

NFNPA 534/17

NEW FOREST NATIONAL PARK AUTHORITY

AUTHORITY MEETING – 12 OCTOBER 2017

LOCAL PLAN UPDATE AND REVISED LOCAL DEVELOPMENT SCHEME (LDS)

Report by: David Illsley, Policy Manager

1. Introduction

- 1.1 This report provides an update on the progress of the Authority's Local Plan review; summarises a number of the main emerging policy approaches; and sets out the proposed timetable for the remaining stages in the process that will culminate in the submission of the draft Local Plan to the Government for examination in Spring 2018.
- 1.2 The report also provides the opportunity to formally update the Authority's Local Development Scheme (LDS). All planning authorities are required by the *Planning & Compulsory Purchase Act 2004* (as amended) to produce a LDS setting out the timetable for reviewing the Local Plan. This scheme must be made available publically and be kept up-to-date. Approval is therefore sought for the updated LDS as set out in Annex 1 to this report.

2. Local Plan Review – progress since October 2016 consultation

- 2.1 In October 2016 the Authority published a (non-statutory) draft Local Plan for an 8-week period of public consultation. This was a full, draft Local Plan with proposed policies and potential policy approaches set out for the wide range of planning matters relevant to the National Park. During this public consultation in late 2016 representations were received from around 400 individuals and organisations. A summary of the main points raised has been available on the Authority's website since January 2017.
- 2.2 In addition to this public consultation, the conclusions of a number of important evidence base studies have fed into the Local Plan review. These include:
 - The New Forest Strategic Flood Risk Assessment
 - The Local Plan and Affordable Housing Economic Viability Assessment
 - Preliminary work on the Habitats Regulations Assessment
 - The New Forest Strategic Housing Market Assessment
 - Update on Objectively Assessed Housing Need
 - The Hampshire Gypsy & Traveller Accommodation Assessment
 - New Forest Business Needs and Market Assessment
- 2.3 In May 2017 the Authority received updated advice from Natural England regarding residential development close to the internationally protected New Forest Special Protection Area (SPA). As a consequence of this advice a number of the potential housing site allocations identified in the draft Local Plan (October 2016) could no longer be taken

forward. A further 6-week public consultation was therefore held in June and July 2017 on potential alternative housing sites in the National Park. This consultation was held after the purdah period for the general election on 8 June 2017 and as a result the intended Local Plan timetable has slipped slightly. A summary of the main points raised by the 60 individuals and organisations who responded during this consultation has been available on the Authority's website since August 2017.

- 2.4 The Policy team has continued to liaise with statutory consultees and neighbouring authorities as part of the Local Plan review. This has included discussions with planning authorities surrounding the New Forest on issues including housing delivery and habitat mitigation measures. A full 'Duty to Cooperate Statement' will be published alongside the final draft Local Plan in January 2018.
- 2.5 The review is being undertaken in the context of continuing changes in national policy. In September 2017 for example, the Government published their proposed standardised methodology for calculating Objectively Assessed Housing needs. The consultation acknowledges the challenges in assessing housing needs in a National Park, where data is typically cut to local authority (rather than Park) boundaries. The Authority will be responding to this consultation by the deadline of 9 November 2017. Based on current work, the draft Local Plan is likely to set out proposals for between 700 – 840 additional dwellings in the National Park over the 2016 – 2036 Plan-period (equating to an annualised average of between 35 – 42 dwellings).

3. Local Plan Review – emerging policy directions

- 3.1 Regular updates on the Local Plan have been given to Authority members throughout 2017 and to town & parish councils through the Parish Quadrant meetings. The Authority's self-assessment of compatibility between the Core Strategy and the NPPF highlighted that significant parts of the existing policy framework for the Park remain fit for purpose. This includes the policies on business development and the local economy for example. Set out below is an overview of a number of the main policy approaches being taken forward, including areas where more significant revisions are proposed.

Sustainable development

- 3.2 The role of the planning system is to contribute to the achievement of sustainable development. The NPPF sets out the Government's view of what sustainable development means for the planning system - based on the economic, social and environmental dimensions. This echoes the *English National Parks UK Government Vision and Circular* which confirms that the primary responsibility of the Authority is to deliver the two statutory Park purposes; and to ensure it is an exemplar in achieving sustainable development.
- 3.3 The Local Plan will set out the Authority's approach to sustainable development within the Park. This will reflect the relevant aims of the *New Forest National Park Partnership Plan 2015-2020*, including the delivery of new housing to address local needs; the provision of employment opportunities; the conservation of the local distinctiveness of the Forest; adapting to climate change; and protecting the natural environment.

Affordable Housing for local people

- 3.4 The *English National Parks UK Government Vision & Circular* – cross-referenced within the National Planning Policy Framework – confirms that National Parks are not suitable locations for unrestricted housing and that, “...*the expectation is that new housing will be focused on meeting affordable housing requirements...*”¹ Recent changes in national policy, including the imposition of a national site size threshold for affordable housing delivery, have had a significant impact on affordable housing delivery in the New Forest.
- 3.5 The Local Plan review provides an opportunity to seek to address this challenge using the planning policy tools available to the Authority. These include:
- A small number of proposed housing land allocations adjacent to the main villages in the National Park. Affordable housing provision on these proposed allocations will be maximised and the viability assessment commissioned as part of the review will inform the final proportion of affordable housing sought on these sites.
 - The Local Plan will include a requirement for new dwellings to be limited to 100 square metres to ensure that new development is targeted towards meeting the identified local housing need for smaller dwellings. As set out in the Government’s *Technical housing standards – nationally prescribed space standard* (DCLG, 2015) 100m² equates to a generous 3-bed dwelling or a modest 4-bed dwelling.
 - The viability assessment will inform the policy approach taken to the affordable housing site-size threshold. The National Planning Practice Guidance resource (NPPG) establishes a national threshold for on-site affordable housing provision. Given the local circumstances in the National Park, the Local Plan review will propose its own site-size threshold for affordable housing that will be significantly lower than that set out in national planning policy.
 - Policy support for the production of whole-Estate Plans for the larger Estates in the Park. Their production will allow a comprehensive picture of the whole Estate to be provided, helping to place individual development proposals within their wider context. This may include proposals for small-scale Estate-worker housing.

Habitat mitigation measures

- 3.6 In addition to the protection afforded to the landscape of the New Forest by virtue of its National Park status, well over half of the National Park is designated as being of international importance for nature conservation. These designations include the heathland core of the New Forest, as well as the Solent coastline.
- 3.7 Since 2012 the Authority has sought financial contributions from new development to a range of habitat mitigation measures to protect the New Forest SPA. This approach has subsequently been adopted by neighbouring authorities including New Forest District Council and Test Valley Borough Council. The Authority also works in partnership with planning authorities along the Solent coastline where financial contributions are sought towards similar mitigation measures. As part of the Local Plan review, the package of mitigation measures will be revised and this will result in an increased level of financial contribution. This increase has been factored into the Local Plan viability work.

¹ *English National Parks UK Government Vision & Circular*, DEFRA, 2010, paragraph 78

Major development within the National Park and Fawley Power Station

- 3.8 National policy sets out a clear approach to major development in National Parks - currently set out in paragraph 116 of the NPPF. Since the previous Local Plan consultation in Autumn 2016, the National Trust and the Campaign for National Parks have published a research report on major development affecting National Parks². Their report calls for national park authorities to ensure their local plans are clear about how the major development test should be applied in relation to the special qualities of the National Park in order to help reinforce and support local decision-making.
- 3.9 The Local Plan review will therefore include a specific policy on major development in the National Park. In addition, the Policy team continues to make representations on the plans being prepared by neighbouring authorities to ensure they have appropriate policy coverage on the protection afforded to the National Park from development outside it³.
- 3.10 The owners of Fawley Power Station are looking to progress the redevelopment of the site through the respective Local Plan reviews being undertaken concurrently by the District Council and Park Authority. A viability assessment has been undertaken that indicates that some development within the Park is necessary to make the proposed redevelopment of the brownfield site (in the District Council's Plan-area) financially viable. This would constitute major development in the National Park and therefore work is ongoing to assess the proposal against the major development test in the NPPF.

Landscape Character

- 3.11 Since the adoption of the Authority's current Core Strategy in December 2010, the updated *Landscape Character Assessment (2015)* and *Landscape Action Plan (2013)* for the New Forest National Park have been produced. With national planning policy confirming that National Parks have the highest status in relation to landscape protection, the draft Local Plan will highlight this level of landscape protection and how it should be factored into the planning application process.

Local distinctiveness and conserving the built heritage of the National Park

- 3.12 The Authority's current planning policy framework for the Park places a strong emphasis on conserving the built environment and the features that make areas locally distinctive. This is supplemented by the adopted Design Guide Supplementary Planning Document; seven adopted Village Design Statements; and the annual New Forest National Park Building Design Awards which are now in their third year.
- 3.13 In line with the requirements of Section 12 of the NPPF, the revised Local Plan will set out a positive policy approach to the conservation of the built environment of the Park, in accordance with the first statutory Park purpose. This will include policy coverage of the protection to be afforded to non-designated heritage assets.

² *National Parks: Planning for the future*, National Trust, Campaign for National Parks & CPRE, November 2016

³ Section 62(2) of the *Environment Act 1995* confirms that in exercising or performing any functions that could affect land in a National Park, relevant authorities must have regard to the statutory Park purposes.

4. Timetable and next steps

- 4.1 The intention had been to present the proposed Submission draft Local Plan to the full Authority meeting in October 2017 prior to the final 6-week period of public consultation. However due to a combination of factors – including the additional work on potential housing sites required following the updated advice from Natural England in May 2017; and the further work underway on assessing the potential in-combination impacts of planned developed on air quality following the High Court decision in the Lewes District Council and South Downs National Park Authority case⁴ - this timetable has slipped.
- 4.2 The revised timetable is to now present the proposed Submission draft Local Plan at the full Authority meeting on 14 December 2017. The draft Local Plan would then be published for a final 6-week period of public consultation commencing in January 2018. This consultation will be undertaken in line with the statutory requirements established in the relevant Government planning regulations; and also the commitments set out in the Authority's adopted Statement of Community Involvement (December 2013).
- 4.3 Everyone who has submitted representations on the Local Plan to date will be directly notified of this final period of public consultation. Set out below is a more detailed description of the timetable for the remaining stages in the Plan-making process.

5. Revised Local Development Scheme (LDS)

- 5.1 As set out in paragraph 1.2, the LDS is required to specify the timetable for the preparation of the Local Plan and the geographical area to which the document relates. The first LDS prepared by the Authority was adopted in February 2007 and subsequent updates have been made in December 2009; March 2011 and March 2016.
- 5.2 The National Planning Policy Framework makes it clear that the Government's preferred approach is for each local planning authority to prepare a single Local Plan for its area. While additional Local Plans can be produced, national planning guidance states that there should be a clear justification for doing so. The *Localism Act 2011* removed the requirement for the LDS to be submitted to the Government for approval.
- 5.3 The revised LDS presented in Annex 1 is a succinct document that focuses solely on the timetable for the Local Plan review. Other documents such as a Neighbourhood Plans⁵ can still be prepared and will be supported by the Authority's Policy team, but as these plans are initiated by local communities their timetable for production is outside the scope of the Authority's LDS.
- 5.4 The proposed timetable for the Local Plan review set out in Annex 1 highlights the remaining statutory stages through to adoption. It should be noted that once the Local Plan, supporting documents and representations have been submitted to the Government for independent examination in Spring 2018, the timetable is in the hands of the Government's Planning inspectorate, rather than the Authority.
 - Regulation 19: consultation on the submission draft Local Plan: To commence in January 2018 for a 6-week period, running to mid-February 2018.

⁴ High Court decision in the *Wealden DC vs Secretary of State for Communities & Local Government, Lewes DC and the South Downs NPA*, March 2017: EWHC 351 case number CO/3942/2016

⁵ To date six Neighbourhood Areas have been designated by the National Park Authority – Hythe & Dibden, Lymington & Pennington, Milford-on-Sea, New Milton, Totton & Eling, and Wellow.

- **Regulation 22: submission of the Local Plan to the Government for independent examination:** This is timetabled for April 2018 following consideration of the representations received during the Regulation 19 consultation stage.
- **Regulation 24: independent examination:** Hearing sessions usually commence within 3 months of the submission of a Local Plan for examination, so the examination is likely to take place in August / September 2018.
- **Regulation 26: adoption of the Local Plan:** Subject to the examination hearing sessions taking place in August and September 2018, the Authority would expect to receive the final Inspector's Report before the end of the year. This would enable the Local Plan to be formally adopted in December 2018.

RECOMMENDATION

Members:

- (i) **note the progress made on the Local Plan review and the emerging policy directions; and**
- (ii) **endorse the revised Local Development Scheme (Annex 1) and bring it into immediate effect (from 12 October 2017).**

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Papers:

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Annex 1 – Revised New Forest National Park Local Development Scheme (October 2017)

Equality Impact Assessment:

There are no equality or diversity implications arising directly from this report. The revised Local Plan will be subject to its own Equalities Impact Assessment in due course.

ANNEX 1



New Forest National Park Authority

**Local Development Scheme
Fifth Revision**

October 2017

This Local Development Scheme sets out the New Forest National Park Authority's programme for the review and adoption of the Local Plan for the New Forest National Park. It was brought into effect on 12 October 2017

New Forest National Park Authority Local Development Scheme Oct. 2017

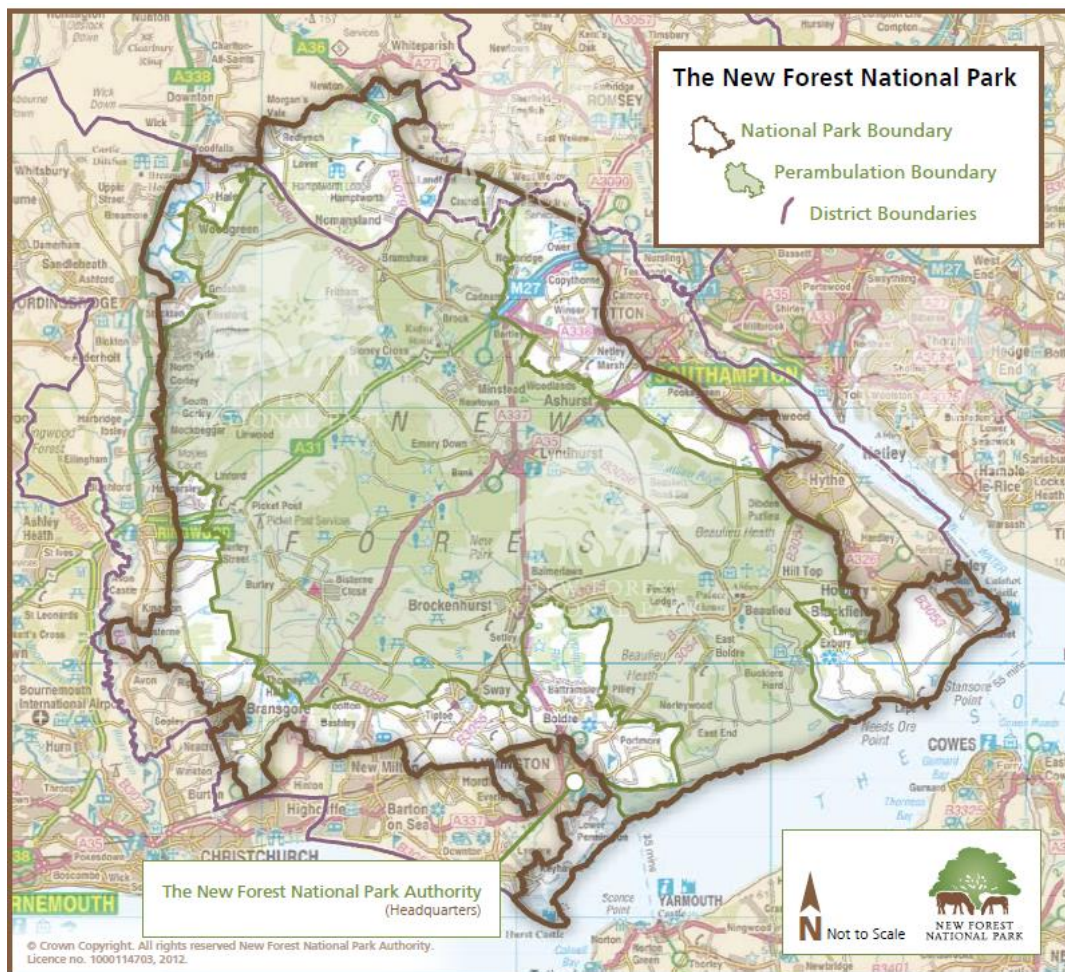
1. Introduction

1.1 The New Forest National Park was designated in March 2005 and the National Park Authority assumed its full planning responsibilities in April 2006. The Authority's role is to ensure that the two statutory purposes of National Park designation are achieved, namely:

- to conserve and enhance the natural beauty, wildlife and cultural heritage of the Park; and
- to promote opportunities for the understanding and enjoyment of the Park's special qualities by the public.


In pursuing these purposes, the Authority is required to seek to foster the economic and social well-being of local communities within the Park.


1.2 The New Forest National Park covers 220 square miles - including parts of New Forest District, Test Valley Borough and Wiltshire Council - within the counties of Hampshire and Wiltshire (see indicative map below).



- 1.3 The National Park Authority is responsible for spatial planning, minerals and waste planning, development management, enforcement and other related regulatory functions within the National Park.
- 1.4 The Authority is also responsible for meeting the requirements placed on local planning authorities under the Planning & Compulsory Purchase Act 2004. This includes the preparation of a Local Development Scheme (LDS) setting out the timetable for the production of a new or revised Local Plan for the area.
- 1.5 The National Park Authority prepared its first LDS in 2007 and issued updates in 2009, 2011 and 2016. A number of documents outlined in these earlier Schemes have now been adopted, including the Minerals & Waste Core Strategy (2007), the Core Strategy & Development Management Policies DPD (2010), and the Hampshire Minerals & Waste Plan (2013), as well as a number of Supplementary Planning Documents and Village Design Statements.
- 1.6 The statutory 'development plan' for the New Forest National Park currently comprises:
 - the New Forest National Park Core Strategy and Development Management Policies DPD (2010); and
 - the Hampshire Minerals and Waste Plan DPD (2013).
- 1.7 Following the publication of the Government's NPPF in 2012 which encourages the production of a single Local Plan for an area, as well as amendments to remove the requirement for Supplementary Planning Documents to be listed in the LDS, the revised Scheme focuses solely on the review of the Local Plan for the National Park. The new Local Plan for the National Park is due to be adopted in late 2018, following further public consultation (guided by our Statement of Community Involvement, 2013) and examination by the Planning Inspectorate on behalf of the Secretary of State.
- 1.8 It should be noted that the New Forest National Park Authority works in partnership with Hampshire County Council, Portsmouth City Council, Southampton City Council and the South Downs National Park Authority on the delivery of the minerals and waste planning function. There is a separate adopted LDS (2014) for minerals and waste which can be found on the Hampshire County Council website.

Programme for the review of the New Forest National Park Local Plan 2016 - 2036

	2017		2018			
	Quarter 3 (July – Sept '17)	Quarter 4 (Oct – Dec '17)	Quarter 1 (Jan – Mar '18)	Quarter 2 (April – June '18)	Quarter 3 (July – Sept '18)	Quarter 4 (Oct – Dec '18)
National Park Local Plan Review 2016 – 2036						
Policies Map	<i>The Policies Map will be updated alongside the adoption of the Local Plan Review 2016 – 2036</i>					
Minerals & Waste Local Plan	<i>See separate Hampshire Minerals and Waste LDS (2014)</i>					

Key	
NPA approval of Regulation 19 Submission draft Local Plan for public consultation	
Publication of Regulation 19 Submission draft Local Plan for 6 week public consultation	
Submission of draft Local Plan to Government for independent Examination (Regulation 22)	
Independent Examination of the Local Plan (Regulation 24)	
Adoption of the Local Plan 2016 – 2036 and revisions to the Policies Map (Regulation 26)	

The regulations cited above can be found in the Town and Country Planning (Local Planning) (England) Regulations 2012 – as amended

Title	New Forest National Park Local Plan Review 2016 - 2036	
Role and content	Sets out the vision, objectives and spatial strategy for planning in the National Park within the context of the two statutory Park purposes and related duty. The allocation of sites will be considered where appropriate. The revised Local Plan will set out the policies against which planning applications will be considered.	
Status	Development Plan Document (DPD)	
Chain of conformity	The revised Local Plan will respond to the requirements of the National Planning Policy Framework (NPPF), the Government's National Planning Practice Guidance (NPPG) resource and primary legislation covering National Parks.	
Geographic coverage	The whole of the New Forest National Park	
Timetable		
Milestones	Publication of Submission draft Local Plan for consultation (Reg. 19)	January – February 2018
	Consideration of responses	March 2018
	Submission of the Local Plan to Secretary of State (Reg.22)	April 2018
	Independent Examination into the Local Plan (Reg. 24)	August – September 2018
	Adoption of Local Plan and Policies Map (Reg. 26)	December 2018
Arrangements of production and review		
Who is leading the production of the document?	National Park Authority's Policy Team, with input from specialist officers within the Authority and from partner organisations.	
Management arrangements	Approval required by full National Park Authority meeting at key stages of production.	
Resources	Policy team at the NPA, supported by other teams within the NPA, external organisations and specialist consultants where required	
External community involvement	Statutory consultation taking into account commitments in the Authority's adopted Statement of Community Involvement (2013)	
Monitoring and review mechanisms	Annual Monitoring Report	

Glossary and abbreviations

AMR	Annual Monitoring Report - This report assesses the implementation of the Local Development Scheme and the extent to which policies are being successfully implemented.
Core Strategy	The Authority's adopted Core Strategy (2010) which sets out the long term vision, objectives and spatial strategy for planning within the National Park. The Core Strategy will continue to form a key element of the 'development plan' for the Park until it is formally replaced by the adoption of the revised Local Plan in late 2018.
Development Plan	As set out in Section 38(3) of the Planning and Compulsory Purchase Act 2004, an area's development plan forms the basis for determining planning applications. The development plan for the New Forest National Park currently comprises the adopted National Park Core Strategy (2010) and the adopted Hampshire Minerals & Waste Plan (2013).
LDS	Local Development Scheme - Sets out the programme for preparing the Local Plan for an area.
Neighbourhood Plans	Introduced by the Localism Act 2011, Neighbourhood Plans allow local communities to prepare their own planning policies for their area. The Plans must go through public consultation, examination and local referendum before being adopted as part of the 'development plan'. Although not listed within this LDS, local communities have the option of preparing the own Neighbourhood Plans where appropriate.
NPPF	National Planning Policy Framework - The consolidated set of national planning policies originally published by the Government in 2012. The NPPF is a material consideration in the determination of planning applications and in the preparation of local plans for an area.
NPPG	National Planning Practice Guidance - Online Government resource providing additional guidance on a range of national planning policy.
Policies Map	A map indicating the areas to which particular development plan policies apply. It will be revised when the revised Local Plan is adopted.
SCI	Statement of Community Involvement (2013) - Sets out the standards which the National Park Authority will achieve with regard to involving local communities in the preparation of local development documents and development management decisions.