



## **New Forest National Park Local Plan 2016 – 2036**

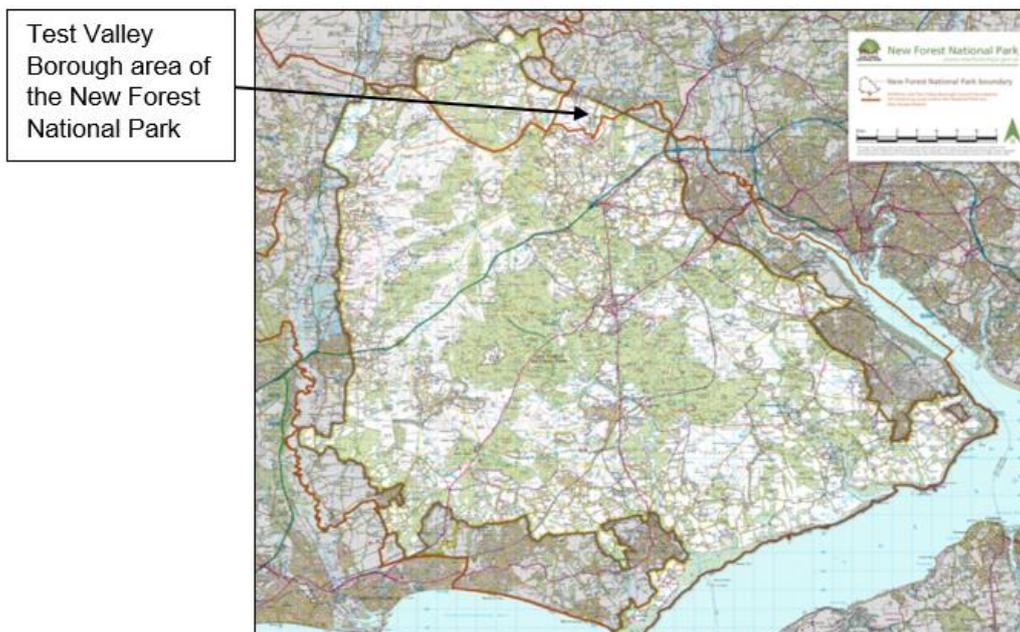
### **Statement of Common Ground between the New Forest National Park Authority and Test Valley Borough Council May 2018**

#### **1. Introduction**

- 1.1 The *Localism Act 2011* places a legal duty on planning authorities and other prescribed bodies to cooperate with each other on strategic planning matters throughout the preparation of their development plan documents. It is expected that engagement and cooperation will be constructive, active and ongoing.
- 1.2 Both the National Park Authority and Test Valley Borough Council are required to publish 'Duty to Cooperate Statements' setting out how this legal duty has been fulfilled in the preparation of their respective Local Plans. This separate 'Statement of Common Ground' focuses on the main areas of agreement and has been prepared following the publication of the draft amendments to national planning practice guidance in March 2018, which include the requirement for Statements of Common Ground. It has been jointly agreed by the National Park Authority and Test Valley Borough Council and should be read in conjunction with the Duty to Cooperate Statement that accompanies the National Park Authority's Submission draft Local Plan.

#### **2. The administrative areas covered by the Statement of Common Ground**

- 2.1 Approximately 1% of the New Forest National Park lies within Test Valley Borough amounting to circa 4 square kilometres and illustrated below.



- 2.2 Since 2006 the National Park Authority has been the sole planning authority for the whole of the New Forest National Park, including the 4 square kilometres of Test Valley that lies within the National Park. The Borough Council is the planning authority for the rest of Test Valley that lies outside the National Park. The Borough Council is the statutory housing authority for the whole the Test Valley, including the small area within the National Park.
- 2.3 The National Park area of Test Valley includes land within the parishes of Wellow and Melchet Park & Plaitford. In Summer 2016 the National Park Authority and Test Valley Borough Council designated their respective parts of the Wellow Neighbourhood Area, meaning that the whole parish is designated and covered by an emerging Neighbourhood Plan.

### **3. The key strategic matters being addressed by the Statement**

3.1 The NPPF (2012) states that the Government expects joint working on areas of common interest and paragraph 156 of the Framework sets out a number of strategic priorities. Of particular relevance to the New Forest, these priorities include the homes and jobs needed in an area; and the conservation and enhancement of the natural environment, including landscape.

3.2 The National Park Authority and Test Valley Borough Council agree that the following are the key strategic matters for the two planning authorities.

- Objectively assessed housing needs (OAN)
- Habitat mitigation measures
- The 'duty of regard' to the statutory National Park purposes

(i) *Objectively assessed housing needs (OAN)*

3.3 The Government published their proposed standardised methodology for calculating housing needs in September 2017. The standardised methodology was subsequently included in proposed updates to national planning practice guidance published in March 2018. It is common ground between the National Park Authority and Test Valley Borough Council that the standardised methodology for calculating housing needs does not apply within the National Park, as stated in the proposed revisions to the NPPG (March 2018)<sup>1</sup>.

3.4 Consequently the best available evidence of housing needs in the New Forest National Park is the assessment of housing needs, Justin Gardner Consulting (October 2017). This establishes a housing need in the National Park of 1,260 additional dwellings between 2016 – 2036; equating to 63 dwellings per annum.

3.5 As recognised within paragraph 14 and footnote 9 of the NPPF (2012), the National Park is covered by a range of landscape and habitat designations that signify that development should be restricted. The National Park Authority's

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<sup>1</sup> Page 26 of the proposed revisions to the NPPG (March 2018) confirms that in National Parks - where plan-making authorities do not align with local authority boundaries - available data does not allow local housing needs to be calculated using the standard methodology. National Park Authorities are expected to generate their own housing need figure based on the best available local information.

Submission draft Local Plan 2016 – 2036 (January 2018) therefore proposes the delivery of 800 additional dwellings in the National Park over the Plan-period. This figure represents an under-provision of housing within the National Park of 460 dwellings over the Plan-period to 2036 (or 23 dwellings per annum).

- 3.6 Test Valley Borough Council welcomes the joint work undertaken by the National Park Authority and New Forest District Council to update the Strategic Housing Market Assessment evidence. The Borough Council also supports the principle of the Authority's Local Plan proposing allocations for residential development within the National Park to contribute towards meeting local housing needs.
- 3.7 Following a request from the National Park Authority for assistance in meeting unmet housing needs arising within the National Park, Test Valley Borough Council confirmed in January 2018 that they are unable to assist in meeting the shortfall in the National Park's housing requirement (see Annex 1).

(ii) *Habitat Mitigation Measures*

- 3.8 Over 50% of the New Forest National Park is designated as being of international importance for nature conservation. These designations include the heathland core of the National Park, much of the Southampton Water & Solent coastlines and parts of the Avon Valley. Under the requirements of the Habitats Regulations, relevant plans and projects must be assessed to determine whether they will impact on the integrity of the protected habitats. It is common ground between the National Park Authority and Test Valley Borough Council that development in the National Park and adjacent areas of southern Test Valley has the potential to impact on the New Forest's Natura 2000 sites.
- 3.9 The National Park Authority and Test Valley Borough Council are currently working with neighbouring authorities (and Natural England) to develop a strategic approach to deliver planned housing in the area around the New Forest while protecting the integrity of its habitats. Following a successful funding bid to the Ministry of Housing, Communities and Local Government (MHCLG) in early 2018, the two authorities are working in partnership with others to develop and ultimately implement a co-ordinated, cross-boundary approach to habitat mitigation for the New Forest's protected habitats.
- 3.10 The award of Government funding to the partnership of six local planning authorities (and Natural England) will assist in positively addressing this important cross boundary issue under the Localism Act's 'duty to cooperate'. The project will also help to deliver the following New Forest National Park Partnership Plan 2015 – 2020 action, which the National Park Authority and Test Valley Borough Council are listed as key partners in delivering:

*“Reduce the impacts of any new development which may have an effect on the internationally protected habitats and species of the National Park by access management, education and awareness raising projects and the provision of new or improved areas for countryside recreation, all funded by developer contributions.”*

*(iii) The 'duty of regard' to the statutory National Park purposes*

3.11 Section 62(2) of the Environment Act 1995 makes it a duty for all relevant bodies (including neighbouring planning authorities) to have regard to the two statutory National Park purposes when carrying out their duties or making decisions that could affect the National Park. This legal duty recognises that the delivery of the two statutory National Park purposes rests with a wide range of bodies, not just national park authorities.

3.12 The Test Valley Borough Revised Local Plan 2011 – 2029 (January 2016) recognises this legal duty of regard through Policy E2 and its supporting text. In reviewing its own Local Plan, Test Valley Borough Council will ensure that the duty of regard is highlighted as part of the statutory development plan for the Borough and taken into account for relevant site specific policies.

#### **4. Governance arrangements for the cooperation process**

4.1 Test Valley Borough Council directly appoints one of the National Park Authority's 22 members and the Borough Council delivers a number of statutory functions for the small area of the National Park that lies within Test Valley, including housing. Test Valley Borough Council is also represented on the National Park Partnership Plan Leadership Group and as a result there are existing channels at both officer and member/councillor level for cooperation between the two authorities.

4.2 This Statement of Common Ground has been prepared and agreed at officer level between the two authorities. It is anticipated that a similar statement will be prepared as Test Valley Borough Council progresses with its own Regulation 18 Local Plan consultation and this would provide an opportunity to update this Statement where appropriate.

#### **5. A record of where agreements have (or have not) been reached on key strategic matters**

- The Government's standardised methodology for calculating housing needs does not apply within the National Park. Therefore the Justin Gardner Consulting assessment (2017) provides the best available evidence of housing needs for the National Park planning areas.
- Against this assessed housing need, there is a planned under provision of circa 460 dwellings in the National Park over the Plan period to 2036. Test Valley Borough Council confirmed in January 2018 that they are unable to assist in meeting the shortfall in the National Park's housing requirement.
- It is recognised by both authorities that development in the National Park and adjacent areas in southern Test Valley has the potential to impact on the internationally protected habitats of the New Forest. The National Park Authority and Borough Council are therefore committed to working in partnership with neighbouring authorities and Natural England to deliver strategic habitat mitigation measures for the New Forest Natura 2000 sites.

The successful bid to the Government's 'Joint Working Fund' in early 2018 highlights the commitment of the two local planning authorities (and other partners) to work together to develop a strategic approach to ensuring the delivery of housing in the area does not impact on the integrity of the New Forest's internationally protected habitats.

## 6. Other matters

- 6.1 Test Valley Borough Council is the statutory housing authority for the small area of the National Park that lies within Test Valley. It is common ground between the National Park Authority and Test Valley Borough Council that any affordable housing development that does take place within the Test Valley area of the National Park should reflect the relevant requirements set out in Test Valley Borough Council's affordable housing local connections criteria. This is reflected in a proposed minor modification to the National Park Authority's Submission draft Local Plan.

## 7. Signatories

<b>Signed on behalf of the New Forest National Park Authority</b>		
<b>Name and position</b>	<b>Signature</b>	<b>Date</b>
<b>David Illsley Policy Manager</b>		<b>01/05/18</b>

<b>Signed on behalf of Test Valley Borough Council</b>		
<b>Name and position</b>	<b>Signature</b>	<b>Date</b>
<b>Graham Smith Head of Planning Policy</b>		<b>01/05/18</b>