning authorities without an up-to-date Local Plan in place should be required to continually demonstrate five years of specific, deliverable sites for decision making purposes. However, it is not considered that local planning authorities who have an up-to-date Local Plan should be required to continually demonstrate a five-year housing land supply as this risks undermining recently adopted Local Plans that have been found sound and reducing public trust and confidence in the plan-led system.

It is considered that local planning authorities without an up-to-date Local Plan in place should be required to continually demonstrate five years of specific, deliverable sites for decision making purposes.

It is not considered that local planning authorities who have an up-to-date Local Plan should be required to continually demonstrate a five-year housing land supply. It is recognised that circumstances can change over the five-year period of an up-to-date plan, and allocations can turn out not to be deliverable. However, to address this, it is considered that the policies and housing supply of an adopted up-to-date Local Plan should include appropriate contingencies to enable appropriate alternative land to come forward rather than relying entirely on a speculative planning application approach. It is considered that requiring local planning authorities with an up-to-date local plan to continually demonstrate a five-year housing land supply risks undermining the plan-led system and reducing public trust in the Local Plan for their area. Without safeguards, it risks creating an incentive for developers to game the system by overstating delivery rates and timescales at examination stage, on the hope or expectation that within a short period after adoption delivery shortfalls would lead to application of the presumption in favour of sustainable development, weakening the local planning authority's ability to apply their recently adopted plan policies.

At Local Plan examination stage, the appropriateness and deliverability of local plan targets and sites should be rigorously tested to ensure deliverability of supply. This should take into account the best available information, including developer and other relevant views, of delivery timescales for the site build out and for the provision of any necessary infrastructure that may bear on the delivery timetable. The existence of a five-year housing land supply upon adoption should be categorically confirmed through the Inspector's report in order for a Local Plan to be found sound. Thereafter there should be a period of 'immunity' whereby the five-year housing land supply tested, confirmed, and found sound at examination is fixed so as to enable local planning authorities to implement their local plans and apply their recently adopted policies in full

at planning application stage. This is needed in order to strengthen the plan-led system and to increase the public's trust in local plans and the planning system. Particularly in those areas such as the New Forest where the challenges of delivering sustainable housing and economic growth has to be carefully planned to ensure that the cumulative impacts do not unacceptably harm the unique environmental attributes of the area.

**Question 8: Do you agree with our proposal to remove wording on national planning guidance in paragraph 77 of the current NPPF?**

No. Not enabling local planning authorities to factor in past over-delivery in their five-year housing land supply calculations in the same way that under-delivery is, rightly, required to be factored in (where the five-year housing land supply requirement is calculated using an up-to-date adopted Local Plan annualised housing target) risks penalising local planning authorities that have had a strong delivery record against a sound annual housing target (that is sufficient to meet the identified housing need figure) during the period covered by their up-to-date adopted Local Plan. It risks exposing such local planning authorities to the 'presumption' through no fault of their own and despite the fact that development has come forward ahead of schedule and therefore their housing growth targets set out in their local plan are being exceeded. As the consultation is proposing that all local authorities, including those who have up-to-date Local Plans in place, will be required once again to continually demonstrate a five-year supply of deliverable housing land, then the issue of how previous under/over-delivery against an up-to-date Local Plan annual housing target should be addressed in the five-year housing land supply calculation becomes relevant. New Forest District Council considers that both past under-delivery and past over-delivery should be taken account of.

**Question 9: Do you agree that all local planning authorities should be required to add a 5% buffer to their 5-year housing land supply calculations?**

No. Requiring all local planning authorities to add a 5% buffer to their five-year housing land supply calculations is not considered to be appropriate. It undermines the Plan-led system as it will place local planning authorities (who have an up-to-date Local Plan with a target that has met the tests of soundness) at greater risk of being under the 'presumption' by requiring additional deliverable land to be available on top of their adopted Local Plan annual housing target which has already passed the scrutiny of examination. The 5% buffer is an arbitrary figure and for local planning authorities with an up-to-date Local Plan in place should not be necessary as the quantum and deliverability of housing supply should have been rigorously tested at Local Plan examination stage to ensure it is sufficient to meet housing requirements with adequate flexibility and sufficient certainty of delivery.

**Question 10: If yes, do you agree that 5% is an appropriate buffer, or should it be a different figure?**

No comments.

**Question 11: Do you agree with the removal of policy on Annual Position Statements?**

No comments.

**Question 12: Do you agree that the NPPF should be amended to further support effective co-operation on cross boundary and strategic planning matters?**

Yes, in principle the proposed changes to paragraph 24 and 27 of the NPPF are considered to be positive. For the longer term, the consultation gives some information on how, in the longer term, the proposed reintroduction of strategic planning is proposed to work in areas with elected mayors. Very little detail is yet given in the consultation of how strategic planning will operate in areas without an elected mayor in place. There needs to be a clear statutory strategic governance system in place, preferably along the same lines as the previous regional planning/structure plans in order to ensure that all areas are included on a consistent and transparent basis.

Overall, there is a need to think of strategic planning on a wider scope rather than just neighbours and looking at housing need on a geographical/need basis. This is particularly the case in coastal areas, and those affected by significant environmental designations, where it is unlikely that neighbouring areas alone will be able to address wider housing needs.

**Question 13: Should the tests of soundness be amended to better assess the soundness of strategic scale plans or proposals?**

No comments.

**Question 14: Do you have any other suggestions relating to the proposals in this chapter?**

No comments.

**Question 15: Do you agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections?**

In summary, New Forest District Council does not agree that Planning Practice Guidance should be amended to specify that the appropriate baseline for the standard method is housing stock rather than the latest household projections. This is because a standardised proportion of the existing housing stock is not an indicator of need, merely a reflection of what has already been built. It does not necessarily indicate where there are areas of significant over or under occupation of that housing stock. It

also fails to recognise that local authority boundaries do not necessarily align with equal opportunities to accommodate additional growth – indeed New Forest District’s administrative boundary for planning has been gradually reduced over the last fifty years due to local government reorganisation and the creation of the New Forest National Park. The use of household projections should be retained as these provide a forecast of how an area is anticipated to evolve demographically and therefore are an indicator of both the quantum and type of housing that will be needed in order to appropriately respond to/accommodate that demographic change.

The consultation proposes that 0.8% of the latest housing stock figure as published by the ONS should be used as the baseline for the standard method. The consultation states that on average housing stock nationally over the last 10-years has increased at an average rate of 0.89% annually. The consultation states that using 0.8% will therefore banks the average status quo level of delivery, to then be built on through affordability-focused uplifts.

Whilst it is recognised that using a proportion of the housing stock may be less volatile than using the latest household projections, it is considered that there are significant issues with the proposal to use housing stock as the baseline which are not addressed by the method.

The principal failing is that housing stock is neither an indicator of need nor demand, it is simply the total number of dwellings in an area and therefore merely a reflection of what has been built. For a method to calculate housing need, it must genuinely be an assessment of what the need/demand is likely to be in each area. In order to do this, the use of population/household growth projections is essential because it is these forecasts that will show how the number of households in an area is projected to change and how the demographics of an area are projected to change.

Furthermore, applying a flat rate of 0.8% across the board takes no account of the fact that some areas will have grown significantly more than this and also that some areas will have grown significantly less than this. For some areas therefore, the method will bank a baseline that is in fact far higher than what has been delivered on average over the last 10-years even before an adjustment for affordability is made. Using a percentage of the existing dwelling stock as a baseline will consequently have the effect of significantly impacting some areas where there is more housing stock, often that which has been built for well over 50 years and before current environmental designations that are now in place. Indeed, in the New Forest, the area available for the District Council to plan for has reduced significantly over the last fifty years due to local government reorganisation and the creation of the New Forest National Park. The method therefore will potentially have the effect of baking in a period of historic housing growth that due to physical or environmental constraints can no longer be delivered.

If the government decides to take forward its proposal to use a housing stock approach in order to calculate the baseline, then the proportion of housing stock that is within an area covered by a footnote 7 constraint should be discounted from the calculation of the baseline. This is because the NPPF is clear that these provide a strong reason for restricting the overall scale, type or distribution of development in the plan area. It is therefore not considered to be appropriate to use past housing stock growth in such areas as a benchmark upon which to base future housing need/growth calculations because, due to the presence of footnote 7 constraints, development is heavily restricted in those areas in the future and therefore future development (at the same levels that may have been achieved historically) would not be achievable or sustainable. Discounting the housing stock in these areas would provide mitigation against the risk of the standard method generating need figures that are simply undeliverable.

**Question 16: Do you agree that using the workplace-based median house price to median earnings ratio, averaged over the most recent 3 year period for which data is available to adjust the standard method's baseline, is appropriate?**

Looking at affordability averaged out over a three-year period is likely to be more reflective of an area's affordability than just using a single datapoint for the most recent year.

**Question 17: Do you agree that affordability is given an appropriate weighting within the proposed standard method?**

It is considered that affordability needs to be tackled through measures other than simply increasing the housing need figure, housing targets and the supply of housing land. To genuinely tackle affordability, more needs to be done to accelerate the rate and volume of housing delivery which will require clear measures to diversify delivery and adopted faster methods of construction. Increasing the supply of available housing land alone will not make any meaningful difference to housing affordability. Whilst the Council remains concerned about the increasing unaffordability of housing in relation to local income levels, it is not convinced that the multiplier based on affordability is logical or reasonable in relation to the New Forest. The New Forest attracts migrants from throughout the country due to the presence of the National Park and the coast and only if so many homes were built that it was no longer so attractive would it be likely that house prices would fall. It is the external demand from beyond the district, together with the designation of the National Park itself that has resulted in the disconnect between local incomes and house prices.

**Question 18: Do you consider the standard method should factor in evidence on rental affordability? If so, do you have any suggestions for how this could be incorporated into the model?**

No comments.

**Question 19: Do you have any additional comments on the proposed method for assessing housing needs?**

The consultation suggests that there will be some places where it is not possible to meet the need figure generated, despite taking all possible steps, including optimising density, sharing need with neighbouring authorities, and reviewing Green Belt boundaries. The proposal appears to build room into the formula to account for the fact that there will not necessarily be a one-to-one relationship between 'notional housing need' and local plan targets. This appears to be the main explanation as to why the overall 'need figure' for England has increased from approximately 300,000 dwellings to approximately 370,000 dwellings.

Deliberately designing the formula so that it generates a higher overall figure to account for the fact that some areas will not meet need is not considered to be appropriate. The method for assessing housing need should be specifically designed to objectively do precisely that and nothing more. It should not attempt to artificially build headroom into the notional housing need figure. Furthermore, some of the areas that would see an increase in their need figure generated by the proposed standard method are in areas whereby it is clearly not going to be possible to sustainably meet the figure generated by the current standard method due to physical and environmental constraints. Consequently, the perceived headroom envisaged by the consultation will be very unlikely to materialise in practice because it has been placed in too many areas where it will not be possible to deliver the increase.

Instead, the NPPF could and should say more about how and where the Government's national housebuilding objectives should be met, rather than relying on a formula that is not sustainably deliverable in many areas where current growth pressures are highest. It would be helpful to include in the NPPF a high-level positive strategy (i.e. a national spatial plan) that better aligns the provision of homes and other development with where the sustainable opportunities genuinely exist.

Additionally, the proposed 'standard method' still does not, make any distinction for authority areas that have national parks within their boundaries and consequently the standard method is calculated on a whole authority basis with no differentiation between areas that are inside or outside the National Park. However, given that National Parks are, rightly, exempt from the standard method, the result is that the planning authority areas outside of the National Park are expected to provide for the housing need figure of the whole area generated by the standard despite only comprising a proportion of the of the area.

**Question 20: Do you agree that we should make the proposed change set out in paragraph 124c, as a first step towards brownfield passports?**

No detail or clarity is provided as to what a 'brownfield passport' would be or how it would work in practice. NFDC supports the principle of making the most optimal use of brownfield land in order to help to address



identified needs for housing and other forms of development (such as commercial, employment, community uses), and to facilitate economic/environment/social enhancements in urban areas. However, brownfield passports should not be introduced/used as a way of watering-down or circumventing planning requirements that are necessary to achieve sustainable development. Particularly in areas such as the New Forest where the challenges of balancing economic and housing growth with nationally and internationally designated environmentally sensitive sites is particularly acute.

**Question 21: Do you agree with the proposed change to paragraph 154g of the current NPPF to better support the development of PDL in the Green Belt?**

The resulting changes would not alter the need for LPAs to judge each development on its own merit, but it would ideally require a Green Belt study to be undertaken to assess how the Green Belt is functioning in that location, as well as the relative “openness” of the Green Belt in that locality.

**Question 22: Do you have any views on expanding the definition of PDL, while ensuring that the development and maintenance of glasshouses for horticultural production is maintained?**

Glasshouses that are used for horticultural production should not be included within the definition of PDL as they do and can provide a beneficial economic use both now and, in the future, e.g., to facilitate food production (to increase the UK’s food security). It would not be considered appropriate to create a potential precedent whereby glasshouses in rural areas that are currently actively used for horticultural use could be simply redeveloped for an alternative use without strong safeguards as this could result in a shortfall of supply of suitable horticultural glasshouse premises and reduce the viability of glasshouses for horticultural production.

**Question 23: Do you agree with our proposed definition of grey belt land? If not, what changes would you recommend?**

The proposed definition is quite broad/non-specific, and the challenge/issue will be regarding the practicalities of the application of the proposed definition. For example, to determine whether or not a parcel performs strongly against each Green Belt purpose and whether it makes only a limited contribution to any Green Belt purpose will require a comprehensive Green Belt review. The process/methodology in which Green Belt reviews are carried out in each authority area will need to be the same to ensure that comparable parcels (regardless of location in the country) are treated consistently so that there is fairness in how the definition of ‘Grey Belt’ is applied.

Furthermore, it is uncertain whether each local authority should undertake a Green Belt review individually or whether there should be more encouragement for groups of authorities work together as a group to

jointly commission a strategic Green Belt review (e.g., all authorities that are within the South-West Hampshire / Dorset Green Belt commissioning a single joint study the Green Belt in this region rather than individual Green Belt reviews commissioned individually by each authority)?

**Question 24: Are any additional measures needed to ensure that high performing Green Belt land is not degraded to meet grey belt criteria?**

An approach similar to that used for Biodiversity Net Gain could be used that introduces a base date for qualifying green belt / landscape features, and which could be used to detect deliberate degradation by a landowner. There is a risk however, that this could be complex / expensive to set up.

**Question 25: Do you agree that additional guidance to assist in identifying land which makes a limited contribution of Green Belt purposes would be helpful? If so, is this best contained in the NPPF itself or in planning practice guidance?**

Additional guidance will be essential in order to ensure that Green Belt parcels are assessed consistently and that the definition of what makes a limited contribution is applied consistently in authorities across the country. This should be contained in the Planning Practice Guidance. However, it should be noted that there are already a number of comprehensive Green Belt reviews prepared by LPAs which can be drawn upon for their approach, etc. For example, the study prepared to inform the preparation of the New Forest Local Plan 2016 – 2036 Part One: Planning Strategy (July 2020).

**Question 26: Do you have any views on whether our proposed guidance sets out appropriate considerations for determining whether land makes a limited contribution to Green Belt purposes?**

It would be helpful to set out what defines 'limited contribution' – one example would be whether performing poorly on just one green belt purpose is sufficient to decide that a parcel of Green Belt land is making a limited contribution. Or whether a combination of the five purposes is required for it to be making a limited contribution. Otherwise, there will be varying interpretations between different local authorities; this will lead to drawn out discussions at the examination stage and could even delay the processing of adopting new Local Plans.

**Question 27: Do you have any views on the role that Local Nature Recovery Strategies could play in identifying areas of Green Belt which can be enhanced?**

The outputs from LNRS work have enormous potential to show where areas of the plan area can be enhanced for nature. It is self-evident that LNRS conclusions should be used as part of the evidence base in Local Plan production.

Whilst LNRS will be important to identify areas of Green Belt that can be / would be beneficial to enhance, this should be at a high level and not detailed. It could also be coupled with a call for sites for natural capital / green infrastructure as part of preparing local plans to assist delivery as well as identification.

**Question 28: Do you agree that our proposals support the release of land in the right places, with previously developed and grey belt land identified first, while allowing local planning authorities to prioritise the most sustainable development locations?**

Yes, there is merit in this approach. It allows local planning authorities to appraise their own sites and set out the evidence for the more sustainable locations. The principle of using a sequential approach to identifying sites is one used in other areas of planning such as flood risk. It is therefore a familiar process to follow.

**Question 29: Do you agree with our proposal to make clear that the release of land should not fundamentally undermine the function of the Green Belt across the area of the plan as a whole?**

Yes. Where the NPPF directs LPAs to carry out a comprehensive review of Green Belt in its plan area it would provide the opportunity to appraise the function of the Green Belt in full (taking account of any proposed Green Belt release).

**Question 30: Do you agree with our approach to allowing development on Green Belt land through decision making? If not, what changes would you recommend?**

The NPPFs overall emphasis on sustainable locations first is welcomed, with priority then given to previously developed land (PDL), followed by "grey belt" and green belt last of all. This approach is one we would agree with. Clarity on the government's intentions as to what sustainable forms of development in the Green Belt would be supported would however be helpful – there are reservations about the appropriateness of single dwellings being justified by this policy as opposed to more quantifiable contributions to wider development needs e.g. a scale of housing which helps to more substantially address housing need and has ability to deliver more sustainable developments.

The proposed changes (the proposed new paragraph 152 of the NPPF) bring with them the potential risk of undermining the Local Plan process and trust in the planning system, by creating a potential incentive for developers to push forward speculative planning applications on Green Belt sites rather than having such sites considered strategically through the Local Plan preparation process. The proposed approach risks leading to poorly planned ad-hoc Green Belt release rather than Green Belt being formally released through the Local Plan process where there is greater opportunity for engagement with communities and other relevant stakeholders to ensure that any Green Belt release occurs in sustainable

locations (supported by the appropriate infrastructure) as justified by a Local Plan evidence base and Sustainability Appraisal, and is strategically planned rather than ad-hoc/piecemeal.

There is also the potential issue of developers seeking to pre-empt the formal Green Belt review process undertaken as part of a Local Plan review by undertaking their own Green Belt assessment and then arguing that their site should be considered as Grey Belt through a planning application or by appeal inquiry on the basis of a Green Belt assessment they decide to commission and submit as part of their planning application, particularly if their assessment is more recent than a Green Belt review undertaken by a local authority. This runs the risk of creating a very resource intensive and time-consuming process/system for all parties.

There are also some reservations about whether Green Belt land may be deliberately degraded to lower its value and contribution to be considered as Grey Belt? Similar to BNG should there be protections in place to prevent / deter this.

In this regard, it would be worth the Government considering how the NPPF or other guidance could provide directions for strategic Green Belt reviews, where relevant, at larger than Local Plan scale. This would necessitate a more strategic approach to planning than has hereto been the case. Such a strategic review could set the 'general extent' of Green Belt in each area/region and identify where more detailed changes to boundaries are needed through the local plan process.

**Question 31: Do you have any comments on our proposals to allow the release of grey belt land to meet commercial and other development needs through plan-making and decision-making, including the triggers for release?**

It is probable that 'grey belt' sites (as defined in the current NPPF consultation) contain land that is in use for commercial / other needs as much as for residential use. It would therefore make sense to release Green Belt (grey belt) where it is adjacent to existing commercial units and the Green Belt review concludes that release would not fundamentally undermine the function of the Green Belt across the area of the plan.

**Question 32: Do you have views on whether the approach to the release of Green Belt through plan and decision-making should apply to traveller sites, including the sequential test for land release and the definition of PDL?**

We do not see why it shouldn't also apply to traveller sites. These are akin to residential uses and once allocated as traveller sites they generally remain in that use.

**Question 33: Do you have views on how the assessment of need for traveller sites should be approached, in order to determine whether a local planning authority should undertake a Green Belt review?**

Timing wise, such an assessment should take place at the same time as any Green Belt review as part of the Local Plan process, and directly alongside other technical studies that are undertaken as part of a Local Plan review (thus informing each other as appropriate).

**Question 34: Do you agree with our proposed approach to the affordable housing tenure mix?**

Yes, whilst the Council recognises the increased emphasis on social rent, it agrees that the appropriate affordable housing tenure mix should be determined locally to ensure that the affordable housing provided meets the needs of the local population as far as possible and that viability is considered according to local circumstances.

**Question 35: Should the 50 per cent target apply to all Green Belt areas (including previously developed land in the Green Belt), or should the Government or local planning authorities be able to set lower targets in low land value areas?**

The Council considers that the 50% affordable housing target should apply to all Green Belt areas.

**Question 36: Do you agree with the proposed approach to securing benefits for nature and public access to green space where Green Belt release occurs?**

Yes, the council supports the proposed requirement for improved public access to and quality of green spaces. It appears as though this requirement will apply to all development on land released from the Green Belt and it would be helpful if the government could provide guidance on how it envisages this requirement would be met in terms of scale and location for non-residential development. This should be strategic and joined up with existing provision however and look outside any relevant red line and also consider benefits to heritage assets and their setting.

**Question 37: Do you agree that Government should set indicative benchmark land values for land released from or developed in the Green Belt, to inform local planning authority policy development?**

Yes, the council supports the new approach to indicative benchmark land values for land released from or developed in the Green Belt. This should help to ensure that a larger proportion of affordable housing is delivered without the potential for reduced contributions justified by viability considerations.

**Question 38: How and at what level should Government set benchmark land values?**

The consultation questions state, in relation to benchmark land values, that the allowance for the amount of money paid to a landowner should be set by the local planning authority. Whilst the council acknowledges that it is responsible for carrying out the viability assessment of its local plan policies and taking account of viability in decision making on planning applications this is very much within the restrictions of existing government guidance and market conditions, rather than the local planning authority determining appropriate land values. The council would not wish to offer a view on the exact level of benchmark land values, although it suggests that the advice of the Royal Institute of Chartered Surveyors would be relevant and that the provision of affordable housing, infrastructure and green space should be prioritised over excessive landowner profits, particularly when agricultural land is released.

**Question 39: To support the delivery of the golden rules, the Government is exploring a reduction in the scope of viability negotiation by setting out that such negotiation should not occur when land will transact above the benchmark land value. Do you have any views on this approach?**

The council would support this approach which should ensure that the scarcity of land for development will not push land prices so high that policy requirements (particularly affordable housing) are not delivered.

**Question 40: It is proposed that where development is policy compliant, additional contributions for affordable housing should not be sought. Do you have any views on this approach?**

The Council agrees that as it would be unlikely to be able to require higher levels affordable housing when development is policy compliant it is helpful that this is made clear in the revised NPPF.

**Question 41: Do you agree that where viability negotiations do occur, and contributions below the level set in policy are agreed, development should be subject to late-stage viability reviews, to assess whether further contributions are required? What support would local planning authorities require to use these effectively?**

Yes, the council considers that this approach is appropriate for larger sites and should be applied to all development, not just Green Belt release or development.

**Question 42: Do you have a view on how golden rules might apply to non-residential development, including commercial development, travellers sites and types of development already considered 'not inappropriate' in the Green Belt?**

The council notes that in relation to non-residential development the golden rules are restricted to necessary improvements to local or national infrastructure and the provision of new, or improvements to existing, green spaces that are accessible to the public. The council considers that government will need to publish guidance on whether, in terms of infrastructure, this will be solely provision to meet the needs of development and in terms of green space, whether it envisages that there will be an empirical requirement based on the size of the development. Similar considerations apply to infrastructure provision in relation to residential development, although the matter of amount of green space provision is addressed in the proposed NPPF revisions.

**Question 43: Do you have a view on whether the golden rules should apply only to 'new' Green Belt release, which occurs following these changes to the NPPF? Are there other transitional arrangements we should consider, including, for example, draft plans at the regulation 19 stage?**

The council considers that it would only be appropriate to apply the golden rules to 'new' Green Belt release given the relatively limited transition period for local plans currently at an advanced stage. However, they should apply to all development management decisions for land in the Green Belt from the date of publication of the revised NPPF.

**Question 44: Do you have any comments on the proposed wording for the NPPF (Annex 4)?**

It would have been helpful if the government could have proposed a benchmark land value rather than leaving this blank and asking for views. This is such a critical part of the change of approach that it may require further thought and detailed discussions with relevant stakeholders once the government has come to a view and prior to finalising in the revised NPPF.

**Question 45: Do you have any comments on the proposed approach set out in paragraphs 31 and 32?**

The council welcomes the significant change in approach to securing Green Belt land for development without meeting over inflated land values. It would suggest that a national approach through Homes England could be the most efficient way of achieving this approach, given the need for specialist resources to implement complex CPO legislation.

**Question 46: Do you have any other suggestions relating to the proposals in this chapter?**

The government may wish to consider whether the proposed approach for benchmark land values and CPO could also apply to greenfield development outside of the Green Belt.

**Question 47: Do you agree with setting the expectation that local planning authorities should consider the particular needs of those who require Social Rent when undertaking needs assessments and setting policies on affordable housing requirements?**

Yes, this is already implicit in the NPPF and planning practice guidance, however, it is helpful that there is a clear reference. Given viability considerations the government will likely need to consider how this is funded and whether there will be specific government funding provided to enable social rented housing.

**Question 48: Do you agree with removing the requirement to deliver 10% of housing on major sites as affordable home ownership?**

Yes, the council supports this change to reprioritise provision for those in most need of assistance.

**Question 49: Do you agree with removing the minimum 25% First Homes requirement?**

Yes, the council supports this change to reprioritise provision for those in most need of assistance.

**Question 50: Do you have any other comments on retaining the option to deliver First Homes, including through exception sites?**

Given that First Homes have rarely been implemented, have complex future sale arrangements and are generally only accessible to those that can already afford existing housing in the market, the council does not have any objection to removing the First Homes option and considers that at the very least the national policy in relation to provision on exception sites should be rescinded.

**Question 51: Do you agree with introducing a policy to promote developments that have a mix of tenures and types?**

Yes, the proposed change reflects current practice.

**Question 52: What would be the most appropriate way to promote high percentage Social Rent/affordable housing developments?**

Government funding will likely be required to deliver high percentage Social Rent/affordable housing requirements. The government could also consider widening its proposed approach to benchmark land values and CPO to greenfield development generally (particularly larger schemes) rather than just development on Green Belt land. The overall quality of development (including provision of infrastructure) will be key to ensuring support for schemes with a high percentage of Social Rent/affordable housing which is why either government finding or a different approach to land value capture is necessary.



**Question 53: What safeguards would be required to ensure that there are not unintended consequences? For example, is there a maximum site size where development of this nature is appropriate?**

This is a difficult question to answer, and research would be helpful to inform the answer, but the council would suggest that a maximum site size in the range of 50 – 100 dwellings would be appropriate for schemes with a very high proportion of Social Rent/affordable housing.

**Question 54: What measures should we consider to better support and increase rural affordable housing?**

The existing exceptions policy is a good approach to support the provision of rural affordable housing. However, to ensure that provision is prioritised for those in most need it is suggested that it is restricted to Social Rent housing. Government funding and support for community interest companies would help increase provision of rural affordable housing.

Where rural exception site policy is not appropriate or applicable, additional rural affordable housing could be facilitated through the lowering of the affordable housing threshold and the application of vacant building credit in rural areas, e.g. the conversion of former agricultural buildings in new residential accommodation could then deliver a percentage of affordable housing.

**Question 55: Do you agree with the changes proposed to paragraph 63 of the existing NPPF?**

Yes, the council welcomes the clarification on assessing the needs of 'looked after children' as a specific group, although notes that meeting those needs will likely require government funding.

**Question 56: Do you agree with these changes?**

Yes, the council agrees with the changes to widen the definition of groups that can deliver community-led housing and allow local plans to set the size limit for community-led exception sites.

**Question 57: Do you have views on whether the definition of 'affordable housing for rent' in the Framework glossary should be amended? If so, what changes would you recommend?**

The council considers that it is appropriate that affordable housing to rent (Social and Affordable Rent) is provided and managed by Registered Providers, registered with the Regulator of Social Housing. The provision of this affordable housing by Registered Providers helps to ensure and provide confidence in the quality of these homes and their ongoing management and maintenance. Although the consultation indicates the question is raised to consider how to enable organisations such as CLT's

and Almshouses to develop new affordable homes, broadening the definition could run the risk of opening up opportunities for (unregulated) private developers to opt to deliver affordable housing to rent delivered through s106's. Further to this, the council considers that this change is not required as they could fall under the definition of 'build to rent' which is not restricted to registered providers.

**Question 58: Do you have views on why insufficient small sites are being allocated, and on ways in which the small site policy in the NPPF should be strengthened?**

Potential reasons on why insufficient small sites are being allocated include:

- In less dense, more rural/suburban areas such sites will provide relatively small numbers of homes compared to the overall housing targets. Consequently, authorities may choose to focus more resource in providing an appropriate policy framework (given by a formal allocation) to larger sites that will make a more significant contribution towards their housing targets, and enable smaller sites to come forward as windfall sites.
- viability challenges with bringing such sites forward, insufficient value in developing such sites compared with the costs of doing so and therefore reducing the incentives for landowners/developers to bring such sites forward.
- Availability/ownership/land assembly issues for small sites that have multiple landowners.

It is not clear how the current NPPF requirement at paragraph 69(a) (that requires local authorities to identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare) assists effective and timely plan-making. It may result in additional work being created by either lengthening the time-taken and work needed for the site identification process in order to meet the 10% figure or through authorities having to produce extra evidence to demonstrate why they cannot meet the 10% figure.

**Question 59: Do you agree with the proposals to retain references to well-designed buildings and places, but remove references to 'beauty' and 'beautiful' and to amend paragraph 138 of the existing Framework?**

Yes, the Council considers that the proposed changes will avoid the difficulty of definition and potential ambiguity in decision-making.

**Question 60: Do you agree with proposed changes to policy for upwards extensions?**

Yes, the Council welcomes the proposed changes and reduced emphasis on mansard roofs.

**Question 61: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 62: Do you agree with the changes proposed to paragraphs 86 b) and 87 of the existing NPPF?**

No, the proposed changes are too permissive in their nature and fail to recognise that constraints may make some of the development referenced inappropriate in some locations. Whilst it is acknowledged that economic development needs, including modern formats, need to be met, the sub-regional, regional and national catchments for (and footloose nature of) some of the uses mean that cross-boundary strategic planning is essential to accommodate them in the right places. The current proposed wording implies that if there is a need it should be met through local plan allocations or planning permissions without considering where the best place to meet these needs might be. Furthermore, the proposed changes mean that the overly permissive policy approach would not just apply to the specific sectors that the government wishes to support, but the proposed addition of criterion c) to existing paragraph 87 means it would cover all industries.

**Question 63: Are there other sectors you think need particular support via these changes? What are they and why?**

No, the proposed addition of criterion c) to existing paragraph 87 appears to cover all industries.

**Question 64: Would you support the prescription of data centres, gigafactories, and/or laboratories as types of business and commercial development which could be capable (on request) of being directed into the NSIP consenting regime?**

No, the council considers that the need for these types of buildings should be most appropriately addressed through cross-boundary strategic planning and appropriate allocations made in local plans or through decisions on planning applications.

**Question 65: If the direction power is extended to these developments, should it be limited by scale, and what would be an appropriate scale if so?**

Without specifying a size of building or site, the council considers that the government should define criteria which mean that only projects which are clearly and demonstrably nationally significant are included and the direction power is not used to avoid local decision making.

**Question 66: Do you have any other suggestions relating to the proposals in this chapter?**

Yes, the scale of the catchments and footloose nature of many modern businesses mean that some form of strategic planning is needed to support and facilitate growth in appropriate locations. This should be referenced and recognised in this chapter.

**Question 67: Do you agree with the changes proposed to paragraph 100 of the existing NPPF?**

Yes, the council welcomes the clarification that significant weight should be placed on the importance of new, expanded or upgraded public service infrastructure.

**Question 68: Do you agree with the changes proposed to paragraph 99 of the existing NPPF?**

Yes, the council welcomes the additional recognition given to early years and post 16 facilities.

**Question 69: Do you agree with the changes proposed to paragraphs 114 and 115 of the existing NPPF?**

Yes, the Council considers the changes proposed in relation to a vision led approach to transport planning to be appropriate and welcome.

However, it will need to be ensured that this aligns with other measures being or proposed to be taken by the government in relation to infrastructure projects, including funding. It is considered imperative that the new infrastructure (e.g., upgrades to the strategic road network) required to support increased levels of development (e.g., major housing and/or employment schemes) or that would enable the delivery of more sustainable transport modes (e.g., bringing former railway lines back into fully functioning use for passenger services) is fully supported by the policies and measures pursued by the government.

The changes are likely to require further guidance on what is meant by the proposed addition of the words 'in all tested scenarios' at the end of paragraph 115 of the existing NPPF. As it currently reads it implies that it would only need one of the tested scenarios to show that the development would not have an unacceptable impact or a severe (cumulative) impact on the road network for it to be considered acceptable.

**Question 70: How could national planning policy better support local authorities in (a) promoting healthy communities and (b) tackling childhood obesity?**

There have been a number of studies over the years on the interface between planning and health. Most of the key components in promoting /

facilitating healthy communities are already known (prioritising walkability and active travel, improving quality of housing, reducing exposure to environmental hazards, and linking with local health strategies on food. Bringing the best of this research and best practice into the NPPF and associated planning guidance would provide the necessary steer on these issues and provide consistency in implementation.

The council considers that implementation of existing approaches to green infrastructure and open space provision should continue to be supported. Policies to seek to control hot food takeaways near schools should be subject to local determination and facilitated, rather than prescribed through national policy. Increased government funding for safe cycling and walking routes to join up new facilities provided in new development (in particular routes to schools) can help tackle childhood obesity.

**Question 71: Do you have any other suggestions relating to the proposals in this chapter?**

No

**Question 72: Do you agree that large onshore wind projects should be reintegrated into the NSIP regime?**

Yes, given the important contribution required from onshore wind for the government's carbon net zero targets to be achieved, it is considered that large onshore wind projects should be reintegrated into the NSIP regime.

**Question 73: Do you agree with the proposed changes to the NPPF to give greater support to renewable and low carbon energy?**

If the planning system is to make any progress on the challenge of climate change and low carbon energy it will need to be bold in its approach. The changes proposed are eminently sensible and would help us make advancements regarding the delivery of low carbon electricity. The changes proposed retain safeguards for wider environmental protection and in this regard the proposals are also sound.

Yes, the proposed changes to the NPPF to reduce the barriers for onshore wind and give weight to the benefits of renewable and low carbon development are appropriate to help achieve government carbon net zero targets.

**Question 74: Some habitats, such as those containing peat soils, might be considered unsuitable for renewable energy development due to their role in carbon sequestration. Should there be additional protections for such habitats and/or compensatory mechanisms put in place?**

Yes, additional protections should be put in place to ensure that carbon impacts are assessed holistically, including the benefits of carbon

sequestration. These can be considered irreplaceable habitats and should not be impacted by renewable energy or other development except in truly exceptional circumstances.

**Question 75: Do you agree that the threshold at which onshore wind projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50 megawatts (MW) to 100MW?**

Yes, it is considered appropriate to return some of the smaller scale onshore wind proposals for local decision-making.

**Question 76: Do you agree that the threshold at which solar projects are deemed to be Nationally Significant and therefore consented under the NSIP regime should be changed from 50MW to 150MW?**

Yes, it is considered appropriate to return some of the smaller scale solar proposals for local decision-making.

**Question 77: If you think that alternative thresholds should apply to onshore wind and/or solar, what would these be?**

No comments.

**Question 78: In what specific, deliverable ways could national planning policy do more to address climate change mitigation and adaptation?**

The previous Code for Sustainable Homes was on track to achieve developments that were low carbon and sustainable in a number of other aspects by 2016. Progress was being made and the development industry was responding well to the policy environment. That policy was scrapped by the previous government. Therefore, a return to more challenging targets for the house building industry would level the playing field for all developers. Applying low space heating requirements in all new development should be a cornerstone of the governments approach. Like the previous code, the requirements and timetable for this should be ambitious and unambiguous. They should also be located in the building regulations policy arena – in this regards the planning system and building regulations regime could mirror one another in their approach.

The written ministerial statement preventing local planning authorities setting energy efficiency standards for new buildings in local plans that are not related to a percentage uplift of the target emissions rate calculated using a specified version of the Standard Assessment Procedure (SAP) is outdated and should be rescinded. Instead, local plan policies should be allowed to introduce standards to reduce energy demand and facilitate renewable energy generation with the aim to reach carbon net zero. The council considers this essential if the government's carbon net zero targets are to be achieved.

**Question 79: What is your view of the current state of technological readiness and availability of tools for accurate carbon accounting in plan-making and planning decisions, and what are the challenges to increasing its use?**

The council considers that the development industry is already able to provide sufficient information on energy demand and renewable energy generation to allow an assessment on the carbon performance of the building in terms of its operation. However, embodied carbon is significantly more difficult to assess and will need national policy approaches rather than being addressed by individual local planning authorities.

**Question 80: Are any changes needed to policy for managing flood risk to improve its effectiveness?**

Policy content and sequential approach (and associated risk classification) works reasonably well in operation. However, the cooperation and presence of the EA in the Local Plan process could be improved - some of that is resource dependent so some thought from the government on how that could be better resourced would assist local planning authorities understand the risks associated with different spatial options.

The sequential approach should not necessarily be applied to surface water flooding (which can be managed through drainage improvements) in the same way as tidal, fluvial or groundwater flooding.

**Question 81: Do you have any other comments on actions that can be taken through planning to address climate change?**

No comments.

**Question 82: Do you agree with removal of this text from the footnote?**

Yes, the footnote served no useful purpose unless there was further government policy on the how the need to protect agricultural land should be assessed.

**Question 83: Are there other ways in which we can ensure that development supports and does not compromise food production?**

It is difficult to envisage that there is way for development to support and not compromise food production when agricultural land is developed, and former countryside becomes part of the urban area. There may be opportunities to encourage retained agricultural use of land within solar or onshore wind schemes. Due to requirements around nutrient neutrality, development can compromise food production through nutrient mitigation schemes taking land out of food production or reducing the intensity of the agricultural use with reduced food production. Investment in wastewater treatment plants could negate the need for nutrient mitigation

schemes related to new development. The suggested redesignation of horticultural glasshouses as PDL in this context appears to be counter intuitive.

**Question 84: Do you agree that we should improve the current water infrastructure provisions in the Planning Act 2008, and do you have specific suggestions for how best to do this?**

No comments.

**Question 85: Are there other areas of the water infrastructure provisions that could be improved? If so, can you explain what those are, including your proposed changes?**

No comments.

**Question 86: Do you have any other suggestions relating to the proposals in this chapter?**

No comments.

**Question 87: Do you agree that we should we replace the existing intervention policy criteria with the revised criteria set out in this consultation?**

Yes, the council considers that the criteria are clear and helpful and are preferable to just relying on the existing legislation and the Secretary of State's judgement. The government should consider whether these could be made more objective rather than relying on judgement against broad headings.

**Question 88: Alternatively, would you support us withdrawing the criteria and relying on the existing legal tests to underpin future use of intervention powers?**

No, the council's preference is that there are policy criteria even if as proposed these are extremely broad.

**Question 89: Do you agree with the proposal to increase householder application fees to meet cost recovery?**

Yes.

**Question 90: If no, do you support increasing the fee by a smaller amount (at a level less than full cost recovery) and if so, what should the fee increase be? For example, a 50% increase to the householder fee would increase the application fee from £258 to £387.**

**If Yes, please explain in the text box what you consider an appropriate fee increase would be.**



No comments.

**Question 91: If we proceed to increase householder fees to meet cost recovery, we have estimated that to meet cost-recovery, the householder application fee should be increased to £528. Do you agree with this estimate?**

- Yes
- No – it should be higher than £528
- No – it should be lower than £528
- no - there should be no fee increase
- Don't know

**If No, please explain in the text box below and provide evidence to demonstrate what you consider the correct fee should be.**

NFDC does not currently have the detailed working on costings available to determine to the contrary of the consultation.

**Question 92: Are there any applications for which the current fee is inadequate? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

The fee for "Other Changes of Use" is only £578, whereas the Change of Use for more than 50 dwellings has a maximum fee of £405,000. The consideration of impacts and the assessment of a Change of Use of a building or land to a use which is not residential can take up a lot of officer time and should correlate with the change of use schedule for a residential scheme.

The consultation text makes reference to the fees for Prior Approvals. These fees will never cover the cost of officer time and work. Taking the Householder Prior Approval as an example, if representations are received then a full assessment of neighbouring impacts is required for a fee of £120. If the householder fee is potentially being increased to £528, then prior approval fees should be adjusted accordingly.

The fee for the approval of details submitted pursuant to conditions is small relative to the work involved. £43 for householders and £145 for all others goes nowhere near covering the officer time in considering and assessing these details.

**Question 93: Are there any application types for which fees are not currently charged but which should require a fee? Please explain your reasons and provide evidence on what you consider the correct fee should be.**

Listed Building Consent applications currently do not have a fee – in the past the council hoped to encourage applicants to engage with it when carrying out work eg repairs. However, it is now well accepted that unauthorised works to a listed building is a criminal offence and the

necessary consents are required when selling the property. The council's LPA fee would be minimal compared to fees charged by private architects/surveyors and the advice will be more useful to the building owner.

**Question 94: Do you consider that each local planning authority should be able to set its own (non-profit making) planning application fee? Please give your reasons in the text box below.**

Yes. Regional variations will occur that will influence the resourcing for the handling of applications. It would be useful to be able to set fees locally.

**Question 95: What would be your preferred model for localisation of planning fees?**

**Full Localisation – Placing a mandatory duty on all local planning authorities to set their own fee.**

**Local Variation – Maintain a nationally-set default fee and giving local planning authorities the option to set all or some fees locally.**

**Neither**

**Don't Know**

**Please give your reasons below.**

Local Variation. As per the answer to Q94, there will undoubtedly be regional variations in costs and to that end a scheme of local variation would be a more flexible, but still structured way of managing fees.

Solely leaving it to an authority could result in fees being too high and disincentivising development in favour of more affordable neighbouring or further away areas.

**Question 96: Do you consider that planning fees should be increased, beyond cost recovery, for planning applications services, to fund wider planning services?**

**If yes, please explain what you consider an appropriate increase would be and whether this should apply to all applications or, for example, just applications for major development?**

No. Applicants will want to see tangible outcomes from their development, and it may not materialise through that other work.

**Question 97: What wider planning services, if any, other than planning applications (development management) services, do you consider could be paid for by planning fees?**

Enforcement and breaches of planning control.

**Question 98: Do you consider that cost recovery for relevant services provided by local authorities in relation to applications for development consent orders under the Planning Act 2008, payable by applicants, should be introduced?**

Yes, albeit this is already the position for some local authorities in seeking to engage with the process and ensuring that costs are covered. Clarify from government that this is appropriate for all local authorities, on the basis of full cost recovery, would be welcomed.

**Question 99: If yes, please explain any particular issues that the Government may want to consider, in particular which local planning authorities should be able to recover costs and the relevant services which they should be able to recover costs for, and whether host authorities should be able to waive fees where planning performance agreements are made.**

Costs should cover all the necessary disciplines that comprise the relevant material planning considerations and at all stages of the process.

**Question 100: What limitations, if any, should be set in regulations or through guidance in relation to local authorities' ability to recover costs?**

There should be no limitations. If the test is cost recovery, why limit this?

**Question 101: Please provide any further information on the impacts of full or partial cost recovery are likely to be for local planning authorities and applicants. We would particularly welcome evidence of the costs associated with work undertaken by local authorities in relation to applications for development consent.**

Providing clearly for full cost recovery of local planning authorities throughout the totality of the DCO process would enable local authorities to engage from the outset in offering a local perspective and knowledge with consequential benefits for the examining authority and the quality of the overall scheme. This extends to any subsequent DCO being granted, with the implementation (including discharge of requirements and monitoring) being able to be effectively resourced by the local planning authority. This council has limited experience to date in DCOs, but experience from colleagues elsewhere in Hampshire suggests that the actual costs of local authority engagement in larger DCOs can extend many hundreds of thousands of pounds (and often over £1 million) over the DCO process.

Partial cost recovery means that the case advanced by an authority may not be the fullest, or to achieve a full case could result in funding being taken from other relevant Council services.

**Question 102: Do you have any other suggestions relating to the proposals in this chapter?**

No comments.

**Question 103: Do you agree with the proposed transitional arrangements? Are there any alternatives you think we should consider?**

The transitional arrangements are unlikely to be applicable to New Forest District Council given its current plan-making stage.

**Question 104: Do you agree with the proposed transitional arrangements?**

Yes, the council welcomes the extension to the December 2026 for the submission of plans under the existing 2004 Act.

**Question 105: Do you have any other suggestions relating to the proposals in this chapter?**

The council suggests that the government should set out as soon as possible further information regarding its intention to implement the new plan-making system as set out in the Levelling Up and Regeneration Act as this change is likely to cause delay and uncertainty to the preparation of local plans and is unnecessary.

**Question 106: Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic? If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how. Is there anything that could be done to mitigate any impact identified?**

No comments.

**Place and Sustainability Overview and Scrutiny Panel – 12  
September 2024**

**Cabinet – 2 October 2024**

**Nationally Significant Infrastructure Projects –  
approach, governance, and resourcing**

Purpose	For Review
Classification	Public
Executive Summary	This paper provides a summary of NSIP and seeks to formally set out how the council should be involved in the process, including by the use of Planning Performance Agreements.
<b>Recommendations</b>	<p><b>That the Panel considers the content of this report, including the following Cabinet recommendations:</b></p> <ul style="list-style-type: none"> <li><b>i. That it notes the provisions of the Planning Act 2008 in relation to the process by which Nationally Significant Infrastructure Projects are determined and agrees for the council to be involved in future projects in its role as a host authority.</b></li> <li><b>ii. That authority is delegated to the Strategic Director of Place Operations and Sustainability to manage the District Council’s involvement in Nationally Significant Infrastructure Projects in consultation with the Portfolio Holder for Planning and Economy and, depending on the scale and nature of the project, the Leader of the Council as appropriate; and</b></li> <li><b>iii. That Planning Performance Agreements be sought from promoters and applicants for each project at the earliest stage to cover the District Council’s costs involved in accordance with</b></li> </ul>

	<b>the key principles set out in para 37.</b>
Reasons for recommendations	<p>The NSIP process can be time consuming and involving significant resource, even as a host authority. Due to the significant impact that NSIP projects may have on the District, and the amount of officer resource that will be needed to provide the required responses, it is important that the council are both resourced and receive appropriate funding to cover this time.</p> <p>The recommendation aligns with priorities across the place, people and prosperity elements of the council's Corporate Plan including:</p> <ul style="list-style-type: none"> <li>• Place Priority 1: Shaping our place now and for future generations.</li> <li>• Place Priority 2: Protecting our climate, cost and natural world.</li> <li>• Place Priority 3: Caring for our facilities, neighbourhoods and open spaces in a modern and response way.</li> <li>• People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.</li> <li>• Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow.</li> </ul>
Wards	All
Portfolio Holder	Councillor Derek Tipp – Planning and Economy
Strategic Directors	James Carpenter – Place Operations & Sustainability
Officer Contact	<p>Tim Guymer</p> <p>Acting Assistant Director for Place Development</p> <p><a href="mailto:tim.guymer@nfdc.gov.uk">tim.guymer@nfdc.gov.uk</a></p>

## Introduction and background

1. A Nationally Significant Infrastructure Project (NSIP) is a large-scale project that falls into one of the following categories:

- Energy;
- Waste;
- Transport;
- Waste water;

- Water; or
  - Business and Commercial.
2. The Planning Act 2008 sets out these categories of projects and provides more detail about the types and scale of infrastructure projects within these categories that are deemed to be nationally significant.
  3. This legislation was introduced following concerns that approvals for Nationally Significant Infrastructure Projects (NSIPs) were taking too long in the planning system to reach a resolution. Heathrow Terminal 5 was the longest inquiry in British planning history, held between 1995 and 1999, and it took a further two years before the decision was made in November 2001.
  4. The Growth and Infrastructure Act 2013 and Infrastructure Planning (Business or Commercial) Regulations 2013 enable the Secretary of State for Business, Energy and Industrial Strategy to direct 'business or commercial' projects into the NSIP regime. This includes developments of a significant scale (typically over 40,000 sqm) which include offices, industrial, research and development, storage and distribution, conferences, exhibitions, sport, leisure and tourism.
  5. In addition, the Secretary of State, at the request of an applicant, can make a Direction under Section 35 of the Act to designate that a project which falls under any of the categories be directed into the NSIP regime, provided the applicant can demonstrate it is nationally significant. In Hampshire (including the unitary authority of Portsmouth), AQUIND was successful in securing a Section 35 Direction to have its interconnector project deemed a NSIP.
  6. A project that is deemed to be nationally significant requires a Development Consent Order (DCO) in order to be delivered. A DCO is a Statutory Instrument, a piece of legislation that gives the promoter all the powers needed to construct the project. Consequently, the DCO can disapply other areas of legislation that may normally apply to a project if it is dealt with through the planning process.

## **Process**

7. The NSIP process is managed by the National Infrastructure Planning team at The Planning Inspectorate and involves six stages:



8. The council is deemed a 'host authority' for any eligible project within the District and therefore would be invited to be involved in the process.
9. The pre-application stage is led by the applicant and follows a process that is not dissimilar from that followed for other major planning development proposals made under the 'traditional' planning application route. The importance of this stage in the process is emphasised in [government advice](#) as being the greatest opportunity to influence emerging proposals.
10. There are various stages of public engagement and consultation, but the key stages of consultation during the pre-application process for the District Council are:
  - Statement of Community Consultation – commenting on the statement and ensuring it meets both the requirements of the regulations and the local needs;
  - Environmental Impact Assessment (EIA) scoping – commenting on the scope of the EIA and highlighting any areas missed or scoped out in error; and
  - Preliminary Environmental Information Report (PEIR) statutory consultation – commenting on the proposals (including design and impacts post land restoration (where appropriate)) as presented within the PEIR and feeding back any issues or concerns to the applicant.
11. Following the PEIR consultation, the applicant will consider whether to progress to application, taking account of the issues raised during the consultation. The applicant does not necessarily have to address any concerns the council, or others, may have raised. However, they may seek to modify the proposals in light of consultee responses prior to submitting the application.
12. Any comments made by the council during the pre-application stage are likely to form the basis of its position and representations during the subsequent pre-examination and examination stages. Whilst it is not a statutory requirement for the council to actively engage in



this process, it is considered likely to be in the council's best interest to do so at the earliest opportunity in order to influence the scheme and achieve the best outcomes for its communities.

13. Upon the application (for a DCO) being submitted, the Planning Inspectorate has 28 days to decide whether to formally accept it. During that 28-day period it will ask the host authorities to confirm the 'Adequacy of Consultation', which seeks to ensure that the applicant followed the regulations in respect of public engagement and consultation.
14. Once the application has been accepted, and prior to the start of the formal examination, the council and other stakeholders and members of the public are asked to submit a 'Relevant Representation'. This sets out a summary of the points in the application with which the council agrees and/or disagrees, highlighting what is considered to be the main issues and impacts. This period of time usually takes approximately three months.
15. Once the examination starts the council is responsible for submitting a Local Impact Report (LIR) which goes into more detail about the likely impact of the proposed development on the Hampshire area (or part thereof). The deadline for submitting the LIR is set at the Preliminary Hearing and local authorities are given 28 days' notice of this deadline. However, given the detail expected to be covered in the report, local authorities are strongly encouraged to start drafting the report during the pre-application period, and to ensure that any approval process for the report is built into the timetable. Local authorities are instructed to prioritise preparation of the LIR irrespective of whether they consider the development would have a positive or negative impact on their area.
16. The examination itself takes six months, and this is a very intensive period. The Examining Authority will consider representations made by interested parties (the District Council will automatically be registered as such) through a series of hearings, and deadlines will be set for those involved in the examination to respond to questions and submissions by the applicant as the examination progresses. Alongside this, there will be a need to prepare and agree Statements of Common Ground, Section 106 agreements, and the draft DCO itself. Unlike a planning application, which may take several months of negotiations before a recommendation is made to the Planning Committee, followed by several months of negotiations on the Section 106 agreement, all matters relating to the NSIP must be agreed and finalised within the six-month examination period. Anything that is not agreed between parties will be determined by the Examining Authority.

17. Following the close of the examination, the Examining Authority has three months within which to make a recommendation on the application to the relevant Secretary of State. The Secretary of State then has a further three months to make a decision.
18. Once a decision has been issued by the relevant Secretary of State, there is a six week period in which the decision may be challenged in the High Court. This process of legal challenge is known as Judicial Review.

### **Nationally Significant Infrastructure Projects in New Forest District**

19. As of July 2024, there are 229 projects in England that have been through, or are in the process of going through, the NSIP procedure. Of these, only Navitus Bay Wind Park (NSIP reference: EN010024) involved land partly in New Forest District (required to connect the wind farm to the National Grid). The application was submitted in April 2014 and refused in September 2015.
20. Whilst there have been no NSIP projects in the District Council's Planning Area since, national government has been encouraging the use of NSIP to speed up the decision-making process for strategic infrastructure projects. In this context, officers have been made aware of two potential projects which may qualify as NSIPs and therefore are likely to require an application for a DCO. These are:
  - i. the development of the strategic land reserve between Marchwood and Dibden to enable the physical expansion of the Port of Southampton; and
  - ii. a project to capture and store CO<sub>2</sub> from Fawley Oil Refinery (Solent CO<sub>2</sub> Pipeline Project) – this project is the subject of a separate agenda item.
21. Initial discussions have been held with the prospective applicants of both projects who have indicated a keenness to progress these projects, with the Solent CO<sub>2</sub> Pipeline project advancing more quickly than the Port of Southampton expansion. There is a likelihood that the timeline of these projects will overlap with consequences in resourcing this for the council.

### **Role of the District Council**

22. Local planning authorities potentially have a number of important roles in the NSIP regime, including as
  - i. a statutory consultee;
  - ii. a determining authority or statutory consultee for ancillary development related to NSIPs; and

- iii. determining applications to discharge requirements (akin to planning conditions) post-consent.
23. Local planning authorities are recognised to provide an important local perspective in the process, in addition to the views expressed by residents, groups and businesses. Engaging in the process helps to secure appropriate changes to the proposals, concessions and/or community gains on behalf of affected communities. For this reason, the government strongly advises that a host local authority should normally be engaged in all stages of the DCO process.
  24. However, participation is not obligatory. Furthermore, the process can be very resource intensive, and the council has no existing capacity to resource these projects, particularly given the compressed nature of the process. Conversely, the designation of such infrastructure projects as 'nationally significant' is also an indication of their likely complexity and potential impacts arising. Given this, it is considered entirely appropriate that this council engages with the process, subject to resourcing being available to do so.
  25. Likely disciplines within the District Council which would be involved in future NSIPs include:
    - Planning (often as lead officer within the council)
    - Landscape Architects
    - Urban Designers
    - Conservation
    - Ecology
    - Environmental Health
    - Legal Services
    - Sustainability
    - Coastal
  26. There will also likely be a significant amount of work required in liaising with other key partners (including the National Park Authority and Hampshire County Council) and in engaging with local communities, including town and parish councils, potentially affected.
  27. As already explained in section 3, the process requires a lot of work to be undertaken at the pre-application stage. There is a risk that such work may be abortive as there is no guarantee an application will subsequently be made. Ensuring that a Planning Performance Agreement (PPA) is entered into at the earliest opportunity to enable reasonable costs to be recovered must, therefore, be a priority.

28. The urgency of the examination deadlines, and the need to ensure the council's position at examination is protected, is likely to place increasing resourcing demands on officers during the examination period. This raises concerns about the council's capacity to deal with these projects, particularly if there is more than one going through the process concurrently.
29. Once at examination, the NSIP regime requires agility in decision making to ensure the council can meet the examination deadlines and respond to issues raised during hearing sessions. However, it is also acknowledged that these projects have the potential to gain significant local and political interest. As such there is a need to put a process in place to ensure officers and members are aware of the proposals and are fully briefed on the issues.

### **Proposed approach to managing the council's involvement.**

30. At the time of preparing this report, there is little detail available about the NSIPs outlined in section 4, albeit it is reasonable to assume that they will differ in terms of technical issues, scale, community and stakeholder interest and impacts arising. Rather than prescribing an approach to the NSIP process, and reflective of the approach of other councils, a set of principles to oversee the governance of the process is proposed.

#### *Governance*

31. The Strategic Director of Place Operations and Sustainability is the corporate lead on strategic developments, supported by the Assistant Director for Place Development. The Strategic Director therefore has overall responsibility for directing and managing planning duties. Given the tight timescales involved at different stages of the process, delegated authority to the Strategic Director will be required to approve responses to consultations and requests for engagement as follows:

#### Pre-application/acceptance stage

- Environmental Impact Assessment Scoping Response – on the basis that legislation states that host authorities have 28 days from being consulted to respond.
- Statement of Community Consultation response - on the basis that legislation states that host authorities have 28 days from being consulted to respond.
- Adequacy of consultation representation - on the basis that legislation states that host authorities have 14 days from being consulted to respond.

32. In addition, the following activities do not have prescribed timescales with the deadlines for response set by the applicant at their discretion. As such delegated authority is also required for approving responses to:

- Responses to non-statutory and statutory consultations including the preliminary environmental information report.
- Response to principal areas of disagreement summary statement (if required).
- Response to adequacy of consultation milestone.

#### Pre-examination and examination stages

33. At the pre-examination and examination stages there are the following activities where delegated authority is also required:

- relevant representation (on the basis that legislation states that host authorities have 30 days from being consulted to respond).
- local impact report (this is required early in the examination stage with exact timescales set by the Examining Authority)
- written representation (this is required early in the examination stage with exact timescales set by the Examining Authority)
- responses to the Examining Authority's written questions and requests for information (this is likely to be required throughout the examination process, often with very tight timescales for responses (e.g. 10 working days))
- statement of common ground (to be agreed, where possible, by the close of examination – a maximum of 6 months, or 4 months for fast-track consent applications)
- DCO obligations (if appropriate) including entering into a Section 106 legal agreement where necessary
- Post Decision – if the Secretary of State grants consent for the project, the local authority are likely to have responsibility for:
  - discharging the requirements of the DCO
  - responding as a consultee about the discharge of requirements
  - monitoring the works as required by the DCO
  - carrying out enforcement actions as necessary – sections 160 to 173 of the Planning Act set out the local authority's powers to enforce a breach of the terms of the DCO
  - storing and enabling access to any certified information as part of the DCO
  - Responses to any requests for advise for applications for non-material and material changes to the DCO

34. Whilst delegated authority is sought for such decisions to be made by the Strategic Director, it is proposed that wherever feasible and

appropriate this is done in consultation with the Portfolio Holder for Planning and Economy, following liaison with local ward councillors where relevant. Depending on the scale and nature of the project, it may also be appropriate to consult the Leader of the council and the Chair of the Planning Committee. In certain circumstances, including establishing the council's position on the overall merits of the project, it may be appropriate to seek formal Member direction through the committee process where time allows. Updates to the scheme of delegation, in accordance with the provisions sought above, will be made accordingly.

35. The Executive Management Team (EMT) is considered to be an appropriate forum for officers to feedback updates on NSIP projects from council staff. It is proposed that an officer sub-group be established to track which projects are coming forward, keeping interested service areas updated and report key issues to EMT. At a Member level, it is proposed that regular updates are provided to the Planning Committee, as appropriate.

#### *Cost recovery*

36. The Planning Inspectorate Advice Note Two: '[The role of local authorities in the development consent process](#)', makes it clear that local authorities are not obliged to participate in the DCO process, but it is strongly encouraged. As such it is reasonable for the council to seek to cover its costs in engaging in the process and working proactively with the applicant(s) on issues as they arise. The preferred approach to covering this is through a Planning Performance Agreement (PPA).

37. The following key principles are proposed to be utilised in securing a PPA:

- Full cost recovery.
- Covering all stages, from project inception and initial discussions to discharge of requirements and ongoing monitoring, including the Examination in Public.
- Commitment to service level agreements.
- Mutually beneficial "Without prejudice" engagement between the council and promoter.
- Arrangements that give sufficient certainty and confidence for investment by the council.
- Simple and unbureaucratic way of recording and recharging levels of engagement, with agreed fixed sum regular payments.
- Index linked and with Value Added Tax (VAT) charge.

38. Securing a PPA with the applicant(s) in accordance with these principles is expected to provide the funding to enable sufficient resources to be put in place to deal with the application. Further

details of these principles will be prepared to inform the preparation of PPAs as appropriate.

### *Staff resourcing*

39. The level of resourcing required is likely to be significant over the course of any NSIP project; both across the technical specialisms and also with regard to the need for a project lead. The capacity of existing staff to undertake this work will need to be ascertained for each project and a PPA secured at the earliest opportunity to cover these requirements.
40. The resource demands are likely to be most intense during the six months of examination when officers are likely to be required on any one DCO project for a significant proportion of their time. The PPA secured will need to recognise this, as well as the potential for overlap with any other NSIP during this time.

### **Corporate plan priorities**

41. The Corporate Plan 2024-28 was adopted by Cabinet on 3 April 2024. It outlines the vision, values, and priorities for the council over the next four years.
42. The vision of the Corporate Plan is to secure a better future by supporting opportunities for the people and communities we serve, protecting our unique and special place and securing a vibrant and prosperous New Forest. This has been organised into the thematic areas of People, Place and Prosperity. This report aligns with the following priorities:
  - Place Priority 1: Shaping our place now and for future generations.
  - Place Priority 2: Protecting our climate, cost and natural world
  - Place Priority 3: Caring for our facilities, neighbourhoods and open spaces in a modern and response way.
  - People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.
  - Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow

### **Consultation undertaken**

43. The proposed approach set out in this paper has been discussed internally with officers and through informal consultation with the Portfolio Holder for Planning and Economy. The approach set out has also been informed by discussions with officers at the National Park Authority and County Council.

### **Financial and resource implications**

44. As set out in paragraphs 34 – 38, there are potential financial and resource implications arising from the recommendations, albeit the approach proposed is that the council seeks full cost recovery of its involvement in the NSIP process.

### **Legal implications**

45. The Planning Act 2008 provides the consenting regime for Nationally Significant Infrastructure Projects and confirms the role of this council as a host authority within this process.

### **Risk assessment**

46. No formal risk assessment is required in relation to the recommendations as set out. The council's involvement in the NSIP process helps to ensure that a local perspective is offered on proposed projects which will ensure that the applicant and Examining Authority are provided with relevant information to minimise risks associated with proposed projects.

### **Environmental / Climate and nature implications**

47. Following the declaration of a Climate and Nature Emergency, and the preparation of the Climate Change Action Plans, the council will want to ensure that any NSIP proposals that come forward are consistent with these objectives. Proposals that come forward through the NSIP regime must comply with the National Planning Statements, National Planning Policy Framework and relevant local plan policies, rather than the council's own declaration and action plans. However, planning policies relating to climate change will provide a sufficient hook to enable the council to comment in this regard.

### **Equalities implications**

48. The approach that the council is taking to Nationally Significant Infrastructure Projects is intended to benefit all communities across the New Forest and beyond. It is considered that there will be no additional impact on people with protected characteristics and therefore the strategy has been assessed as having a neutral impact overall.

### **Crime and disorder implications**

49. None

### **Data protection / Information governance / ICT implications**

50. None



## **New Forest National Park / Cranborne Chase National Landscape implications**

51. Where individual NSIPs have the potential to affect the land within the National Park area, or the Cranbourne Chase National Landscape, the council's involvement in the process will help to ensure that the project demonstrates how it furthers the interests of the National Park/National Landscape. This includes demonstrating how it would further the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.

### **Appendices**

None

### **Background Papers:**

None

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**Place and Sustainability Overview and Scrutiny Panel – 12  
September 2024**

**Response to Exxon Mobil’s non-statutory consultation on  
its Solent CO<sub>2</sub> Pipeline Project**

Purpose	For Review
Classification	Public
Executive Summary	This paper provides a summary of the consultation options relating to the proposed pipeline route to transport carbon dioxide consultation and the council’s proposed response to the consultation
<b>Recommendations</b>	<p><b>i) The Panel is recommended to consider the contents of this report and advise the Portfolio Holder of any specific changes to the proposed response as set out in Appendix 1 to this report.</b></p> <p><b>ii) Endorses engagement with the NSIP process with this scheme and recognising the need for it to be appropriately resourced</b></p>
Reasons for recommendations	<p>The council’s involvement as a ‘host authority’ in nationally significant infrastructure projects is set out in a separate report to this agenda and provided for by the Planning Act 2008.</p> <p>The project subject of this consultation is proposed (by the promoter) to follow this process. The response set out in Appendix 1 provides an initial overview of some of the issues that the council will seek to engage with the promoter over the coming months.</p> <p>The recommendation aligns with priorities across the place, people and prosperity elements of the council’s Corporate Plan including:</p> <ul style="list-style-type: none"> <li>• Place Priority 1: Shaping our place now and for future generations.</li> <li>• Place Priority 2: Protecting our climate, cost and natural world.</li> <li>• Place Priority 3: Caring for our facilities, neighbourhoods and open spaces in a modern and response way.</li> </ul>

	<ul style="list-style-type: none"> <li>• People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.</li> <li>• Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow.</li> </ul>
Wards	All
Portfolio Holder	Councillor Tipp – Planning and Economy
Strategic Director	James Carpenter – Strategic Director Place, Operations and Sustainability
Officer Contact	<p>Tim Guymer Acting Assistant Director for Place Development <a href="mailto:tim.guymer@nfdc.gov.uk">tim.guymer@nfdc.gov.uk</a></p> <p>Dean Brunton Planning Implementation and Monitoring Team Leader <a href="mailto:dean.brunton@nfdc.gov.uk">dean.brunton@nfdc.gov.uk</a></p>

## Introduction and background

1. In May 2024, officers were informed by Exxon Mobil of a planned project to transport carbon dioxide from a location in the Fawley area through a new underground pipeline to proposed storage at an aquifer under the seabed off the coast of Bournemouth.
2. Some further information on this project has now been made available through the non-statutory public consultation that Exxon Mobil began on 18 July 2024, and which is due to close on 30 September 2024, having been extended from the 12 September 2024. A website presenting the consultation material that views are sought on is maintained by Exxon Mobil here:  
<https://www.solentco2pipeline.co.uk/>
3. Views from the public are sought on three corridor options for the proposed pipeline described in the consultation material as:
  - a. Mainland corridor option
  - b. Isle of Wight North to South corridor option; and
  - c. Isle of Wight North to West corridor option
4. Other corridor options that appear to have been initially explored by Exxon Mobil, but discounted from progressing further, are briefly set

out for information. Whilst further information on the reasons for why they have been discounted has been requested, it is not currently available.

5. At this stage, the consultation pipeline corridors are approximately 500 metres in width, albeit it is proposed that the corridor width is refined to 50 metres in width at the next stage. When completed, the pipeline (which itself is expected to be typically 60 cm in diameter) will be located underground, with an easement that is approximately 25 metres in width. Additionally, there will be equipment constructed above ground to support this pipeline in the form of route markers, valves, pigging stations, power and communications supplies and cabinets. The amount and frequency of this will be determined only once the exact route has been confirmed.
6. It is proposed that the underground pipeline element of the project, in as far as it extends into maritime waters, is progressed as a 'Nationally Significant Infrastructure Project' (NSIP) and thus a Development Consent Order from government is likely to be sought.
7. Further details of this NSIP process, and the role of the District Council in this process, is set out in a separate agenda item. Given the location and extent of the different consultation corridors, it is likely that the Isle of Wight Council, Hampshire County Council and the New Forest National Park Authority will also be actively engaged as 'host authorities' on this project.
8. The method and form of capturing carbon dioxide to transport into the pipeline is outside of the scope of this consultation, as is the storage of the carbon under the seabed.
9. At this stage, Exxon Mobil are seeking views on the proposals as set out in the consultation material, including a request to express a preference about which pipeline corridor to take forward for further investigation.

### **Corporate plan priorities**

10. The Corporate Plan 2024-28 was adopted by Cabinet on 3 April 2024. It outlines the vision, values, and priorities for the council over the next four years.
11. The vision of the Corporate Plan is to secure a better future by supporting opportunities for the people and communities we serve, protecting our unique and special place and securing a vibrant and prosperous New Forest. This has been organised into the thematic areas of People, Place and Prosperity. This report aligns with the following priorities:

- Place Priority 1: Shaping our place now and for future generations.
- Place Priority 2: Protecting our climate, cost and natural world
- Place Priority 3: Caring for our facilities, neighbourhoods and open spaces in a modern and response way.
- People Priority 2: Empowering our residents to live healthy, connected and fulfilling lives.
- Prosperity Priority 2: Supporting our high-quality business base and economic centres to thrive and grow

## Issues arising

12. This non-statutory consultation provides the first substantive opportunity for this council to engage with the project and to understand what it is seeking to deliver.
13. Whilst this engagement by Exxon Mobil is welcome, it appears to presume a level of prior engagement that this council has not been party to. Similarly, very little information has been provided in this consultation to help inform responses. In this context, it is not considered feasible to offer judgements or detailed comments on the merits of the consultation corridors as the consultation currently seeks.
14. Rather, and as set out more substantively in the proposed response in Appendix 1, officers would make the following general observations which are predominantly focussed on the proposals as they affect the New Forest District Planning Area:
  - a. **Welcome the opportunity to begin engagement with Exxon Mobil on this project.** In this context, officers are keen to engage more proactively with Exxon Mobil over the coming months and in more detail, subject to an agreement being reached to secure funding for the necessary resources to do so.
  - b. Such further engagement is expected to explore a number of potential issues arising including:
    - i. **Confirmation on the need for the project** – including the contribution to sustainability objectives, reliability and safety of technology;
    - ii. **Rationale for the selection of consultation corridors and consideration of alternative route corridors** – including those already specifically discounted by the applicant, and potentially new alternative corridors (noting that currently there are no alternative consultation corridors for the land south of Fawley, or marine routes in their entirety);
    - iii. **Air quality, emissions, noise and vibration disturbance**– including that associated with the

construction, operation and decommissioning of the pipeline;

- iv. Biodiversity and ecology** – including impact on designated sites, protected species and opportunity for environmental enhancement including biodiversity net gain;
- v. Design, landscape and visual impact** – ensuring the development is sustainable and as attractive, durable and adaptable as it can be and that functionality and aesthetics have been taken into account;
- vi. Flood risk, coastal defence and climate change** - understanding the transition from land to sea;
- vii. Historic environment** – including minimising the impact on heritage assets;
- viii. Land use and safety including future maintenance provisions** – for understanding how the connections to the existing grid will work;
- ix. Methods of construction and related work areas** – specifically the impact on noise during and post construction;
- x. Socio-economic benefits and effects including relationship to Freeport**– together with the impact on the local economy during construction;
- xi. Traffic, travel and transportation impacts** – incorporating the impacts on the local highway network during and post construction;
- xii. Water quality and resources** - including requirements for management plans to mitigate risk
- xiii. Progress in seeking agreement/consent with affected landowners; and**
- xiv. Extent to which existing powers available to local authorities are proposed to be disapplied and the envisaged future role of the LPA post-decision**

## Options appraisal

15. The response as outlined above and detailed in Appendix 1 is proposed on the basis that this represents an appropriate and proportionate response to the consultation material, noting the future opportunities to engage more significantly in the coming months.
16. Whilst the council could choose to make no response to this consultation, such an option is not considered to be appropriate given the council's responsibilities (including its likely future role as a host authority) and the desirability of providing a local perspective on the proposed project. Conversely, seeking to provide more detailed comments at this juncture is not considered appropriate

either given the limited information currently available to officers and the need to secure an agreement from the applicant to resource such level of input.

### **Consultation undertaken**

17. The council is a consultee to this consultation and therefore opportunities for further engagement with key partners prior to the end of this consultation is limited. The views of officers across relevant disciplines within the council has been sought, and there have been preliminary discussions with officers from the County Council and National Park Authority. The Portfolio Holder for Planning and Economy has been informally consulted and there was an all Member briefing held on 3 September 2024 with views expressed reflective of the issues identified above.

### **Financial and resource implications**

18. The preparation of the councils' response to this consultation has been provided within existing council resources and budgets. The recommended response proposes future engagement with Exxon Mobil which is dependent on securing appropriate agreement to fund the resource implications.

### **Legal implications**

19. The Planning Act 2008 provides the consenting regime for Nationally Significant Infrastructure Projects and confirms the role of this Council as a host authority within this process.

### **Risk assessment**

20. No formal risk assessment is required in relation to the recommendations as set out. The council's involvement in the NSIP process helps to ensure that a local perspective is offered on proposed projects which will ensure that the applicant and Examining Authority are provided with relevant information to minimise risks associated with proposed projects.

### **Environmental / Climate and nature implications**

21. Following the declaration of a Climate and Nature Emergency, and the preparation of the Climate Change Action Plans, the council will want to ensure that if this project progresses it is consistent with these objectives. The project must comply with the National Planning Statements, National Planning Policy Framework and relevant local plan policies, rather than the Council's own declarations and action plans. However, planning policies relating to climate change will provide a sufficient hook to enable the council to comment in this regard.



## **Equalities implications**

22. The approach that the council is taking to Nationally Significant Infrastructure Projects is intended to benefit all communities across the New Forest and beyond. It is considered that there will be no additional impact on people with protected characteristics and therefore the strategy has been assessed as having a neutral impact overall.

## **Crime and disorder implications**

23. None

## **Data protection / Information governance / ICT implications**

24. None

## **New Forest National Park implications**

25. This project has the potential to affect land within the National Park area. As such it will be important to work closely within the National Park Authority, the promoter and other key stakeholders to ensure that the project demonstrates how it furthers the interests of the National Park/National Landscape. This includes demonstrating how it would further the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area.

### **Appendices**

Appendix 1 – Proposed response to consultation

### **Background Papers:**

All consultation materials are provided here:

<https://www.solentco2pipeline.co.uk/>

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# APPENDIX 1

## **Solent CO2 Pipelines Project corridor consultation**

New Forest District Council are grateful for the opportunity to comment on the proposed pipeline corridor, and welcome the prospect of proactive further engagement in the coming months.

With the limited amount of engagement and information available to date, the council is not in a position to provide a recommendation on a preferred option at this stage, although note from the consultation website that the two routes to Isle of Wight have been identified as the preferred options. At this stage, the following observations are made to form the basis of further discussions over the coming months:

### **i. Confirmation on the need for the project.**

It is recognised that Carbon Capture and Storage (CCS) offers a means to prevent large emissions to atmosphere of the greenhouse gas Carbon Dioxide from coal and gas fired power stations.

It is also recognised that there are 78bn tonnes of Co2 storage available in the UK and the site proposed for storage associated with this proposal is the only potential store in the English Channel identified by the government. Whilst this is the only project that the council are aware of, there is uncertainty as to whether there are other emerging projects in Dorset that might look to dispose of CO2 to this underwater storage area and thus reduce the benefits being presented by this case because storage capacity is being taken up by others.

Additionally, at this stage the council remains unclear on how sustainability objectives will be met, how the carbon credits will be apportioned and the reliability and safety of this new technology.

### **ii. Rationale for the selection of consultation corridors and consideration of alternative route corridors.**

The council is aware from the consultation material that a number of routes have already been discounted by the applicant, albeit the justification for discounting some routes from further consideration is not clear. There are considered to be additional alternative corridors which merit exploration and consideration. In particular, it is noted that there are no alternative consultation corridors for the land south of Fawley. The council would also be keen to know if a marine only route (with no landfall) has been considered. The council is particularly mindful of its duty to further the statutory purposes of the New Forest National Park and in this context, further consideration should be given to routes that avoid or minimise impacts on the National Park where appropriate.

Based on the limited information presented, including no in-depth ecological information it is recognised that the IOW routes are shorter and terrestrially ecologically less complex than the mainland option. However, that selection may change when further information is available.

The council is also just embarking on a new local plan with a significant need for new development sites based on government targets. The council will want to

be sure that any consultation corridors limit the implications for its local plan with particular regard to its potential site selection work and its ongoing programme of delivery and management of recreational mitigation projects.

### **iii. Air quality, emissions, noise and vibration disturbance.**

The potential impact of dust and particulate matter from the construction and decommissioning of the pipeline on local amenity will have to be appropriately assessed in accordance with national guidance and, if required, mitigated. This is likely to be of greater concern in areas in close proximity to local residents and businesses. Furthermore, impact from emissions from construction vehicles would also have to be considered in accordance with national guidance.

The council will need to be assured that the potential human health impacts that may arise due to historically contaminated land, construction related dust emissions, groundwater contamination, vibration disturbance and air pollution would have a negligible to minor public health significance if mitigations are implemented.

It is assumed that transport and emissions related to the general maintenance of the pipeline would be minimal. It would be expected that any such potential impacts are considered and, if necessary, screened out during the application stage. In relation to the operation of the pipeline, there are concerns about the potential generation of truck movements on the A326 for the transportation of carbon to the site and any associated impacts arising from this. This may require further mitigation to be required, albeit no details of transport impacts are currently available for review in this regard.

There are known areas of historic landfill and land uses (particularly within the Lepe corridor) which would require appropriate assessment, consideration and potential remediation in advance of any works. In addition, there is a likelihood that potential land contamination would be identified during the construction phase which would again require appropriate assessment and, if required, action.

It is understood that the CO<sub>2</sub> within the pipeline will be transported in liquid form. Clarity on the measures that will be in place to reduce the risk of CO<sub>2</sub> leaking from the pipeline and contaminating land and / or ground waters will be sought, including the proposed actions likely if such a situation was to arise.

Once a preferred corridor is identified, the council would be keen to work with Exxon Mobil to understand in greater detail the potential issues arising with regard to contamination, including further investigative studies and risk assessments.

In relation to the construction of the pipeline, the potential impact of noise from the construction of the pipeline on local amenity will have to be appropriately assessed in accordance with national guidance and if required mitigated. This is likely to be of greater concern in areas in close proximity to local residents and businesses. Working hours for the construction of the pipeline would also need to be considered and reviewed by the relevant local planning authority.

Additionally the potential impact of noise from structures associated with the operation of the pipeline, such as the pigging stations, would have to be appropriately assessed in accordance with national guidance and if required mitigated.

#### **iv. Biodiversity and ecology.**

##### **Designated Sites.**

The plan area for New Forest District Council includes, and is close to, a number of significant environmental designations of international nature conservation importance including:

- the New Forest SAC;
- the New Forest SPA;
- the New Forest Ramsar site; and
- Solent and Southampton Water SPA

To enable the 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.

Our current Local Plan 2016-2036 Part 1 includes Policy ENV1: 'Mitigating the impacts of development on International Nature Conservation sites' which sets out the broad approach which will be applied to development to secure appropriate mitigation, management and monitoring measures to ensure no adverse impact on the integrity of such sites. A project such as this would be likely to need to provide its own mitigation to ensure there were no significant residual effects on ecological receptors.

The proposed route corridor may also impact the Solent Wader and Brent Goose network of sites used by over-wintering wading birds and Brent Geese, that functionally support the Solent's Special Protection Areas (SPAs). It will be important that any impacts are identified, and appropriate mitigation put in place.

##### **Environmental Enhancement.**

The council would welcome opportunities to discuss options for environmental enhancements and biodiversity net gain through this project which could include, but is not limited to:

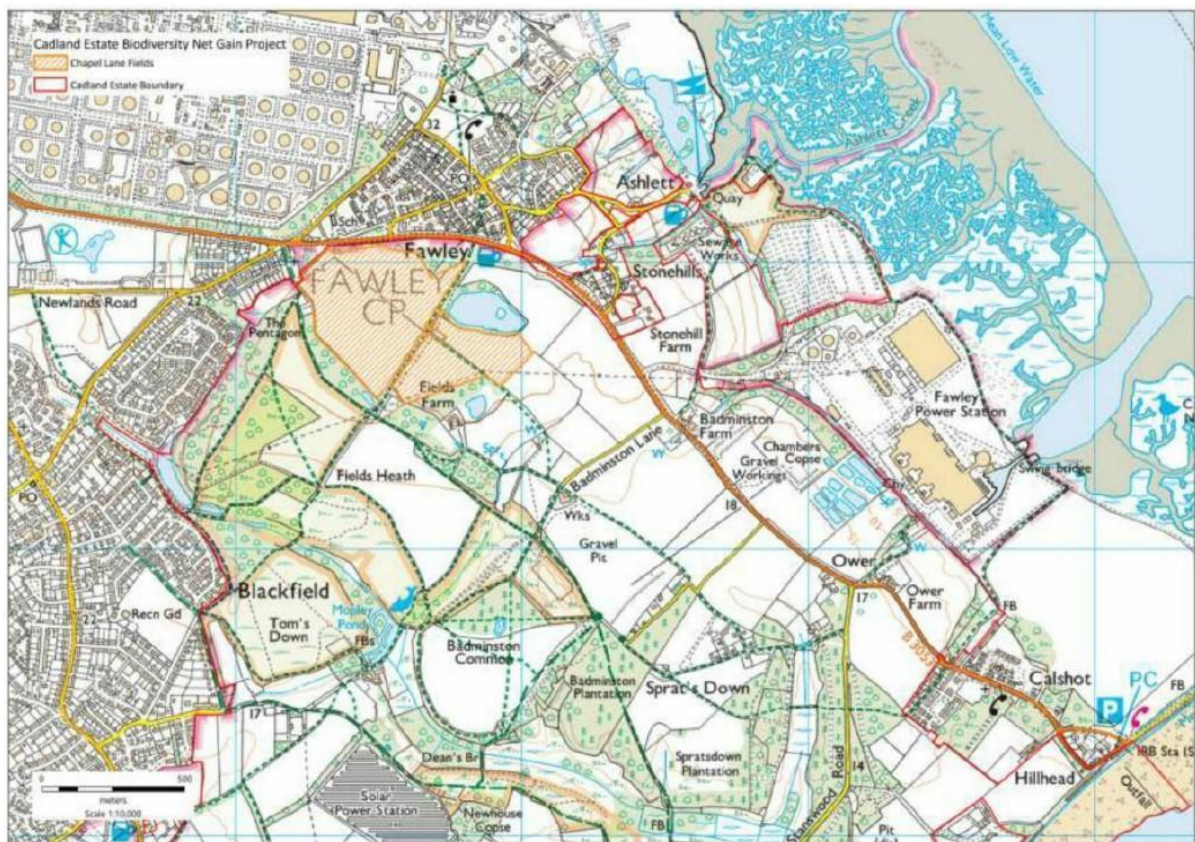
- increased grassland species diversity along field;
- margins and road verges; thin, gappy hedgerows;
- reptile and amphibian refuges would be built; and
- bat roosting habitats

## **Biodiversity Net Gain Credits.**

It is assumed that the project will be captured by mandatory Biodiversity Net Gain (BNG) requirements. There would be a strong request for BNG offsetting to occur near to the point of impact within the same local authority boundary.

The council would request to be kept updated with respect to the applicant's approach to BNG. The council is keen to keep apprised of potential supply and demand for Biodiversity Units which may affect delivery/viability of other projects in the planning area.

The council would also like to highlight a BNG net gain site located immediately adjacent the refinery may be impacted. This is a BNG offset site for application 21/11156.



### **v. Design, landscape and visual impact.**

The council will want to be assured that the development is sustainable and as attractive, durable and adaptable as it can be and that functionality and aesthetics have been taken into account.

Once a corridor has been selected, the council will want to review the landscape and visual impact assessment to ensure that any visual disturbance associated with the pipeline envelope would be limited to the construction phase and temporary in nature and impact.

Part of the consultation corridor for the Mainland route is within the Green Belt where it will be important to ensure that the development meets the test of what constitutes appropriate development, and otherwise seeks to minimise impacts on openness.

The potential impact of lighting from structures associated with the operation of the pipeline (and the impact of lighting from the construction of the pipeline), such as the piggings stations, would have to be appropriately assessed in accordance with national guidance and if required mitigated. This is likely to be of greater concern in areas in close proximity to local residents and businesses.

**vi. Flood risk, coastal defence and climate change.**

**Flood risk and coastal defence.**

The council would like to understand in detail the proposed transition from land to sea at the proposed Milford-on-Sea location. This includes any expectation to construct a structure at this point as this could impact on sediment transport.

Beach sediment is an important defence against coastal flooding and erosion. Sediment transport is known to be predominately westward in Christchurch Bay ([16. Hengistbury Head to Hurst Spit \(Christchurch Bay\) Sediment Transport Study 2012 \(scopac.org.uk\)](#)).

If a barrier to sediment transport were to be installed (such as a protective rock revetment) this could have a negative impact on the flood and coastal risk management of areas such as Barton-on-Sea, Milford-on-Sea and Hurst Spit (which itself provides a flood and coastal risk management function).

Therefore, if the Mainland Corridor were to be selected, a thorough assessment of the likely impacts on sediment transport would be needed.

The council would suggest the delivery team review the Christchurch Bay Strategy - [Christchurch Bay and Harbour FCERM Strategy 2021-2024 - Poole & Christchurch Bays Flood and Coastal Erosion Risk Management \(twobays.net\)](#) to be aware of risks and future management policies.

The council would highlight that the method of pipeline construction within the marine zone will need to be particularly carefully considered as, if on the seabed (rather than in a trench), there may be issues arising for sediment transport.

There will be a need to consider the southern edge of the offshore area that has an allocated dredging license area crossing from west to east. In the past, material (shingle) has been dredged from areas that are included within the marine corridor. It is likely that these areas will be dredged again in the future to provide beach material for flood and coastal risk management. The pipe would need to be buried deep enough at these locations so that future dredge operations are not impacted.

Coastal monitoring data is available to the delivery team from [www.coastalmonitoring.org](http://www.coastalmonitoring.org)

## **Climate Change.**

We are committed to tackling the local climate emergency following our declaration of a climate and nature emergency in October 2021. Whilst climate change presents a challenge for us and our residents, through prompt action we can create opportunities and make a difference.

In April 2024, the council adopted the Planning for Climate Change Supplementary Planning Document (SPD). This provides guidance to the planning policies contained in the Local Plan Part One 2016-2036: Planning Strategy (2020). It sets out how developers should address climate change in planning applications in order to meet Local Plan requirements, in particular our policies STR1 and ENV3.

The council will want to work with the development team to ensure that designs are climate change optimised from the earliest opportunity.

### **vii. Historic environment.**

The council will be keen to see the disturbance to archaeological and cultural heritage assets minimised wherever possible. At this stage, very little information is available to inform the potential impacts arising.

Information on the conservation areas, historic parks, gardens and scheduled monuments for the New Forest Planning Area can be found on the council's website. Officers will be keen to review emerging studies and investigations when available over the coming months. Where necessary, it may be appropriate for a requirement to be included in a future DCO to ensure that appropriate measures are in place to protect, record or preserve any significant archaeological remains that may be found.

### **viii. Land use and safety including future maintenance provisions.**

The council is keen to understand how the connections to existing grid and infrastructure along the selected route for power and communications will work.

The council is keen to understand the interrelation with other utilities/infrastructure (and maintenance of those), together with the cumulative impacts to the power needs in the wider area.?

The proposed Mainland Corridor route potentially impacts on a number of mineral safeguarding areas. In this regard, early engagement with Hampshire County Council will be necessary.

### **ix. Methods of construction and related work areas.**

Once the preferred route is known the council will be keen to understand how much of the pipe would be installed using the trenchless approach to understand the impacts on both the environment and noise.

The Council will also be keen to understand the impact of site compounds and temporary traffic routes and any mitigation proposed.



**x. Socio-economic benefits and effects including relationship to Freeport.**

The council would be keen to understand the socio-economic effects on the **local economy**.

The temporary construction areas, contribution compounds will likely result in general disturbance and in increase on traffic on local roads, plus potential impacts on the Rights of Way network and cycle routes. However, the council understands that having additional people working on building the pipeline could well have a consequent temporary positive impact on expenditure within the local area, albeit primarily during the construction.

Additionally, the council is within the Solent Freeport for which a Full Business Case has been approved by the government and is now in delivery. The outer boundary of the Solent Freeport includes the whole of the New Forest District. Beyond the New Forest, it extends to include Southampton, Portsmouth and the Isle of Wight. The Freeport has no powers in relation to this wider area, its specific economic regulations only apply to tax sites and customs sites. This outer boundary represents the wider economic geography of the Freeport and will be the area within which retained business rates are reinvested (see below). A small part of the Fawley Waterside tax site falls within the boundary of the New Forest National Park.

A successful Freeport will unlock billions of pounds of investment, create thousands of new jobs and will secure the future of the Port of Southampton as a globally important trading hub. At this stage, it is unclear how the proposed project will relate to the Freeport opportunities arising and further clarity is sought in this regard.

**xi. Traffic, travel and transportation impacts.**

The impacts on the proposed pipeline would need to be considered in the light of an appropriate transport assessment and taking advice of Hampshire County Council as Local Highway Authority. The District Council is keen to be actively engaged in these considerations, including the extent to which certain provisions of the Highways Act (and related legislation) are proposed to be disapplied through the DCO.

As stated above, the council recognises that during construction there will be a significant increase in workers in the area and would expect the transport assessment to set out the impacts of this.

**xii. Water quality and resources.**

There will be a need to ensure water quality and water resources to be safeguarded under any DCO, potentially through a requirement for a Water Management Plan and/or Pollution Prevention and Control Plan.

The council would be keen to work with the applicant, Lead Local Flood Authority National Park Authority to understand areas of risk of water pollution from

surface water run off, as well as mitigation measures and treatment methodologies (and where they would be applied).

The council will also be keen to understand proposed mitigation measures for works within flood risk areas.

**xiii. Progress in seeking agreement/consent with affected landowners.**

The council would be keen to understand the progress and consents from landowners in the areas of the consultation corridors.

Additionally, it is noted that there is a 'wayleave' exclusion zone either side of the Mainland Corridor route and potential for sterilisation of land. The council would be keen to see if this wayleave, and route of the pipeline, be used as an opportunity for providing a bridleway/shared pedestrian/cycle route or an enhanced green corridor.

**xiv. Extent to which existing powers available to local authorities are proposed to be disapplied and the envisaged future role of the LPA post-decision.**

The council would be keen to work proactively on this through the development of a PPA to agree roles and responsibilities.

# PLACE AND SUSTAINABILITY OVERVIEW AND SCRUTINY PANEL

## WORK PROGRAMME 2024/2025

ITEM	OBJECTIVE	METHOD	LEAD OFFICER
<b>16 JANUARY 2025</b>			
Update from Environment Agency on flood risk strategy	To receive an update on the Environment Agency on flood risk	Presentation	Steve Cook
<b>13 MARCH 2025</b>			
Future Joint Working Arrangements Between HCC and Hampshire Districts on Waste/Recycling	To consider a report on the future join working arrangements.	Report	Liz Mockeridge
<b>19 JUNE 2025</b>			
Parking Strategy	To consider a proposed Parking Strategy.	Report	Chris Noble
<b>TO BE CONFIRMED</b>			
Public Realm Strategy	To consider a proposed Public Realm Strategy.	Report	Chris Noble / Iain Park
Air Quality Strategy	To consider the draft Air Quality Strategy	Report	Joanne McClay
Environmental Enforcement Policy	To consider the draft Environmental Enforcement Policy	Report	David Hurd

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