NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 29 SEPTEMBER 2011

ADOPTION OF THE GUIDELINES FOR HORSE-RELATED DEVELOPMENT AS A SUPPLEMENTARY PLANNING DOCUMENT

Report by: Steve Avery, Director of Park Services

Summary:

The draft Guidelines for Horse-Related Development Supplementary Planning Document (SPD) were approved for the purposes of public consultation at the June 2011 Authority meeting. Following this approval, the six week period of public consultation (the statutory maximum) was held between 29 June and 10 August earlier this year.

This report summarises the consultation process undertaken by the Authority over the summer, drawing out some of the main points raised in the public consultation responses. The ‘Statement of Consultation’ (Annex 2 to this paper) sets out in more detail who was consulted on the draft document; a summary of the main issues raised; and how those issues have been addressed in the revised document that is presented for adoption (Annex 1).

Following consideration by the Authority of the responses received and a number of resulting amendments to the document, this paper seeks Members’ agreement to formally adopt the Guidelines as a Supplementary Planning Document for the New Forest National Park.

Recommendations:

1. That the revised Guidelines for Horse-Related Development be formally adopted as a Supplementary Planning Document to be a material in the consideration of planning decisions within the National Park.
2. Delegate responsibility for the final design and layout of the document to the Director of Park Services.

Papers:

NFNPA 391/11: Cover paper
Annex 1: Guidelines for Horse-Related Development Supplementary Planning Document – proposed adoption document
Annex 2: Statement of Consultation

Resources: None

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1. Introduction

1.1 This paper seeks the formal adoption of the Guidelines for Horse-Related Development as a Supplementary Planning Document (SPD). Members will recall that the draft Guidelines were approved at the Authority meeting on 23 June 2011 for the purposes of a public consultation (NFNPA 382/11).

1.2 The draft Guidelines (prior to the public consultation) were prepared in liaison with the New Forest Equine Forum. As well as supplementing the horse-related planning policies in the adopted Core Strategy with more detailed advice, the Guidelines also seek to share best practice in land management amongst horse owners and land managers to ensure that the special character of the New Forest landscape is conserved and enhanced.

1.3 This report details the consultation process undertaken by the Authority over the summer, drawing out some of the main points raised in the public consultation responses. The ‘Statement of Consultation’ (Annex 2 to this paper) sets out in more detail who was consulted on the draft document; provides a summary of the main issues raised and how those issues have been addressed.

1.4 As a result of the public consultation, a number of changes have been made to the Guidelines which are now presented for formal adoption as attached at Annex 1.

2. Public Consultation on the draft Guidelines

2.1 In accordance with the statutory requirements set out in the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended), the Authority undertook a six week period of public consultation on the draft guidelines between 29 June and 10 August 2011. As agreed at the June meeting, this consultation lasted for six weeks – the maximum period outlined in the regulations.

2.2 The Authority undertook the following publicity to support the public consultation:

- Copies of the consultation document and relevant supporting information was sent directly to over 80 statutory and general consultees, including all local authorities, town and parish councils within and adjacent to the National Park.
- The document was also made available for inspection at the Authority’s office, and was available to view and download from the Authority’s website throughout the
3. Summary of the main issues raised during the public consultation

3.1 Responses were received from 48 individuals and organisations within the New Forest, who together made just over 90 individual comments (as detailed at Annex 2). These included responses from nine Parish Councils, Hampshire County Council; the New Forest Commoners Defence Association; the New Forest Association; the New Forest Equestrian Association; the RSPB and over 30 local residents of the Park.

3.2 Most of the responding Parish Councils supported the draft guidelines as did the Hampshire and Isle of Wight Wildlife Trust and the RSPB. However there were a number of individual respondents who raised concerns about the Authority’s interpretation of the planning law relating to horse keeping and change of use, with one commenting that the “proposed SPD is misconceived, misleading and miss states legal principles” and that “the law in respect of planning aspects of recreational horse keeping is simple”.

3.3 Planning law relating to horse keeping is anything but simple and this was one of the reasons why it was felt that some further guidance would be helpful to support the planning policies in the adopted Core Strategy (a number of other local planning authorities have produced similar guidance to address this complex issue). Nonetheless, some changes are proposed at paragraphs 4.5, 4.6 and 4.9 to ensure greater consistency with the wording used in the adopted Core Strategy with regard to ‘change of use’ considerations.

3.4 Other points of significance raised during the consultation that have been taken on board in the proposed document for adoption include the following:

- In line with the responses made by the Commoners Defence Association, the New Forest Association and a number of individuals, additional text is proposed for inclusion regarding the need to protect back-up grazing land (paragraphs 2.1, 3.3 and 4.7).
- Additional text is proposed to refer to any subsequent new guidance from the British Horse Society on the size of stabling as animal welfare standards may change in the future (paragraph 5.6); and
- In accordance with a number of responses, including those of Hampshire County Council, additional text is proposed relating to the need to protect public rights of way.

4. Adoption of the Supplementary Planning Document

4.1 Planning Policy Statement 12 (Local Spatial Planning, 2008) confirms that local planning authorities may prepare Supplementary Planning Documents (SPDs) to
provide greater detail and guidance to supplement the policies in its adopted Development Plan Documents, and to provide further detail on how the policies are to be implemented. Once approved, SPDs can then be a material consideration in determining planning applications.

4.2 If the revised SPD is agreed, the document will need to be designed and photographs inserted before copies are distributed to Parish Councils and other statutory consultees. The Equine Forum will be invited to jointly badge the SPD with the National Park Authority to reflect the co-operation and joint working that went into the production of the draft document prior to the public consultation.

5. Conclusion

5.1 Once adopted as a SPD the guidelines will be a material consideration in making planning decisions within the National Park. The guidelines (to be read alongside the Authority's adopted Core Strategy planning policies), will provide a detailed planning framework for considering horse-related development proposals, ensuring they make a positive contribution to the management of the New Forest.

Recommendations:

1. That the revised Guidelines for Horse-Related Development be formally adopted as a Supplementary Planning Document to be a material in the consideration of planning decisions within the National Park.
2. Delegate responsibility for the final design and layout of the document to the Director of Park Services.