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Habitats Regulations Assessment of New Forest National Park Local Plan 2016-2036

Addendum to HRA of Submission Draft

Prepared by LUC
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Project Title: HRA of New Forest National Park Local Plan 2016-2036

Client: New Forest National Park Authority

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1 Introduction

- 1.1 LUC has been commissioned by New Forest National Park Authority ('NFNPA' or 'the Authority') to carry out a Habitats Regulations Assessment (HRA) of its Local Plan 2016-2036.
- 1.2 This report presents an addendum to the HRA of the Submission draft of the Local Plan that was published for Regulation 19 consultation in early 2018. It has been prepared to provide:
 - an assessment of the implications for the HRA of the modifications to the Submission draft Local Plan being proposed by the Authority prior to Examination (see Chapter 2); and
 - responses to representations received by the Authority from Natural England relating to the HRA of the Submission draft Local Plan (see Chapter 3).
- 1.3 The effects of the proposed minor modifications to the Local Plan and of any changes to the HRA methodology in response to representations are then summarised in Chapter 4.

2 Assessment of proposed minor modifications

- 2.1 The table below sets out NFNPA's proposed minor modifications to the Submission draft Local Plan, the Authority's reasons for proposing the changes, and their implications for the HRA published alongside the Submission draft Local Plan. Where minor modifications have been proposed in response to consultation comments, any implications for the HRA are further discussed in Chapters 3. The Authority is not proposing any major modifications to the Local Plan at this stage.

Table 2.1 Assessment of proposed minor modifications to the Submission draft Local Plan

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
Chapter 1: Introduction				
MIN-01	Paragraph 1.17	Inert new paragraph to state: <i>"In January 2018 the Government published 'A Green future: Our 25 Year Plan to Improve the Environment'. The Environment Plan sets out the Government's goals for improving the environment, within a generation. It details how the Government will work with communities and businesses to do this. The Plan includes the commitment to continue to conserve and enhance the natural beauty of National Parks, while recognising that they are living landscapes that support rural communities."</i>	Factual update in response to the publication of the Government's 25 year Environment Plan in January 2018	None – description of policy context with no effect on Local Plan proposals
Chapter 2: Profile of the New Forest National Park				
MIN-02	Para 2.6	Amend paragraph 2.6 under the 'Cultural Heritage' subheading to state at the end of the existing paragraph: <i>"The cultural heritage of the National Park extends beyond its rich built environment and includes the long history of commoning in the New Forest. Commoning has helped shape the mosaic of landscapes, biodiversity and character of the National Park."</i>	In response to representations received from the Commoners Defence Association highlighting the contribution of commoning to the cultural heritage of the National Park	None – description of National Park with no effect on Local Plan proposals
MIN-03	Para 2.10	Amend paragraph 2.10 to state: <i>"Other smaller settlements with a basic range of local services within the National Park include Beaulieu, Burley, Cadnam, East Boldre, Landford, Netley Marsh and Woodgreen."</i>	In response to representations received	None – description of National Park with no effect on Local Plan proposals

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
Chapter 3: Vision and Objectives				
No proposed minor modifications				
Chapter 4: Strategic Policies and Development Principles				
MIN-04	SP1	Amend criteria (b) of Policy SP1 to state: <i>"Has a positive impact on the ability of the natural environment to positively contribute to society through the provision of food and water, regulation of floods, prevention of soil erosion and disease outbreaks, and non-material benefits such as recreation."</i>	For clarification in response to representations received from CPRE New Forest Branch	None – clarification
MIN-05	Para. 4.8	Amend paragraph 4.8 to state: <i>"Major development is therefore only permitted within protected landscapes in exceptional circumstances and where it can be demonstrated that it is in the public interest, as outlined in the NPPF. In short, proposals have to demonstrate that they are absolutely necessary; in the public interest; and that there is no practical alternative before they can be supported."</i>	For clarification in response to representation received from ABP and to ensure consistency with national policy	None – clarification
MIN-06	Policy SP3	Amend policy SP3 to state: <i>"Consideration of such applications should include an assessment of:</i> a) <i>The need for the development, including in terms of any national considerations; and the impact of permitting it, or refusing it, upon the local economy</i> b) <i>The impact on the local economy of permitting or refusing it;</i> c) <i>The cost of, and The scope for, developing outside the New Forest National Park, or meeting the need for it in some other way...</i>	For clarification in response to representations received from ABP and to ensure consistency with national policy	None – clarification

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-07	Para. 4.20	Amend paragraph 4.20 to state: " <i>The Spatial Strategy also reflects the proximity of the National Park to surrounding urban areas which provide a range of services. These areas are more appropriate locations for development.</i> "	In response to representations received from Wiltshire Council and to ensure the Authority's Local Plan only provides planning policy coverage for development proposals within the National Park	None – Submission draft Local Plan did not provide for any development outside of the National Park so this change has no effect
<u>Chapter 5: Protecting and Enhancing the Natural Environment</u>				
MIN-08	Para 5.8	Amend Para 5.8 to state: " Currently 53% The condition of the National Park's SSSI-area is in favourable condition 8 has been gradually improving over the last decade, but currently about 43% is in unfavourable but recovering condition " Amend footnote 8 to state: " State of the Park Report 2016, and Hampshire Biodiversity Information Centre Annual Biodiversity Monitoring Reports 2017 "	To provide clarity on the trends for SSSI condition in response to representations received from RSPB and Friends of the New Forest	None – the pressures and threats facing the New Forest European sites are adequately identified in Appendix 1 of the HRA Report
MIN-09	Para 5.8	Amend Para 5.8 to state: " <i>Trends in a variety of key species, such as the curlew, appear to show declines which reflect a variety of pressures, and the densities of several protected birds, including nightjar, woodlark, and Dartford Warbler are relatively low compared with other lowland heathland areas.</i> "	To provide greater clarity about the condition of protected species in response to representations received from RSPB and Friends of the New Forest	None - the description of the New Forest SPA in Appendix 1 on p.74 of the HRA already states that " <i>...there is an assumption that disturbance affects the breeding success of SPA birds. The pressures are not fully understood but a recent study concluded that nightjar, woodlark and Dartford warbler densities are notably low compared with other large heathland areas...</i> "

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-10	Policy SP5	<p>Amend Policy SP5 to state:</p> <p>"However, d- Development may satisfy the Conservation of Habitats and Species Regulations if sufficient and effective measures are put in place to avoid or fully mitigate any likely significant adverse effects of the proposal (either individually or in combination with other plans and projects) through its lifetime on the designated sites. A contribution to the Authority's Habitat Mitigation Scheme and/or the Solent Recreation Mitigation Partnership's Scheme will enable developers to ensure that mitigation measures are secured for the recreational impacts of their development. The type of development and situations where recreational impacts can be mitigated are described in the Authority's Habitat Mitigation Scheme Guidance Note and the Solent Recreation Mitigation Strategy Explanatory Note.</p> <p>Avoidance and mitigation may not be possible in some cases due to the impacts, scale, type or proximity of the proposed development..."</p> <p>Amend Paragraph 5.14 to state: "However, due to the impacts, scale, type or proximity of the proposed development..."</p>	<p>To clarify that the Authority's Habitat Mitigation Scheme and the Solent Recreation Mitigation Partnership's Scheme are designed to only mitigate the recreational impacts of development, and other impacts will be considered separately in response to representation received from Natural England</p>	<p>None – the HRA already recognises that the Authority's Habitat Mitigation Scheme and the Solent Recreation Mitigation Partnership's Scheme are designed to only mitigate the recreational impacts of development</p>
	Para 5.15	<p>Amend: "Details of the mitigation measures can be found in the Authority's Habitat Mitigation Scheme¹¹ and those for that of the Solent Recreation Mitigation Partnership Scheme can be found in the Authority's Habitat Mitigation Scheme Guidance Note¹¹ and the Solent Recreation Mitigation Strategy Explanatory Note¹²."</p>	<p>To clarify where the details of the mitigation measures can be found</p>	<p>None – clarification</p>

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-11	New paragraph after Para 5.17	<p>Add a new paragraph after Paragraph 5.17 to state: "Terrestrial Waders and Brent Goose sites located on land outside the boundaries of the Solent SPAs can support these birds, and details are outlined in the Solent Waders and Brent Goose Strategy."</p>	<p>To provide reference to Waders and Brent Goose sites in response to the representation received from Natural England</p>	<p>None – The Appropriate Assessment work in Chapter 5 of the HRA relating to loss or damage to offsite supporting habitat for qualifying bird populations made reference to the extant version of the Solent Waders and Brent Goose Strategy, as noted at para. 5.5; since the updated version of this strategy has not yet been completed or consulted on, it is not appropriate to use it as an evidence source for the HRA</p>
MIN-12	Policy SP6	<p>Amend Policy SP6 a) to state: <i>"It has been demonstrated that suitable measures for mitigating or compensating adverse effects will be provided and maintained in order to achieve a net gain in biodiversity value where possible, and no net loss; and"</i></p> <p>Add a new paragraph before the last paragraph: "In cases where it is not possible to fully avoid or mitigate for the loss of biodiversity interests resulting from a development, appropriate compensation will be secured for any residual losses via on or off site compensation measures. The latter may include the provision of compensatory habitats elsewhere".</p>	<p>To clarify the approach to compensation and net gain in biodiversity in response to representations from Natural England and RSPB</p>	<p>None – Policy SP6 relates to nationally, regionally and locally designated sites; protection of European sites is separately addressed by Policy SP5</p>

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-13	Policy SP6	<p>Amend Policy SP6 to state: "<i>In addition, opportunities to enhance ecological or geological assets, and the water environment should be maximised, particularly in line with the Authority's 'Action for Biodiversity'</i>" local Biodiversity Action Plan priorities.</p> <p>Create new paragraph at end of Policy SP6 and amend to state: "<i>Applicants will be required to demonstrate the impacts of their proposal on biodiversity, and for certain types of development¹³ by submission of an preliminary Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity (and any subsequent survey work it recommends)."</i></p> <p>Add new footnote x: Nature in the New Forest: Action for biodiversity, National Park Authority</p>	To implement Natural England's recommendations and clarify the biodiversity action plan in response to the representations received from Natural England and the Friends of the New Forest	None – Policy SP6 relates to nationally, regionally and locally designated sites; protection of European sites is separately addressed by Policy SP5
MIN-14	Footnote to Policy SP6	In footnote 13 amend to state: " <i>In particular, for greenfield development, replacement dwellings, and extensions affecting roof structures, and those affecting identified biodiversity interests. The Authority's biodiversity checklist provides guidance."</i>	To implement Natural England's advice contained in their representation	None – Policy SP6 relates to nationally, regionally and locally designated sites; protection of European sites is separately addressed by Policy SP5
MIN-15	Para 5.24	Add wording to Para 5.24: " <i>The diverse landscape of the New Forest, including the ancient woodlands, mature trees and hedgerows, heathlands..."</i>	To emphasise the importance of trees and hedgerows in the landscape in response to the representation received from Godshill Parish Council	None – description of the New Forest with no effect on Local Plan proposals; in addition, text relates to landscape, not biodiversity

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-16	Para 5.25	Add wording: " <i>The Authority will seek to ensure that the high quality, diverse, historic and distinct landscapes and seascapes...</i> "	To ensure that historic landscapes are also considered in response to the representation received from Hampshire County Council	None – description of the New Forest with no effect on Local Plan proposals; in addition, text relates to landscape, not biodiversity
MIN-17	Para 5.34	Amend Para 5.34 to state: " <i>The Authority will also support the Environment Agency, Southern Water and Natural England, water companies, and surrounding authorities in the development of any strategic solution to reducing nutrient inputs to the Solent and River Avon internationally designated nature conservation sites from wastewater discharges. Developments that could affect these sites will be considered under Policy SP5."</i>	To implement Natural England's advice contained in their representation	Strengthens mitigation for potential water quality effects on the River Avon SAC by explicitly recognising the risks to this site as well as to the Solent European sites
MIN-18	Para 5.39	Add wording before last sentence in Paragraph 5.39 to state: " <i>Together with the potential for water abstraction impacts on nature conservation interests, the highest standards of water efficiency need to be adopted.</i> "	To implement Natural England's advice contained in their representation	None - clarifies that NFNPA is adopting the most efficient water use standard partly due to the potential risk of water abstraction creating problems for the designated sites

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-19	Policy DP8	Amend Policy DP8 to state: " <i>In addition, all new residential development within the Southern Water company supply area of the National Park should be designed to achieve a required level of 110 litres maximum daily allowable usage per person, in line with the Government's Housing Optional Technical Standard for water efficiency. This standard will be encouraged in new homes elsewhere across the National Park area.</i> "	To implement Natural England's advice contained in their representation	None – MIN-19 will help to avoid potential effects on the water environment that could be caused by changes in water quantity/additional abstractions in the western part of the National Park that is supplied by Sembcorp Bournemouth Water's (SBW). The HRA did not identify any likely significant effects in relation to this supply area, relying on the HRA of SBW's Water Resources Management Plan (WRMP). Natural England's representation does not cast doubt on the reliability of the HRA of SBW's WRMP or indicate any likely significant effects in this supply area not considered by the HRA of the Submission draft plan.
MIN-20	Para 5.59	Amend Para 5.59 to state: " <i>Within the National Park the Shoreline Management Plan proposes to 'Hold the Line' (i.e. maintain or upgrade the level of protection provided by existing coastal defences) in built-up locations on the coast between Hurst Spit and Elmer's Court outside Lymington, between Sowley and Saltershill, and around Calshot such as around Lymington, but proposes 'No Active Intervention' (i.e. a decision not to invest in providing or maintaining any defences) elsewhere. for other less inhabited areas</i> "	Clarification of the areas covered by 'Hold the Line' and 'No Active Intervention' in the North Solent Shoreline Management Plan in response to the representation received from Beaulieu Estate	None – clarifies policy set out in the North Solent Shoreline Management Plan

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-21	Policy DP13	Change Policy DP13 d) to state, "...protect or enhance coastal habitats and species, including all designated nature conservation sites ; and "	To emphasise the importance of designated nature conservation sites along the coast in response to the representation received from RSPB and HOIWWT	Strengthens mitigation for potential effects of small scale coastal development on designated sites provided for by the Local Plan
MIN-22	Policy SP14	Add to clause c) of Policy SP14, to state: "...on the landscape character, heritage assets , natural beauty, wildlife, tranquillity or other special qualities of the National Park."	To emphasise the importance of the historic environment in response to the representation received from Historic England	None – strengthens policy protection for the historic environment
MIN-23	Para 5.70	Add to paragraph 5.70 to state: "...to protect the natural, historic and built environment..."	To emphasise the importance of the historic environment in response to the representation received from Historic England	None – strengthens policy protection for the historic environment
Chapter 6: Protecting and Enhancing the Historic & Built Environment				
MIN-24	Paragraph 6.15	Add the following text to the end of paragraph 6.15: "Some archaeological assets may not be scheduled but are still nevertheless demonstrably of equivalent significance to scheduled monuments, and therefore will be subject to the policies for designated heritage assets, in accordance with the NPPF."	To clarify the implementation of Policy SP16 and to refer to national policy set out in the NPPF. (Historic England)	None – clarifies policy protection for the historic environment

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-25	Policy SP16	<p>Delete criterion (iv) of clause a) and insert the following new criteria b) and c) in policy SP16:</p> <p>b) Where development proposals will lead to substantial harm to, or total loss of significance of, a designated heritage asset, permission will be refused.</p> <p>c) Where development proposals will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be outweighed by the public benefits of the proposal.</p> <p>Renumber the remaining criteria.</p>	For clarity, and to reflect the wording in the NPPF.	None – clarifies policy protection for the historic environment
MIN-26	Paragraph 6.17	Move existing paragraph 6.17 to become a new paragraph 6.9, and renumber the remaining paragraphs accordingly.	To ensure the Plan reads more clearly with regard to the supporting text on the assessment of harm. (Hampshire County Council)	None – clarifies policy protection for the historic environment
Chapter 7: Vibrant Communities				
MIN-27	SP21	Amend the second paragraph in the policy to state: <i>"This policy applies to applications resulting in net new dwellings. Proposals for replacement dwellings, will be assessed against Policy DP35 and proposals for commoner's dwellings, Estate Workers dwellings and agricultural / forestry workers dwellings will be assessed against their specific policies."</i>	To clarify the policy wording.	None – clarifies policy on size of new dwellings

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-28	SP22	Amend the wording in the first sentence of the policy to state: "Land at Whartons Lane, Ashurst is allocated for the development of around 60 residential dwellings."	In response to representations received highlighting that detailed site masterplanning may result in a slight variation (up or down) in the total number of dwellings proposed.	None – the precise number of allocated dwellings does not affect the findings of the HRA
MIN-29	SP22	Add an additional criterion (g) to state that: " A site-specific flood risk assessment will be required and measures put in place to address any groundwater or surface water flooding issues identified. "	In response to representations received (numerous) and the findings of the New Forest Strategic Flood Risk Assessment (2017).	None - relates to flood risk/safety on allocated site
MIN-30	SP23	Amend criteria (e) to state: " Redevelopment proposals for the site should be accompanied by a Transport Assessment, given the proximity of the site to the designated Lyndhurst Air Quality Management Area. Adequate parking provision must be made on-site;"	In response to representations received from Hampshire County Council, the highway authority for this part of the National Park.	None - relates to transport assessment for allocated site
MIN-31	Paragraph 7.27	Add additional wording to para. 7.27 to state: " <i>The site is located within a short, level walk of the existing services within the village, including the station, shops and school. The provision of a safe, off-road pedestrian link from the Jubilee Fields Sports Ground to Church Lane through the site will be supported. The site will also provide additional community benefits...</i> "	In response to representations received from local residents and to encourage the integration of the site allocation with the adjacent facilities and services within the village.	None – the pedestrian link supported by the new policy text does not increase the risk of recreation pressure on the New Forest European sites

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-32	SP24	Amend the wording in the first sentence of the policy to state: "Land to the south of Church Lane, Sway is allocated for the development of around 40 residential dwellings."	In response to representations received highlighting that detailed site masterplanning may result in a slight variation (up or down) in the total number of dwellings proposed.	None – the additional qualification to the number of allocated dwellings at this site does not affect the findings of the HRA
MIN-33	SP24	Amend the wording of criteria (f) to state that, "The access to the site off Church Lane must ensure adequate visibility splays and provide safe access to the school and on foot to the village centre;"	In response to representations from Hampshire County Council, the highway authority for this part of the National Park.	None - relates to road and pedestrian safety for allocated site
MIN-34	Paragraph 7.30	Reword paragraph 7.30 to state: "This confirms that planning permission should be refused for major developments in these areas except major development should only be permitted in exceptional circumstances and where it can be demonstrated they are in the public interest. The assessment of such proposals should include: <ul style="list-style-type: none"> • The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy. • The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need in some other way; and • Any detrimental impact on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. 	To ensure consistency with national policy contained within paragraph 116 of the NPPF (2012).	None – reiterates national policy on development in National Parks

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-35	SP25	Amend criteria (b) to state: " The majority of the dwellings At least 50% of the dwellings provided within the National Park must be smaller dwellings (less than 100 square metres) to meet the identified local housing need for smaller dwellings."	To provide clarity in response to representations received from Fawley Waterside.	None – the mix of dwelling sizes on this allocated site does not affect the conclusions of the HRA
MIN-36	SP25	Amend criteria (c) to state: "Proposals must be implemented as an integral and contiguous part of the redevelopment of the whole Power Station site pursuant to an approved comprehensive redevelopment masterplan and an integrated transport strategy for the entire Fawley Power Station site."	Amendment made in response to representations received from Hampshire County Council and representations highlighting concerns regarding infrastructure improvements.	Strengthens mitigation of the potential effects of this allocation on road traffic growth and associated contribution to in-combination air quality and traffic collision risk effects
MIN-37	SP25	Amend criteria (d) to state that, "Any loss of the designated SINC habitat must be kept to an essential minimum and compensated through the enhancement of the biodiversity value of the remaining habitat and for the compensatory provision of alternative habitats of equivalent or higher value to achieve a net gain for biodiversity."	To provide clarity in the policy wording in response to representations received from the RSPB and the Hampshire & Isle of Wight Wildlife Trust.	None – relates to SINC designation
MIN-38	SP25	Add an additional criterion (e) to state: " A site-specific flood risk assessment will be required and measures put in place to address any flooding issues identified to ensure that the development will be safe for its lifetime. "	Amendment made in response to representations received from the Environment Agency highlighting concerns regarding flood risk.	None - relates to flood risk/safety on allocated site

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-39	Paragraph 7.36	Add additional wording at the end of paragraph 7.36 to state: " <i>The proposed route of the England Coast Path runs adjacent to the south western boundary of the site allocation. Development proposals for the site should not prejudice the delivery of this new section of footpath.</i> "	In response the publication of details of the proposed route of the England Coast Path by Natural England.	None – safeguards a right of way to be provided by another plan/strategy
MIN-40	SP26	Amend the wording in the first sentence of the policy to state: " <i>Land at Calshot Village is allocated for around 40 dwellings and cemetery use.</i> "	In response to representations highlighting that detailed site masterplanning may result in a slight variation (up or down) in the total number of dwellings proposed.	None – the precise number of allocated dwellings does not affect the findings of the HRA
MIN-41	SP29	Amend the policy wording to state: " <i>As with other new dwellings in the National Park, the total internal habitable floorspace of the dwelling should not exceed 100 square metres.</i> "	To ensure consistency of terminology with the policy wording for other net new dwellings permitted under the Local Plan.	None – clarifies policy on size of new dwellings
MIN-42	SP30	Amending paragraph (c) to state: " <i>The housing is subject to an occupancy condition and remains available for Estate Workers, or last employed as Estate Workers, in perpetuity; and...</i> "	In response to representations received from the Beaulieu Estate to clarify that Estate Workers' Housing would also be available to retired Estate Workers.	None – clarifies occupancy rights for Estate Workers housing
MIN-43	Para. 7.74	Amend the final sentence to state: " <i>The Authority will continue to impose appropriate planning conditions to remove permitted development rights to extend and / or alter approved replacement dwellings other than in accordance with Policy DP36 to ensure that the stock of smaller dwellings in the National Park is maintained.</i> "	In response to representations received regarding the relationship between policy DP35 and DP36.	None – clarifies relationship between two policies

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
MIN-44	DP35	Remove the superfluous full stop at the end of the fifth paragraph.	To correct a grammatical error.	None – grammatical correction
MIN-45	DP36	Amend the third paragraph of the policy to state: " <i>In exceptional circumstances a larger extension may be permitted to meet the genuine family needs of an occupier who works in the immediate locality. In respect of these exceptional circumstances, the total internal habitable floorspace of an extended small dwelling must not exceed 120 square metres.</i> "	To provide clarity in the interpretation of the policy.	None – clarifies policy on size of extensions to dwellings
MIN-46	Para. 7.83	Amend paragraph 7.86 to state, " <i>Within the context of the development that takes place within the National Park, developer contributions may be required towards: highway and transportation works; affordable housing...</i> "	For clarification and in response to representations received from Hampshire County Council Infrastructure Provision (Paragraph 7.83).	None – clarifies categories of infrastructure that developer contributions may be required to fund
<u>Chapter 8: A Sustainable Local Economy</u>				
No proposed minor modifications				
<u>Chapter 9: Transport & Access</u>				
MIN-47	SP55	Amend Policy SP55 to read: " <i>The Authority will promote safer access and more sustainable forms of transport to and within the National Park for access to services and amenities and for enjoyment, health and well-being...</i> "	To provide clarity that this policy supports utility walking and cycling, as well as for leisure purposes. (New Forest Access Forum)	None – clarification rather than change to policy

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
<u>Chapter 10: Monitoring and Implementation</u>				
MIN-48	Chapter 10: Implementation and monitoring	Include following new indicator under Objective 2 in Chapter 10: "Number of heritage assets on the "Heritage At Risk" Register" . No target - contextual indicator only.	To include more indicators relating to the historic environment. (Historic England)	None – relates to monitoring of the Plan's effect on the historic environment
<u>Annex 1: New Forest National Park Special Qualities</u>				
No proposed minor modifications proposed.				

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA												
Annex 2: Car Parking and Cycle Standards																
MIN-49	Annex 2	<p>Include explicit reference in Annex 2 to parking standards for retail units as per the new table set out below:</p> <p>Retail development</p> <table border="1"> <thead> <tr> <th>Type</th> <th>Car Parking Standard</th> <th>Cycle Parking Standard</th> </tr> </thead> <tbody> <tr> <td>Non-food retail and general retail (covered retail areas)</td> <td>1 space per 20 m²</td> <td>Greater of 1 space per 6 staff or 1 per 300m²</td> </tr> <tr> <td>Non-food retail and general retail (uncovered retail areas)</td> <td>1 space per 30 m²</td> <td>Greater of 1 space per 6 staff or 1 per 300m²</td> </tr> <tr> <td>Food retail</td> <td>1 space per 14 m² covered areas</td> <td>Greater of 1 space per 6 staff or 1 per 300m²</td> </tr> </tbody> </table>	Type	Car Parking Standard	Cycle Parking Standard	Non-food retail and general retail (covered retail areas)	1 space per 20 m ²	Greater of 1 space per 6 staff or 1 per 300m ²	Non-food retail and general retail (uncovered retail areas)	1 space per 30 m ²	Greater of 1 space per 6 staff or 1 per 300m ²	Food retail	1 space per 14 m ² covered areas	Greater of 1 space per 6 staff or 1 per 300m ²	<p>The Authority's adopted Development Standards SPD sets out the Authority's parking standards and refers to the Hampshire County Council Parking Standards as the starting point for other use classes not specifically listed. For clarity the parking requirements for retail units should specifically be set out in the Local Plan. The requirement for parking for retail units are also the same standards as those adopted by New Forest District Council in their Parking Standards SPD (2012).</p> <p>(Sway Parish Council)</p>	<p>None – parking standards for retail units do not affect the findings of the HRA</p>
Type	Car Parking Standard	Cycle Parking Standard														
Non-food retail and general retail (covered retail areas)	1 space per 20 m ²	Greater of 1 space per 6 staff or 1 per 300m ²														
Non-food retail and general retail (uncovered retail areas)	1 space per 30 m ²	Greater of 1 space per 6 staff or 1 per 300m ²														
Food retail	1 space per 14 m ² covered areas	Greater of 1 space per 6 staff or 1 per 300m ²														
	Annex 2	<p>Adjust formatting of the tables set out in Annex 2 to ensure all wording is shown correctly.</p>	<p>To correct a formatting issue.</p>	<p>None – formatting correction</p>												

Reference	Policy / paragraph of Submission draft Local Plan	Proposed minor modification	Authority's reason for change	Implications for the HRA
Annex 3: Local Connections Criteria				
MIN-50	Annex 3 – Local connections criteria	Insert an additional paragraph between paragraphs A3.2 and A3.3 to state: <i>"The allocation of affordable housing within the National Park will be guided by the policies and criteria of the respective housing authorities. Each of the three constituent housing authorities (New Forest District Council, Wiltshire Council and Test Valley Borough Council) has their own local connections criteria for allocating affordable housing and the National Park Authority will liaise with the relevant housing authority when affordable housing is granted permission. New Forest District Council is the housing authority for the majority of the National Park and set out below is a summary of the local connections criteria applied by the District Council in allocating affordable housing for local people."</i>	In response to representations received from Wiltshire Council highlighting their role as the statutory housing authority for part of the National Park.	None – relates to occupancy conditions for affordable housing

3 Response to representations on the HRA of the Submission draft Local Plan

- 3.1 The representations received by the Authority from Natural England relating to the HRA of the Submission draft Local Plan are set out in Table 3.1, along with LUC's responses to these comments. Only Natural England commented directly on the HRA.
- 3.2 In addition to the representations on the HRA of the Submission draft Local Plan, a number of representations were made by Natural England and other consultees on aspects of the Local Plan relating to the condition and conservation of designated wildlife sites and on the Draft Revised Habitat Mitigation Scheme. These have been reviewed and none of these is judged to present new information that alters the conclusions of the HRA. Any modifications to the Local Plan proposed by the Authority in response to these representations have been assessed in Chapter 2.

Table 3.1 Responses to representations on HRA of Submission draft Local Plan

Consultee (reference)	Summary of representation	LUC response on implications for the HRA
Statutory consultee comments on Submission draft HRA		
Natural England	<p>Overview</p> <p><i>"Subject to the issues and approaches below being incorporated into the HRA (and subsequently the local plan) we would consider the plan to be sound."</i> Detailed comments on the HRA are summarised below.</p>	Noted.
Natural England	<p>Changes in water quantity</p> <p>Local Plan HRA can usually rely on the agreed Water Resources Management Plan (WRMP), which is itself subject to HRA, to rule out adverse effects on integrity in relation to water resources. However, concerns have been raised with regard to Southern Water's existing WRMP14 and their emerging Draft WRMP19 options, in particular with regards to impacts on the River Itchen SAC. Changes to abstraction licences on the River Itchen imposed by the Environment Agency to remove the risk of adverse effect on integrity to the SAC have been appealed by Southern Water and the HRA for Southern Water's extant WRMP cannot be relied upon to ensure no adverse effects on designated sites arising from future development within Southern Water's area until the outcome of the public inquiry is known.</p> <p>As the WRMPs are not yet finalised, Local Plans should acknowledge the uncertainty around delivery of water resources over the plan period. Whilst it is not the LPA's remit to plan to deliver water resources, policies requiring the highest standard of water efficiency and re-use should be adopted within the Southern Water area. It is noted that Policy DP8 (safeguarding and improving water resources) refers to Water Efficiency and Water Resources. This approach is supported and we would recommend that the Local Plan includes a holistic water environment policy that would provide a basis for the protection of the water environment in its entirety with associated biodiversity gains.</p>	<p>Local Plan policy DP8 already requires the higher standard of water efficiency allowed by national planning policy (the tighter, optional Building Regulations requirement of 110 litres per person per day) for all new residential development in the Southern Water supply area.</p> <p>The Authority has further addressed the concerns about the abstraction levels by Southern Water in the Test and Itchen via proposed minor modifications to paragraph 5.39 (see MIN-18 in Chapter 2) which clarifies that the Authority is adopting the most efficient water use standard partly due to the potential risk of water abstraction creating problems for the designated sites.</p> <p>Conclusion</p> <p>In light of the above, it is judged that the HRA's conclusion of no likely significant effects in relation to changes in water quantity remains valid.</p>
Natural England	<p>Changes in water quality: Solent European sites</p> <p>As recognised in the HRA, the effects on the water environment of development in the Partnership for Urban South Hampshire (PUSH) area are being assessed via an Integrated Water Management Study (IWMS). The assessment has identified that there is a gap in evidence and therefore some uncertainty with regard to achieving the full development growth throughout the plan period without adverse effects on designated sites.</p> <p>The IWMS will provide further information in due course and there is a potential for that to result in a requirement for additional water mitigation measures for new builds. In the meantime we advise a precautionary approach to these matters with the highest possible standards required for</p>	<p>It is clear from Natural England's consultation response that it and the Environment Agency are working closely with the PUSH authorities on this issue and that as further evidence comes forward, appropriate mitigation measures may be required in new development. As noted at para 4.122 of the Submission draft HRA, a commitment was added in the supporting text to Policy DP8 (para. 5.34) of the New Forest Local Plan for the Authority to support the Environment Agency, Southern Water and Natural England in the development of any strategic solution to reducing nutrient inputs to the Solent from wastewater discharges. Proposed minor modification MIN-17 corrects the appropriate list of partner bodies for this issue. As indicated in the Submission draft HRA, para. 5.34 will allow the NPA to explore and implement appropriate solutions to nutrient discharges to the Solent European sites. Whilst this will involve partnership with water companies and local authorities, it is sufficiently</p>

Consultee (reference)	Summary of representation	LUC response on implications for the HRA
	<p>water efficiency while seeking appropriate methods to deliver as far as possible nitrogen and phosphate neutral development. The latter should include nutrient budgets for all EIA cases and, where possible, appropriate offsetting measures.</p>	<p>clear to allow the Authority to put in place any future mitigation strategy, if one becomes necessary.</p> <p>MIN-17 also states that “<i>Developments that could affect these sites</i> [includes Solent European sites] <i>will be considered under Policy SP5.</i>” The reference to Policy SP5 is relevant for planning applications that could impact the Solent sites before the outcome of ongoing joint working on these issues is known and a clear strategy agreed by the parties. The NFNPA can refer to the approach advised by Natural England when carrying out project-level HRA for applications, i.e. seek the highest possible standards required for water efficiency plus appropriate methods to deliver as far as possible nitrogen and phosphate neutral development.</p> <p>As noted above in relation to changes in water quantity, Local Plan policy DP8 already requires development in the Southern Water supply area to achieve the higher standards of water efficiency allowed under the Building Regulations. Proposed minor modifications MIN-19 extends this requirement to development in the rest of the National Park; this is consistent with Natural England’s representation on the HRA’s water quality findings for the Solent sites.</p> <p>Conclusion</p> <p>In light of the above, it is clear that mechanisms are in place for identifying and implementing appropriate solutions, should further evidence confirm the need to take action to avoid in-combination water quality effects on the Solent designated sites from development in the PUSH area and the New Forest. On this basis, the HRA’s conclusion of no likely significant water quality effects on the Solent European sites remains valid.</p>
Natural England	<p>Changes in water quality: River Avon SAC</p> <p>Natural England and Environment Agency are now aware of new evidence that affects two aspects of the Avon Nutrient Management Plan (NMP). These are:</p> <p>a) Assumptions made in the plan around discharge concentrations from Sewage Treatment Works (STWs): the evidence suggests that discharge concentrations from STWs should be assumed to be higher than the NMP assumed.</p> <p>b) The efficacy of Catchment Sensitive Farming (CSF) measures: the evidence suggests that CSF measures are less effective than assumed.</p> <p>This new evidence will feed into a revised model, but this work will not be completed for some time. It is our advice that the revised model may well conclude that some or all development will need to be phosphate neutral to achieve HRA compliance. As such prior to the completion of this work, permissions should now only be considered to be HRA compliant if P neutrality can be achieved.</p>	<p>The HRA of the Submission draft Local Plan ruled out likely significant effects on water quality in the River Avon SAC on the basis that none of its allocations are within the catchment of the SAC and the relatively small scale of growth proposed by the Local Plan as a whole.</p> <p>On the basis of the information supplied by Natural England in its representation on the Submission draft HRA, it is acknowledged that even small scale development could contribute to significant effects on water quality in-combination, due to increased phosphate discharges from STWs within the catchment of the River Avon SAC.</p> <p>While generic mitigation is available from the requirement in Policy SP5 for all development to comply with the Habitats Regulations, it is not appropriate to rely solely on the requirements of the Habitats Regulations when a specific risk to a European site has been identified.</p> <p>Natural England and the Environment Agency are in ongoing discussions with Wessex Water and the local planning authorities within the catchment of the River Avon SAC (including NFNPA) to further assess the likely effects of additional phosphate from planned development on the River Avon SAC and to</p>

Consultee (reference)	Summary of representation	LUC response on implications for the HRA
	<p>We are comfortable for the authority to permit development provided we are assured by the authority that in the medium term, there will be no net increase in phosphate from development, and that the authority will take responsibility for addressing any short term phosphate “debt” that permitting development may incur.</p> <p>We therefore advise that despite the spatial strategy not being skewed to the west (i.e. the River Avon catchment) and the low volume of growth the plan caters for, the above advice emerging from new evidence is incorporated into policy DP8.</p>	<p>identify solutions to prevent adverse effects on the integrity of the SAC. The findings and agreed solutions will be the subject of a memorandum of understanding (MoU) between the parties. The existence of this partnership work is also recognised in the Statement of Common Ground (SoCG) between NFNPA and NFDC¹.</p> <p>Proposed minor modification MIN-17 extends the Submission draft Local Plan’s commitment to joint working to address nutrient inputs to also cover the River Avon SAC. This Local Plan text will allow the NFNPA to explore solutions (if they become necessary) to nutrient discharges to the River Avon SAC. Whilst this will involve partner water companies and local authorities, it is sufficiently clear to commit the Authority to put in place any future mitigation strategy, if one becomes necessary.</p> <p>MIN-17 also states that “<i>Developments that could affect these sites</i> [includes River Avon SAC] <i>will be considered under Policy SP5.</i>” The reference to Policy SP5 is relevant for planning applications that could impact the SAC before the outcome of ongoing joint working on these issues is known and a clear strategy agreed by the parties. The NFNPA can refer to the approach advised in Natural England’s consultation response letter when carrying out project-level HRA for applications, i.e. seek appropriate methods to deliver as far as possible phosphate neutral development in the medium term.</p> <p>Conclusion</p> <p>In light of the above, it is clear that mechanisms are in place for identifying and implementing appropriate solutions, should further evidence confirm the need to take action to avoid in-combination water quality effects on the River Avon SAC. On this basis, the HRA’s conclusion of no likely significant water quality effects on the Solent European sites remains valid.</p>
Natural England	<p>Changes in air quality</p> <p>We welcome reference within the local plan and HRA thereof to the ongoing work occurring around the issue of air quality and impacts on nature conservation interests in the plan area. Assuming that this work continues to proceed and any work and recommendations are carried forward and incorporated into the local plan going forward, we believe that the local plan can be found sound. We look forward to continuing to work with you and the NFDC in resolving the issues around this area of concern.</p>	<p>The HRA of the Submission draft Local Plan recognises the potential for development proposed by the plan to contribute to likely significant air quality effects on The New Forest SAC, SPA and Ramsar site in-combination with growth proposed in neighbouring districts. It refers to separate air quality assessment and linked ecological assessment which together constitute the HRA of air quality effects for both the New Forest National Park and New Forest District Local Plans. Those assessments had not been finalised at the time of preparation of the Submission draft Local Plan and accompanying HRA but the emerging conclusions² informed the mitigation at paragraph 5.73 of the plan (discussed below). The conclusions of the ecological assessment of air quality</p>

¹ Statement of Common Ground between the New Forest National Park Authority and New Forest District Council, May 2018

² Ecological Consultancy Advice on Air Quality Risks, BSG Ecology, 22 December 2017

Consultee (reference)	Summary of representation	LUC response on implications for the HRA
		<p>risks remain essentially unchanged in the latest available draft of the ecological assessment of air quality risks³ and the mitigation in the Submission draft Local Plan therefore remains valid.</p> <p>This report provides examples of the types of mitigation measures that can be used to mitigate the impacts of airborne pollutants, under the broad headings of shelterbelts, habitat creation/enhancement, habitat management, and traffic-related measures.</p> <p>Natural England continues to work with NFNPA and New Forest District Council to coordinate further assessment of the potential for modelled air pollution from road traffic growth to have adverse effects on the integrity of the New Forest European sites.. The existence of this partnership work is also recognised in the Statement of Common Ground (SoCG) between NFNPA and NFDC⁴. Should the further work reveal a potential for adverse effects on site integrity, potential mitigation measures are available, as described in the Ecological Assessment of Air Quality Risks report. If the potential for adverse effects on integrity is identified, it is likely that development in the Local Plan area would have to contribute to such mitigation.</p> <p>The Submission draft Local Plan (para. 5.73) acknowledges the potential for in-combination air quality effects from road traffic growth and uncertainty regarding the impact of ammonia and acid deposition on European sites. It therefore commits to working with surrounding local authorities and other partners to monitor the in-combination impacts on the protected habitats during the life of the Local Plan and to support other authorities in devising an appropriate strategic mitigation strategy if a significant effect on the designated sites is likely.</p> <p>Conclusion</p> <p>As described above, partnership work is underway to address current uncertainty about the potential for in-combination air pollution effects to adversely affect the integrity of the New Forest designated sites. Should further evidence identify the need to take action to avoid such effects then effective solutions are available. On this basis, likely significant air quality effects on The New Forest SAC, SPA and Ramsar site can be ruled out.</p>

³ Ecological Consultancy Advice on Air Quality Risks, BSG Ecology, 3 April 2018

⁴ Statement of Common Ground between the New Forest National Park Authority and New Forest District Council, May 2018

4 Summary and conclusion

Summary

- 4.1 Since Regulation 19 consultation, the Authority has proposed a number of minor modifications to the Submission draft Local Plan. This HRA Addendum has assessed these proposed modifications and they either have no implications for the HRA conclusions at Submission draft stage or they serve to strengthen mitigation of potential effects on European sites.
- 4.2 The HRA Addendum has also reviewed representations received on the HRA of the Submission draft Local Plan during Regulation 19 consultation and considered their implications for the HRA. Natural England's representations highlight remaining uncertainties in relation to the potential for in-combination effects on European sites in relation to:
- water resources in the Southern Water supply area and the potential effects of abstraction to supply planned development across the area on the River Itchen SAC;
 - water quality and the potential effects of nitrogen and phosphate inputs from STWs serving planned development and from other sources on the Solent European sites;
 - water quality and the potential effects of phosphate inputs from STWs serving planned development on the River Avon SAC; and
 - air quality and the potential effects of traffic emissions on The New Forest SAC, SPA and Ramsar site.
- 4.3 Further information will become available in due course as a result of ongoing work being carried out by NFNPA in partnership with Natural England and other agencies and relevant authorities to address these uncertainties. This will provide additional evidence on whether further mitigation beyond that already contained in the emerging NFNPA Local Plan and other local plans is required. Until this additional work is complete, Natural England's consultation response has advised various precautionary measures, to add to those already included in the Submission draft Local Plan. Chapter 3 has summarised this advice and sets out the minor modifications to the Submission draft Local Plan proposed by the NFNPA to address the matters raised by Natural England.

Conclusion

- 4.4 The HRA of the NFNPA Submission draft Local Plan was able to rule out likely significant effects or adverse effects on integrity on any European site except in relation to potential air quality effects from road traffic pollution. These impacts are the subject of a separate assessment. Matters raised by Natural England in relation to water quantity and water quality have been satisfactorily addressed by the Authority's proposed minor modifications to the Submission draft Local Plan. None of the minor modifications proposed for reasons other than to respond to Natural England's representations alter the previous HRA conclusions.
- 4.5 The HRA of the NFNPA Submission draft Local Plan noted that potential air quality effects on The New Forest SAC, SPA and Ramsar site were the subject of a separate air quality assessment and linked ecological assessment that would be reported on separately. The ecological assessment revealed uncertainties about the potential for in-combination effects on these designations in relation to ammonia and acid deposition. Ongoing partnership

work between NFNPA, New Forest District Council and Natural England is designed to address the uncertainty and the Submission draft Local Plan commits NFNPA to supporting other authorities in devising an appropriate strategic mitigation strategy if a significant effect on the designated sites is likely. Potential mitigation measures are identified in Ecological Assessment of Air Quality Risks report. This provides sufficient certainty that adverse effects on integrity due to changes in air quality can be ruled out.

- 4.6 The conclusion of the HRA of the NFNPA Local Plan, as amended by proposed minor modifications, is therefore that it **will not have an adverse effect on the integrity of any European site, either alone or in-combination with other plans or projects.**