New Forest National Park Local Plan 2016 – 2036

Examination Statement – New Forest National Park Authority

Matter 5 - Protecting and enhancing the natural environment

Issue - Whether the Local Plan is justified, effective and consistent with national policy in relation to the approach towards protecting and enhancing the natural environment?

Relevant policies - SP5, SP6, SP7, DP8, SP9, DP10, SP11, DP12, DP13, SP14, SP15

5.1 Taking each individually, are Policies SP5, SP6, SP7, DP8, SP9, DP10, SP11, DP12, DP13, SP14, SP15 justified, effective and consistent with national policy?

1. The Authority's Self-Assessment of Soundness (CD13) considers whether the Local Plan policies are justified, effective and consistent with national policy. The following table considers each Policy individually.

Plan Policy	Justified, Effective, and Consistent with national policy
SP5	*Justified:* This policy is necessary to ensure that all development in the National Park conforms to the Habitats Regulations (CD57). The HRA of the Local Plan (CD15) confirms that prior to mitigation, adverse impacts on the integrity of European designated sites cannot be ruled out from some development (such as housing and visitor accommodation). The protection afforded by this Policy, therefore, is especially appropriate as over 50% of the National Park is covered by European designated nature conservation sites. See also the response to Question 5.2 *Effective:* Policy SP5 will ensure that development is delivered that complies with the Habitats Regulations. The Authority's Habitat Mitigation Scheme (CD58) and the SRMP's Habitat Mitigation schemes (CD59) will assist developers to comply with these Regulations by providing appropriate mitigation for the recreational impacts from new housing and visitor accommodation. The HRA of the Local Plan confirms that these Mitigation Schemes, as well as Policy SP5, will provide adequate mitigation for recreational impacts on European designated nature conservation sites. *Consistent with national policy:* The Policy is consistent with The Conservation of Habitats and Species Regulations 2017. It is also consistent with Paragraph 119 and Paragraph 14 (with footnote 9) of the NPPF.
SP6	*Justified:* This Policy is appropriate for an area with so many important sites, habitats and features of the natural environment. Whilst internationally designated sites are covered under Policy SP5, the rest of the hierarchy of nature conservation sites together with other important habitats and species are protected by this Policy.

	Effective: Aiming for a net gain in biodiversity if mitigation is required, together with the use of an Ecological Appraisal for key types of development will be effective in protecting and maintaining, and, where possible, enhancing the natural environment. Policy SP6 will be effective in protecting the natural environment while also supporting appropriate development proposals. *Consistent with national policy:* The Policy is consistent with Paragraph 109, 113, 114 of the NPPF. The Policy's accompanying text also highlights key aspects of national policy. See also the response to Question 5.3
SP7	*Justified:* Having a policy that aims to conserve and enhance the landscape of a nationally protected landscape is justified and appropriate. The Policy is consistent with Paragraph 115 of the NPPF and the Authority's first purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the New Forest, and is informed by the New Forest National Park Landscape Character Assessment (CD69). Justification is also provided by Soundness test 11 in the Authority's Self-Assessment of Soundness May 2018 (CD13) *Effective:* The Policy will be effective in delivering protection for the landscape character of the National Park as all development applications will be subject to the criteria in Policy SP7. See also the response to Question 5.4 *Consistent with national policy:* The Policy is consistent with Paragraphs 109 and 115 of the NPPF. See also the response to Question 5.4
DP8	*Justified:* Safeguarding and improving water quality and supply is important for all planning areas to protect and enhance the natural environment, help to adapt to climate change, support ecosystem services, avoid pollution, and ensure appropriate water infrastructure is in place for planned development. This is particularly the case in the National Park as many water based features form part of designated nature conservation sites and other features of the sites can be affected by a reduction in water quality or quantity. See the Habitats Regulations Assessment of Local Plan (CD15) for details. The Environment Agency also wants to substantially increase the level of high ecological status to 70% of the monitored rivers in the New Forest by 2027. Moreover, the River Avon is designated a Special Area of Conservation (SAC) and many of the streams and rivers in the National Park flow into the Solent, with much of its coast being designated as a SAC or a Special Protection Area (SPA). Furthermore, the supply of water to part of the area is identified as being in both current and future water stress (CD72), and, therefore, it is justified that new development should manage demand for water and make the most efficient use of this resource. See also the response to Question 5.6. *Effective:* The Policy will be effective in delivering the broad objectives outlined above at the same time as protecting the special natural features of the designated sites in the New Forest (particularly when combined with Policy SP5). *Consistent with national policy:* The Policy is consistent with Paragraph 94, 99, 109, 119, and 162 of the NPPF

SP9	*Justified:* Green Infrastructure is important in the National Park as it provides a wide range of benefits for communities and the natural environment, including maintaining a good quality of life, encouraging a healthy lifestyle and recreational opportunities. It is especially important in the New Forest in helping to support ecological networks (through habitat connectivity) and taking recreational pressure off the European designated sites. Justification is also provided by Soundness test 11 in the Authority's Self-Assessment of Soundness May 2018 (CD13). *Effective:* The Policy recognises the importance of taking opportunities to create and enhance green infrastructure to help support the communities and habitats of the New Forest. The Authority has committed to work with other partners and surrounding authorities to assist the delivery and enhancement of green infrastructure, such as through the Our Past Our Future Partnership scheme (see http://www.newforestnpa.gov.uk/conservation/landscape-partnership/projects/), which undertakes projects to restore lost habitats. *Consistent with national policy:* The Policy is consistent with Paragraphs 114, 115 of the NPPF and the Authority's first purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the New Forest.
DP10	*Justified: See response to Question 5.7* *Effective:* The same approach was used in the Core Strategy. Since its adoption in Dec 2010, there has been no net loss of open space arising from a grant of planning permission, in line with policy DP3 of the Core Strategy. In addition, public open spaces in villages in the National Park have benefited from enhancements funded through the release of developer contributions. *Consistent with national policy:* See response to Question 5.7
SP11	*Justified:* The government is clear that climate change is happening, and it is due to human activity. Through the Climate Change Act (CD79) the Government has set statutory targets to reduce UK greenhouse gas emissions. The main impacts from a changing climate in the National Park are expected to affect habitats, landscape, archaeology, property, human safety, recreation, land management, water resources and the rural economy. The English National Parks and the Broads: UK Government Vision and Circular 2010 (CD35) highlights a key action for National Park Authorities as leading the way in adapting to, and mitigating climate change. *Effective:* The Authority aims to minimise the vulnerability and maximise resilience to the impacts of climate change on the National Park, in particular on its special qualities. Policy SP11 is strategic in nature as adapting to and mitigating climate change will require implementation of a range of approaches. The effectiveness of this Policy will partially rely on the effectiveness other Local Plan policies, such as DP12, which will avoid inappropriate development in areas of high flood risk. *Consistent with national policy:* The Policy is consistent with Paragraphs 93 – 95, 99, and 156, of the NPPF

DP12	*Justified:* The application of Policy DP12 ensures that inappropriate development in areas at risk from flooding will be avoided by directing development away from areas at highest risk. It is also justified by avoiding increasing flood risk elsewhere, and being consistent with Strategic Flood Risk Assessment (SFRA – CD82) and the approach to coastal changes in the Shoreline Management Plan (CD80). Given the extensive coastline and the risk of coastal, fluvial and surface flooding in the National Park, the approach taken in Policy DP12 is justified. *Effective:* Implementation of this Policy, combined with the detailed guidance provided in the National Planning Practice Guidance, which is highlighted in the supporting text, will be effective in delivering development that is appropriate to the flood risks in the location of the proposal. *Consistent with national policy:* The Policy is consistent with Paragraphs 17, 94, 99 - 104 of the NPPF
DP13	*Justified*: The restrictive approach to development on the coast in Policy DP13 is consistent with the Local Plan's spatial strategy which helps to provide protection for the landscape and habitats outside the defined villages, and thus helps to deliver the Authority's first purpose. This Policy is also appropriate for development which is adjacent to the internationally designated nature conservation sites which run along the coast. The wild coastline is largely undeveloped, the views from and into the National Park at the coast form a distinct seascape, and the coast is identified in the special qualities of the New Forest (Annex 1 of Local Plan). Consequently, the coast justifies the same level of protection for its seascape as the rest of the National Park's landscape. Justification is also provided by Soundness test 10 in the Authority's Self-Assessment of Soundness May 2018 (CD13) and the detailed response to Question 5.8 *Effective:* Together with Policy DP12 and the implementation of the Shoreline Management Plan, Policy DP13 will be effective in maintaining the character of the undeveloped coast and protecting its distinctive landscape and seascape, whilst still allowing for small scale changes which are appropriate to their coastal location. *Consistent with national policy:* The Policy is consistent with Paragraphs 114 and 115 of the NPPF.
SP14	*Justified:* The Renewable Energy Potential Assessment, IT Power (CD87) for the New Forest considered what the potential was for various renewable energy sources in the New Forest. It highlighted that renewable energy in the National Park lends itself to micro-generation rather than large multi-megawatt generation plants and, therefore, supports the Authority's approach to focus on small scale energy developments in Policy SP14. Whilst Policy SP14 is supportive of renewable energy, the criteria clarify that development should be an appropriate scale, have minimal visual impact, and not have adverse impacts on the landscape character, natural beauty, wildlife, tranquillity or other special qualities of the National Park. Focusing the scale of renewable energy development on that which serves the purposes of a single individual household or business or local community facility is justified by needing to strike a balance between the national support for renewable energy and

	the protection of the landscape (Paragraph 115 of NPPF) and special qualities of the National Park. *Effective:* The criteria of the Policy will be effective in delivering renewable energy, but at a scale that is appropriate for the New Forest National Park. *Consistent with national policy:* Policy SP14 is consistent with Paragraph 97 of the NPPF. See also response to Question 5.9 and 5.10
SP15	*Justified:* The tranquillity that can still be found in many parts of the New Forest National Park is cited as one of its valued 'special qualities' and therefore the Authority will seek to protect it. The National Park's Management Plan (CD28) describes tranquillity as the relative peace and naturalness, combined with the open and unfenced landscape of much of the area that gives a sense of space, remoteness and freedom. Tranquillity can be damaged by intrusive sights and sounds, particularly from man-made structures such as new roads and poorly-designed lighting. To help protect tranquillity the Authority has developed a map (CD91) that highlights the tranquil areas of the National Park. The key criteria used to determine the levels of tranquillity are the amounts of man-made noise and visual disturbance in the natural environment. The Policy, is, therefore, justified in seeking to preserve the tranquillity in the National Park. *Effective:* By controlling the potential impacts of noise and light pollution, Policy SP15 will be effective in helping to retain the National Park's special quality for future generations. *Consistent with national policy:* The Policy is consistent with Paragraph 123 of the NPPF.

5.2 Is the approach set out in Policy SP5 regarding the potential effect of development on nature conservation sites of international importance appropriate and justified? Does the policy deal adequately with recreational pressure from additional housing and the need for mitigation? What is the Authority's response to Natural England's concerns?

1. Policy SP5 sets out the requirements that are necessary for all development in the National Park to comply with The Conservation of Habitats and Species Regulations (referred to as the 'Habitats Regulations', CD145). In accordance with the Habitats Regulations, these internationally designated sites enjoy the highest level of statutory and government policy protection. Specific and stringent tests within the Habitats Regulations are set to ensure that no development will harm the integrity of these areas, other than in exceptional circumstances.

2. A Habitats Regulations Assessment (HRA) of the Local Plan (CD15) has been completed to test whether developments in the Local Plan would affect the integrity of the National Park's internationally designated sites. It assessed a range of potential impacts on the designated sites including the recreational

impacts from new households and visitor accommodation, and 'urban edge' impacts such as cat predation and the effects on habitats adjacent to developments. Policy SP5 reflects the conclusions of this HRA, and ensures that development complies with the Habitats Regulations.

3. In relation to recreational pressure from additional housing, the HRA concludes that, prior to mitigation, the potential for adverse in combination recreational effects on the integrity of New Forest Special Area of Conservation (SAC) and Special Protection Area (SPA) cannot be ruled out for any residential development or visitor accommodation throughout the National Park. The HRA also supports the evidence from the Solent Recreation Mitigation Partnership (SRMP, CD59) that recreational impacts cannot be ruled out for any residential development within 5.6 kilometres of the Solent SPA, SAC and Ramsar sites that cover the coast. Consequently, for development to proceed, mitigation is required for all proposals of these types of development for the recreational impacts on both the New Forest and the Solent coastal designated sites.

4. Therefore, Policy SP5 must adequately deal with such development. It does so by clearly stating that development cannot proceed if it could affect the integrity of the designated site. To avoid this, a developer can either propose measures which, in the opinion of the Authority, will fully mitigate the potential recreational impacts on the designated sites, or it can make a financial contribution to the Authority's Habitat Mitigation Scheme (CD58) and/or the SRMP's Scheme (CD59) to secure appropriate mitigation. The Authority's revised Habitat Mitigation Scheme was developed by the Habitat Mitigation Scheme Steering Group which includes representatives from Natural England, Hampshire and Isle of Wight Wildlife Trust, the RSPB, and New Forest District Council, and expands on the Habitat Mitigation Scheme that operates for development proposed under the Authority's Core Strategy.

5. The HRA of the Local Plan confirms that reliance can be placed on Policy SP5 and the Authority's Habitat Mitigation scheme and the SRMP's Mitigation scheme to adequately mitigate potential recreation pressure from development within the National Park, and that adverse effects on the integrity of any European site due to recreation pressure can be ruled out, both alone and in combination.

6. In its response to the consultation on the Submission Local Plan, Natural England recommended that Policy SP5 be amended to clarify that developers can only rely on contributions to the Authority's Habitat Mitigation Scheme and/or the SRMP's Scheme in relation to recreational impacts on the designated site. This clarification has been proposed as minor modification MIN – 10 in the Revised Schedule of Proposed Minor Modifications, 4 July 2018 (CD154).

7. In addition Natural England advised that the policy needs to address the other sources of potential alone and in-combination impacts on international sites as identified within the HRA (eg water quality, water supply etc). The Authority considers that Policy SP5 covers all development and any type of impact that could affect the integrity of the site. No type of impact is excluded from the requirements of Policy SP5, which clearly states that…. "*All development must*

comply with the Conservation of Habitats and Species Regulations 2017 (as amended). Development which may affect the integrity of an internationally important site for nature conservation will not be permitted ….”

8. Natural England also requested that the policy, or supporting text, should refer to the Solent Wader and Brent Goose Strategy (CD89). This has been done through proposed minor modification MIN – 11 in the Revised Schedule of Proposed Minor Modifications, 4 July 2018 (CD154).

5.3 Is the protection afforded to different levels of designated sites in Policy SP6 commensurate with their status in accordance with national policy? What is the Authority’s response to Natural England’s concerns?

1. Policy SP6 sets out the protection of national and locally designated sites. In terms of setting out the hierarchy of protected sites, Policy SP5 considers internationally designated sites, and Policy SP6 considers the sites of other levels of designation. Sites of Special Scientific Interest (SSSI) are nationally designated and are protected by national policy (Paragraph 118 of the NPPF), and this is reflected in Policy SP6.

2. The accompanying text to the Policy highlights that Sites of Importance for Nature Conservation (SINCs) and Local Nature Reserves (LNRs) together with irreplaceable habitats such as ancient woodlands should also be protected, conserved and enhanced.

3. In Natural England’s consultation response to the Submission Draft Local Plan, it suggests a requirement for all planning applications affecting known biodiversity interests, to be accompanied by a Biodiversity Mitigation and Enhancement Plan (BMEP) that has been approved by the Authority’s ecologist. Natural England believe that this would encourage new proposals to incorporate biodiversity opportunities in and around developments and ensure measures to enhance biodiversity are included from the outset.

4. To respond to Natural England’s representations, the Authority is proposing a main modification (MAIN – 02 in the Revised Schedule of Proposed Major Modifications, 4 July 2018, CD155), which confirms that developers will need to include an outline of the mitigation and enhancement measures needed to achieve a net gain in biodiversity in the Ecological Appraisal. Recommendations for other elements to be included in a BMEP can be incorporated into the requirements for the Ecological Appraisal. The Authority also proposes a minor modification to footnote 13 within the Policy (MIN – 14 in the Revised Schedule of Proposed Minor Modifications, 4 July 2018, CD154) to clarify that an Ecological Appraisal will also be required for development affecting identified biodiversity interests.

5. In order to clarify the need for offsite compensation measures Natural England also recommended that the plan includes the following additional wording: “*In cases where it is not possible to fully avoid or mitigate for the loss of biodiversity interests resulting from a development, appropriate compensation should be secured for any residual losses via on or off site compensation measures. The*

latter may include the provision of compensatory habitats elsewhere, or the payment of an appropriate level of biodiversity compensatory funding". The Authority has proposed wording in main modification MAIN – 01 in the Revised Schedule of Proposed Main Modifications, 4 July 2018 (CD155), to address this.

5.4 Does Policy SP7 provide an effective basis for protecting and enhancing landscape character which is consistent with national policy?

1. Policy SP7 is a new development plan policy that was not in the Core Strategy and is aimed at reflecting the first statutory Park purpose. A landscape policy is considered to be justified for a National Park, and Natural England, as the Government's landscape advisor, supports the policy.

2. To demonstrate the importance of conserving and enhancing the landscape of the National Park, and the National Park's status as a nationally protected landscape, Policy SP7 has emphasised the great weight and highest level of protection that is provided by national policy.

3. Policy SP7 will be an effective basis for protecting and enhancing landscape character as it provides clear guidance to developers about the need for design, layout, massing, and scale of development, together with its location and setting in the landscape and the type of landscaping to ensure the conservation and enhancement of the landscape.

4. It is consistent with Paragraph 115, 113, 156, 170, 59, 109 of the NPPF.

5.5 Is the approach to Suitable Alternative Natural Greenspace (SANG) set out in Policy SP9 appropriate and justified?

1. The Habitats Regulations (CD145) requires that a competent authority (each local planning authority) may agree to a plan or project only after having ascertained that it will not adversely affect the integrity of a European designated site. Consequently, if either a Local Plan or an individual development proposal is likely to affect the integrity of a European designated sites it can only proceed if suitable mitigation can be delivered.

2. For any development *outside* the National Park, it is, therefore, the responsibility of the surrounding planning authorities to meet the requirements of the Habitats Regulations and find mitigation (if required) for development, possibly including SANGs, within their planning areas. If there is not sufficient or suitable land to find a SANG within their own planning area, it would raise the question whether the scale of development being proposed would not constitute sustainable development for the land available in that area. National Parks are nationally protected landscapes and in the NPPF have the highest level of protection. Therefore, the Authority considers that there would have to be exceptional reasons why a SANG could not be located within the planning area which is proposing the development. Using a nationally protected landscape to facilitate the mitigation needs of development elsewhere should only be considered in exceptional situations.

3. The Authority has set out the conditions when an exception to this approach would be made, which would bring direct significant benefits for the landscape, biodiversity and internationally designated sites of the National Park.

4. Suitable alternative natural greenspace (SANG) is one of a range of measures that can be considered for mitigating potential recreational impacts on internationally designated sites originating from new residential development. They tend to be large scale solutions to mitigation[1] where large scale housing is being planned. The HRA of the Local Plan identifies the use of other forms of mitigation, such as access management within the New Forest European designations; alternative recreation sites and routes outside the designated sites; education, awareness and promotion as other measures contained in the Authority's revised Habitat Mitigation Scheme (CD58). The HRA supports use of this diverse packages of measures set out in the Authority's revised Habitat Mitigation Scheme and in the Solent Recreation Mitigation Partnership's scheme (CD59) and believes that these are capable of providing effective mitigation of the recreation pressures on the designated sites.

5. The HRA also outlines that SANGs that are easy to access and are close to residential development are more likely to be successful in diverting recreational visits from the New Forest European sites. Consequently, the HRA implies that if SANGs are considered as mitigation for new housing development in areas surrounding the National Park that they should be located close to the proposed new housing in those areas.

6. Surrounding local authorities when considering new development also need to consider Section 62(2) of the Environment Act (CD27) to have regard to the purposes of the National Park. Planning to locate housing close to the border of a National Park raises a risk of significant recreation impacts on the National Park as well as the European designated sites. It is not appropriate for a nationally protected landscape to be considered as the public open space to meet the regular recreational requirements of new development in surrounding areas outside the National Park.

7. Given the above considerations the Authority believes that the approach to SANGs in Policy SP9 is fully justified and appropriate to the National Park.

5.6 What is the evidence to support the requirement for the Housing Optional Technical Standard for water efficiency?

1. The Environment Agency supports the use of water efficiency measures to reduce demand on water resources and to accommodate growth in business, housing and population requirements without needing to increase overall consumption. It identified that drivers for water efficiency included delivery of the Water Framework Directive objectives (www.legislation.gov.uk/uksi/2017/407/contents/made), reducing pressure on wastewater treatment capacity, adapting to the impacts of climate change and

[1] A requirement of 8 hectares of SANG land per 1,000 new occupants is a common requirement in the Thames Basin Heaths area

reducing domestic energy use. Therefore it recommended policies to promote high water efficiency measures.

2. In 2013 the Environment Agency looked at the current and future water usage against climate change scenarios to provide an indicative stress situation for each water company. The Southern Water area is identified as being in both current and future water stress (CD72). The South Hampshire area of Southern Water's operating area takes approximately two-thirds of its water from the Rivers Test and Itchen. Southern Water's Water Resource Management Plan (WRMP) 2015-2040 (CD73) sets out a number of initiatives to reduce water usage and improve efficiency in supply.

3. In addition to measures being put in place by water companies, new development should manage demand for water and make efficient use of this resource. All new homes currently have to meet the Building Regulations standard of 125 litres per person per day. However, given that part of the National Park water supply is classed as being water stressed, requiring the tighter optional Building Regulations requirement of 110 litres per person per day will help to manage water demand and make efficient use of this resource

4. WRMPs are subject to a strategic Habitat Regulations Assessment (HRA). Natural England advised that concerns have been raised about Southern Water's existing WRMP and their emerging Draft WRMP options, in particular with regard to impacts on the River Itchen SAC and the River Test SSSI. As the latest WRMPs were not yet finalised, and in light of the public inquiry on Southern Water's abstraction licences, Natural England's advice was that the Local Plan should acknowledge the uncertainty around delivery of water resources over the plan period, and policies requiring the highest standard of water efficiency and re-use should be adopted within the Southern Water area.

5. The HRA of the Submission Local Plan (CD15 – see paragraph 4.87 – 4.98) confirms that the water efficiency measures in Policy DP8 will act as mitigation for the potential effects of water abstraction to supply new development resulting in harmful changes to water levels or flows at European sites.

6. In its representation on the Submission Local Plan Natural England supported Policy DP8 and paragraphs 5.38 and 5.39 that refer to water efficiency and water resources. The costs of implementing the higher water efficiency standard have also been factored into the viability assessment undertaken of the Submission draft Local Plan (as required by the NPPG) and this concludes that the standards will not affect the viability of development.

7. The National Parks Circular (CD35) encourages National Parks to be exemplars of sustainable development and its Vision includes inspiring local communities to live within environmental limits, to tackle climate change, and to be known for having been pivotal in the transformation to sustainable living. Consequently, it was considered appropriate that the highest standard for water efficiency should apply throughout the National Park. Therefore, the Authority is proposing minor modification MIN – 18 in the Revised Schedule of Proposed Minor

Modifications, 4 July 2018, (CD154) and main modification MAIN - 03 in the Revised Schedule of Proposed Main Modifications, 4 July 2018, (CD155).

5.7 Is the approach to the protection of open space and the provision of open space in new development set out in Policy DP10 appropriate, justified and consistent with national policy? Are the standards based on a robust assessment of needs?

1. The open space standards set out in Policy DP10 are based on the *Open Space, Sport and Recreation Study for the New Forest Area* (Bennett Leisure and Planning Ltd, 2007, CD76). The open space standards were developed for the Authority's existing Core Strategy and we consider that they remain appropriate for the reasons outlined below.

2. The existing open space standards are based on provision per 1,000 population. Annual monitoring data indicates that the Authority has not consented any development that has resulted in the loss of public open space since the date of the open space assessment. Moreover, there has only been a small increase in the population of the National Park since the preparation of the open space assessment. Consequently the Authority decided not to undertake an update of the open space assessment as part of the Local Plan review as it was considered that the existing study remained fit for purpose in the context of a nationally protected landscape with low levels of new development and an ageing population.

3. In coming to this conclusion, the Authority had regard to the NPPF which confirms that the evidence base to support a Local Plan review should be proportionate and tightly focused on the particular issues affecting an area. In reviewing the local planning policies, the Authority identified the key issues affecting the New Forest that needed to be addressed and supported by updated evidence base studies. Given the typically small-scale of housing development in the National Park (meaning that on-site open space provision will not be viable in most cases), open space provision associated with new development is usually in the form of a financial contribution towards the enhancement of existing open spaces. The Authority considers that it is appropriate to continue with this approach.

4. The original open space study (Bennett Leisure and Planning Ltd) was jointly commissioned by the National Park Authority and New Forest District Council. By way of background, following a review in 2017, New Forest District Council is also proposing to retain the open space standard of 3.5 hectares of public open space provision per 1000 population in their consultation draft Local Plan (June 2018, see http://www.newforest.gov.uk/localplan2016). This review noted that whilst the overall population of the New Forest is expected to increase over 20 years, the number of people in the overall 'active participation' age group is projected to virtually remain the same. The demographic trends in the National Park also reflect an increasingly older population.

5. The Open Space, Sport and Recreation Study also confirmed that all existing open space should be protected through the planning system. Policy DP10

confirms that existing open space will be protected. The Study also recognised that finding new areas of land will be a challenge, particularly with a lack of suitable brownfield sites and much land being protected by European and other nature conservation designations. It therefore recommended that the Authority should consider the potential for using developer contributions to improve and expand the capacity of existing open spaces and leisure facilities. Policy DP10 provides for this option if open space cannot be provided on-site by the developer.

6. Policy DP10 is consistent with Paragraph 73 of the NPPF**.** The Authority, however, considers that the Policy only needs to be based on proportionate evidence (NPPF Paragraph 182), which, under the circumstances outlined in paragraph 2 above, does not require updating. The Authority will continue to use developer contributions to improve or expand existing open spaces and will focus on improving the qualitative measures identified in the Study, such as easy access, dog facilities, and high standards of facilities and information. Policy DP10 is also consistent with Paragraph 74 of the NPPF, even though it does not repeat the exceptions to the policy, as these are already outlined in Paragraph 74.

5.8 Is the approach to small scale development on the coast set out in Policy DP13 appropriate and justified? What is the Authority's response to RSPB's concerns?

1. The approach to development on the coast is consistent with the Local Plan's spatial strategy for development which focuses most development within the four defined villages and is more restricted elsewhere to provide protection for the landscape and habitats, and thus deliver the Authority's first purpose. It is also appropriate for development which is adjacent to the internationally designated nature conservation sites which run along the coast.

2. Many people think of the lowland heaths, the mires and the ancient woods when they consider the New Forest National Park, but the coast is also an integral part of the unique landscape. The wild coastline is largely undeveloped, and its mudflats, salt marches and shingle support large populations of wildfowl and waders. The views from and into the National Park at the coast form a distinct seascape and the coast is identified in the special qualities of the New Forest (see Annex 1 of the Local Plan). The coast justifies the same level of protection for its seascape as the rest of the nationally protected landscape.

3. Policy DP13 is, therefore, justified and appropriate in seeking to protect the undeveloped nature of the National Park coastline.

4. The NPA recognises that the draft South Marine Plan is a material planning consideration in the development of the Authority's revised Local Plan. The final section of the Authority's Self-Assessment of Soundness (CD13) sets out in more detail the links between the NPA's Submission draft Local Plan, the Marine Policy Statement (2011, CD84); and the draft South Marine Plan (2016, CD85). The UK Marine Policy Statement confirms in paragraph 2.6.5.4 that for any development proposed within or relatively close to nationally designated

areas (such as National Parks), the marine plan authority should have regard to the specific statutory purposes of the designated areas. Chapter 5 of the Local Plan includes policy reference to the seascape character of the Park (Policy SP7) and the coastline of the New Forest (Policy DP13) and these policies provide a consistent link between the MPS and the Local Plan.

5. In its consultation response to the Submission Local Plan RSPB suggested that consideration should be given to whether coastal developments will have a likely significant effect on the Solent and Southampton Water SPA, and this requirement should be added to the Policy.

6. To emphasise the importance of designated nature conservation sites along the coast, in response to this representation, the Authority has proposed a minor modification to Policy DP13 d) to state, "…*protect or enhance coastal habitats and species*, *including all designated nature conservation sites*; and" (MIN – 21 in the Revised Schedule of Proposed Minor Modifications, 4 July 2018, (CD154)).

5.9 Do the criteria in Policy SP14 provide clear and effective guidance for the consideration of renewable energy proposals?

1. Whilst Policy SP14 is supportive of renewable energy, the criteria clarify that development should be small scale (to serve individual households, businesses, or community facilities), have minimal visual impact, and not have adverse impacts on the landscape character, natural beauty, wildlife, tranquillity or other special qualities of the National Park. The Authority considers the criteria of Policy SP14 and its accompanying text sufficiently clear to represent an effective framework for decision-making purposes.

2. This approach is consistent with the highest status of protection given to landscape and scenic beauty in Paragraph 115 of the NPPF, and the Authority's purpose to conserve and enhance the natural beauty and wildlife of the New Forest.

3. Focusing on these criteria for renewable energy developments strikes a balance between the national support for renewable energy and the protection of the landscape and special qualities of the National Park. This is consistent with Paragraph 97 of the NPPF.

5.10 What is the approach to wind energy development (Policy SP14) and is it consistent with national policy?

1. Applications for wind energy development will be permitted under Policy SP14 where they meet the criteria set out in the policy.

2. The Renewable Energy Potential Assessment, IT Power (CD87) for the New Forest considered what the potential was for various renewable energy sources in the New Forest. It concluded that the main three sources of potential capacity for renewable energy were from biomass and wood fuel, photovoltaics, and solar water heating. The report considered that large scale wind energy

generation did not present a potential. It considered that renewable energy in the National Park lends itself to micro-generation rather than large multi-megawatt generation plants. The Report's conclusions, therefore, support the Authority's approach to focus on small scale wind energy developments, and this is reflected in Policy SP14.

3. Policy SP14 is consistent with The English National Parks and the Broads: UK Vision and Circular (CD35) which provides guidance on renewable energy in National Parks. This states that National Parks should be exemplars in renewable energy, and that Authorities need to work with local communities to reach a position where renewable energy is the norm in all Parks whilst not compromising their overriding duty under The National Parks and Access to the Countryside Act 1949 (CD33). The Circular outlines that National Parks offer important opportunities for renewable energy generation, including woodfuels, and micro-hydro, anaerobic digestion, wind and solar power installations which are *appropriate to the national value of the landscape*.

4. Policy SP14 is also consistent with Paragraph 97 of the NPPF, which requires local planning authorities to design their policies to maximise renewable and low carbon energy development, while ensuring that adverse impacts are addressed satisfactorily, including cumulative landscape and visual impacts. By focusing on small scale renewable energy development, Policy SP14 strikes a balance between the national policy requirement to have a positive approach to renewable energy and the potential for cumulative landscape and visual impacts. This approach is consistent with the highest status of protection given to landscape and scenic beauty in Paragraph 115 of the NPPF, and the Authority's first purpose.

5. Moreover, Paragraph 91 of the NPPF highlights that, when located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. By the nature of the higher level of protection for the landscape and scenic beauty afforded National Parks, clearly many renewable energy projects will also comprise inappropriate development in a National Park. Policy SP14, however, clarifies when renewable energy development will be appropriate in the National Park.