

NFNPA 577/19

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 11 JULY 2019

RECREATION MANAGEMENT STRATEGY – TOWARDS A SPATIAL VISION

Report by: Nigel Matthews, Head of Recreation Management and Learning and Steve Avery, Executive Director

1 Introduction

1.1 The New Forest is one of the most visited National Parks in England and has the highest proportion of designated land of international value for nature conservation in the country. With further housing growth planned close to the National Park, a new and updated suite of focused actions is needed for the New Forest National Park Recreation Management Strategy 2010-2030. Across the National Park and beyond we want to achieve a net gain for the working and natural landscape and for the recreational experience, by:

- protecting the spectacular, yet fragile, wildlife-rich landscape that people come to see;
- managing recreation for local people and our visitors.

1.2 Following an initial ‘call for views’ consultation in 2017, members agreed at the Authority meeting in June 2018, that 25 draft proposed recreation management actions should be put out for public consultation.

1.3 Both were joint consultations on behalf of the Forestry Commission, the Verderers, Natural England, New Forest District Council, Hampshire County Council and the National Park Authority (NPA) all of whom have a remit for managing recreation in the National Park and are represented on the Recreation Management Strategy (RMS) Steering Group.

1.4 The results of the second consultation were summarised for the Authority at its meeting in October 2018 and are now attached in full at **Annex 1**. There was a very high level of support for all the draft proposed actions.

2 Proposed Recreation Management Actions

2.1 The 2018 draft actions have now been fully reviewed and updated by the RMS Steering Group in light of the public consultation and to provide greater clarity about what the actions will mean in practice. This includes updating the section on where recreation facilities should be provided to reflect the proposal to use a Local Development Order to help define and manage this vital spatial aspect of managing recreation.

- 2.2 These new actions, together with the explanations of ‘what will be done’ are attached as **Annex 2**.
- 2.3 Each of the organisations on the RMS Steering Group is being asked to endorse these actions.
- 2.4 The most significant strategic actions are also likely to feature in the update to the Partnership Plan which is now being reviewed. These might include, for example:
- Managing the distribution and type of recreation facilities to protect the Forest, improve people’s enjoyment and use resources effectively (4.2)
 - Developing a coordinated approach among planning authorities in and around the New Forest to mitigate the impacts of new housing on protected areas – and use developer contributions to support work that protects the Forest (5.2).
- 2.5 Members will be aware that following a successful bid for Government funding, six local planning authorities (including the NPA) have commissioned a significant piece of research by Footprint Ecology; to gather evidence regarding recreational disturbance arising from planned new development and how this should be mitigated. This data is being collected through a combination of activities including face-to-face questionnaire, telephone interviews and on-site surveys (including car park monitoring). Initial results suggest that the completed research will be especially helpful in progressing both the above Strategic Actions.

3 Developing a spatial plan supported by a Local Development Order

- 3.1 Of the ‘tools’ available for managing recreation, influencing access through the provision of car parks is arguably the most powerful. This is recognised in the current RMS 2010-2030 which already includes a specific action (5.6.3) to manage car parking in the National Park and the associated impacts on the most sensitive areas, by enabling *“land owners to manage the size, capacity and location of car parks for the benefit of the Forest and users”*.
- 3.2 Within the updated strategic actions (**Annex 2**), there is a clear ambition to develop a spatial plan for where recreation should take place and to establish procedures to facilitate desirable changes. In support of this approach, it is proposed that we explore the feasibility of producing a Local Development Order (LDO) as a tool to facilitate changes to the distribution and capacity of car parking on the open Forest and adjacent commons.
- 3.3 The overriding objective of the LDO would be to direct visitors to the more sustainable and resilient locations and away from the most sensitive areas. There would be no net increase in overall parking spaces, which is consistent with the recognition in the current RMS 2010-2030 that at peak times *“the New Forest’s capacity has been reached and it would be undesirable and damaging to provide for any increase”* (section 4.2).

3.4 LDOs explained

- 3.5 LDOs are orders made by local planning authorities (under the Town and Country Planning Act 1990) that grant planning permission for a specific type of development within a defined area. They streamline the planning process by removing the need for a planning application to be made to the local planning authority (LPA) – effectively allowing LPAs to introduce their own locally devised ‘permitted development rights’. The National Planning Policy Framework (2019) recognises LDOs as a useful tool that can promote environmental gains for a local area (para 15).
- 3.6 There are numerous examples where LPAs have used LDOs to underpin local priorities that include, for example, support for horticulture (Arun District Council), a low carbon economy (Swindon Borough Council) and locally grown food/produce (Cornwall Council).
- 3.7 LDOs can cover a geographical area of any size (so long as it is within the LPA’s administrative boundary) and can be either permanent or time-limited, depending on their aim and local circumstances.
- 3.8 Once an LDO is in place, there is a prior notification procedure to be followed but this has to be determined by the LPA within 28 days of receipt and there is no need for further consultation (as the LDO itself would have been subject to public consultation - see below).

3.9 Making an LDO – the steps to be followed

- 3.10 The procedures for making an LDO are set out in the Town and Country Planning Act 1990 and the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 3.11 The steps involved in making an LDO can be summarised as follows:
- a) drafting the order
 - b) preparing a statement setting out reasons for making the order – to include a description of the development which the order would permit and a plan or statement identifying the land to which the order relates.
 - c) consulting on the draft order – to include site notices and consulting a wide range of organisations such as all parish councils within the defined area, Natural England, the Environment Agency, Historic England, the Highway Authority and “any person with whom they would have been required to consult on an application for planning permission for the development proposed to be permitted by the order.”
 - d) the consultation period cannot be less than 28 days. The NPA has adopted a ‘Statement of Community Involvement’ (2013) that in effect commits the Authority to carrying out public consultations of no less than six weeks
 - e) considering representations and making any modifications
 - f) adopting the order; and

- g) notifying the Secretary of State that the order has been made (within 28 days of date of adoption)
- 3.12 The Authority would need to commission specialist consultancy support in preparing the LDO.
- 3.13 The advantages of making an LDO
- 3.14 Rather than preparing individual planning applications for each car park, the process of making a LDO would allow those organisations represented on the RMS Steering Group to set out the overall rationale for public car parking in the Forest within a broader, strategic framework for managing recreation in the Forest, which could include links to and improvement of the off road cycle network. The potential benefits of such an approach include:
- The opportunity to set out a comprehensive, Forest wide case for changes to public car park provision in the Forest, supported by a formal Habitats Regulation Assessment (HRA) and Environmental Impact Assessment (EIA) screening (as part of the accompanying 'statement of reasons')
 - Avoiding the need to submit multiple planning applications for relatively small-scale engineering works at individual sites – which might otherwise appear as an ad-hoc, piecemeal approach to reconfiguring car parks, with the focus on individual sites rather than the 'bigger picture'
 - Building consensus around relevant thresholds and criteria for allowing small scale works to enable the relocation of existing formal recreational facilities and uses which are causing unacceptable damage to the special qualities of the New Forest to more suitable sites
 - Following an established planning procedure with clear steps prescribed in government guidance
- 3.15 How 'small scale' is defined would be one of the key considerations in drafting the order. The LDO would be able to specify its own thresholds, above which formal planning permission would still be required. Additional conditions and limitations could be explored, such as surfacing materials, signage and the time of year when the works are to be carried out. Any enlargements and/or improvements to existing car parks permitted by the LDO would have to be offset by a corresponding reduction elsewhere (to ensure no net increase in car parking provision on the open Forest and adjacent commons).
- 3.16 Further planning guidance could also be produced, based on the conclusions of the HRA and EIA screening, to assist the consideration of larger scale works that would still require planning permission.
- 3.17 In tandem with progressing the LDO, it would be necessary to consider what other measures might be needed to support a reconfiguration of car parking provision, such as a Traffic Regulation Order (to enforce any future unauthorised car parking/encroachment on the Forest).

- 3.18 Discussions to date with the RMS Steering Group organisations indicate a broad level of support for investigating the feasibility of an LDO to manage changes to car parking provision.
- 3.19 Changes to individual car parks are likely to be of significant interest to a wide range of stakeholders and interests, so it is important from the outset to establish clear criteria to inform future decisions. The LDO route offers a robust, legal mechanism through which these general principles can be debated and confirmed in public.

RECOMMENDATIONS

That Members:

- 1. note the findings from the 2018 Future Forest consultation on recreation management**
- 2. endorse the Strategic Actions that have been compiled by the RMS Steering Group**
- 3. delegate authority to officers to undertake further investigation into the feasibility of a Local Development Order**

Equality Impact Assessment:

There are no equality or diversity implications arising directly from this report.

Contacts:

Nigel Matthews, Head of Recreation Management and Learning

Tel: 01590 646684

Email: nigel.matthews@newforestnpa.gov.uk

Steve Avery, Executive Director

Tel: 01590 646659

Email: steve.avery@newforestnpa.gov.uk