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

Addendum to HRA of Submission Draft: Assessment of proposed main modifications

Prepared by LUC  
April 2019

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**Project Title:** HRA of the proposed Main Modifications to the New Forest National Park Local Plan 2016-2036 (April 2019)

**Client:** New Forest National Park Authority

Version	Date	Version Details	Prepared by	Checked by	Approved by
3.0	12/4/2019	Final	Jonathan Pearson	Jonathan Pearson	Jeremy Owen

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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 Following completion of the Local Plan Examination hearings and further correspondence between the Authority and the appointed Planning Inspectors, 22 main modifications are proposed to the Submission draft Local Plan, which will be subject to a final six week period of consultation commencing in April 2019. The Authority has commissioned LUC to assess the implications of these proposed main modifications for the HRA of the Submission draft Local Plan, as amended by subsequent HRA addendum reports. The results of the assessment of the proposed main modifications are set out in this latest HRA addendum and will be published alongside the schedule of proposed Main Modifications for a six week consultation period. To put these results in context, they should be read along with the assessment of the policies prior to these modifications that are contained in the HRA of the Submission draft of the Local Plan and subsequent addendums (as described below).

## HRA work carried out previously

- 1.3 The most recent full HRA report for the Local Plan was the HRA of the Submission draft of the Local Plan<sup>1</sup> that was published as part of the Regulation 19 consultation on the Local Plan in early 2018. Since that full HRA report, the following additional HRA work for the Local Plan has been carried out by LUC on behalf of NFNPA as follows:

### **HRA addendum, May 2018<sup>2</sup>**

- 1.4 An assessment of the implications for the HRA of the Submission draft Local Plan of minor modifications proposed by the Authority prior to Examination. The May 2018 HRA addendum also responded to representations received by the Authority from Natural England relating to the HRA of the Submission draft Local Plan.
- 1.5 A number of the 22 main modifications now proposed were previously proposed by the Authority as minor modifications as a whole (MM2, MM3, MM4, MM19) or in part (MM11, MM12, MM13, MM14) prior to Examination and their implications for the HRA were assessed in the May 2018 HRA addendum. For completeness, this latest HRA addendum presents assessments of all the main modifications now proposed, regardless of whether they were previously assessed as minor modifications.

### **HRA addendum, July 2018<sup>3</sup>**

- 1.6 An assessment of the implications for the Habitats Regulations Assessment (HRA) of the Submission draft Local Plan of a recent legal judgment<sup>4</sup>.

### **HRA addendum, January 2019<sup>5</sup>**

- 1.7 An assessment of the implications for the HRA of the Submission draft Local Plan of a draft development allocation policy<sup>6</sup> regarding land at Ashurst Hospital proposed by the Authority

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<sup>1</sup> Available from [https://www.newforestnpa.gov.uk/app/uploads/2018/01/HRA\\_of\\_New\\_Forest\\_NPA\\_Local\\_Plan\\_Reg\\_19.pdf](https://www.newforestnpa.gov.uk/app/uploads/2018/01/HRA_of_New_Forest_NPA_Local_Plan_Reg_19.pdf)

<sup>2</sup> Available from <https://www.newforestnpa.gov.uk/app/uploads/2018/07/NFNPA-response-on-HRA-issues-July-2018.pdf>

<sup>3</sup> Available from <http://www.newforestnpa.gov.uk/app/uploads/2018/07/Review-of-HRA-of-New-Forest-NPA-Local-Plan-re-People-Over-Wind.pdf>

<sup>4</sup> CJEU judgment in Case C- 323/17 People Over Wind and Sweetman v. Coillte Teoranta

<sup>5</sup> Available from [https://www.newforestnpa.gov.uk/app/uploads/2019/01/New-Forest-NPA-Local-Plan\\_Ashurst-Hospital-HRA-Addendum.pdf](https://www.newforestnpa.gov.uk/app/uploads/2019/01/New-Forest-NPA-Local-Plan_Ashurst-Hospital-HRA-Addendum.pdf)

<sup>6</sup> Draft policy provided to LUC in December 2018 and reproduced on page 5 of the January 2019 HRA addendum

during Examination. In response to the findings of the January 2019 HRA addendum, the draft allocation policy was revised and published with the HRA addendum for a six week consultation during January to March 2019 before being considered at an additional hearing session on 21 March 2019. Following the hearing session, NFNPA made further minor changes to the proposed allocation policy to arrive at the version presented in MM16. The assessment of the implications of MM16 does not attempt to replicate the detailed assessment set out in the January 2019 addendum but focuses on the changes made to the proposed policy since the draft set out in the January 2019 HRA addendum.

## 2 Assessment of proposed main modifications

- 2.1 This chapter sets out the proposed main modifications to the Submission draft Local Plan, the reasons for proposing the changes, and their implications for the HRA published alongside the Submission draft Local Plan.
- 2.2 Where new text is proposed it is shown in bold and where text is proposed for removal it has been struck through as set out below.

**Insertion of text**

~~Removal of text~~

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
<b>Chapter 1: Introduction</b>				
No main modifications proposed.				
<b>Chapter 2: Profile of the New Forest National Park</b>				
No main modifications proposed.				
<b>Chapter 3: Vision and Objectives</b>				
No main modifications proposed.				
<b>Chapter 4: Strategic Policies and Development Principles</b>				
MM1	Policy DP2	Amend criterion (e) and (f) of Policy DP2 to state: e) <b>development would not result in unacceptable adverse impacts on amenity</b> <del>amenity is not adversely affected in terms of additional impacts, visual intrusion, overlooking or shading; and</del> f) <b>development would not result in unacceptable</b> <del>adverse impacts associated with traffic or pollution (including air, soil, water, noise and light pollution)</del>	In response to discussions on Matter 3 of the Examination hearing sessions and the representations made by Turleys on behalf of the Barker-Mill Estate.	<b>None</b> - any effects which adversely affected a European site would be categorised as unacceptable and the development would therefore not be permitted.
MM2	Policy SP3	Amend policy SP3 (and renumber the criterion) to state: "Consideration of such applications should include an assessment of: 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) <del>The impact on the local economy of permitting or refusing it;</del> c) <b>The cost of, and</b> <del>The scope for, developing outside the New Forest National Park, or meeting the need for it in some other way..."</del>	For clarification in response to representations received at Regulation 19 stage from ABP (162/4/SP3) and to ensure consistency with national policy in paragraph 116 of the NPPF (2012).	<b>None</b> - clarification.
<b>Chapter 5: Protecting and Enhancing the Natural Environment</b>				



Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
MM3	Policy SP6	<p>Amend Policy SP6 to state:</p> <p><i>“Proposals should protect, maintain and enhance nationally, regionally and locally important sites and features of the natural environment, including habitats and species of biodiversity importance, geological features and the water environment.</i></p> <p><i>Development which is likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) will not be permitted. Only where the benefits of the development clearly outweigh both the impacts on the special interest features of the SSSI and on the broader national network of SSSIs will an exception be considered.</i></p> <p><i>Development proposals which adversely affect locally designated sites, priority habitats and species populations, protected species or those identified of importance by national or local biodiversity plans will be refused unless the Authority is satisfied that:</i></p> <p><i>(a) It has been demonstrated that suitable measures for mitigating <del>or compensating</del> adverse effects will be provided and maintained in order to achieve a net gain in biodiversity value <del>where possible, and no net loss</del>; and</i></p> <p><i>(b) There are no alternative solutions; and</i></p> <p><i>(c) There are overriding reasons which outweigh the harm.</i></p> <p><b><i>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.</i></b></p> <p><i>In addition, opportunities to enhance ecological or geological assets, <b>and the water environment</b> should be maximised, particularly in line with <b>the Authority’s ‘Action for Biodiversity’</b> <del>local Biodiversity Action Plan priorities.</del></i></p> <p><i>Applicants will be required to demonstrate the impacts of their proposal on</i></p>	<p>To clarify the approach to compensation and net gain in biodiversity in response to representations received at Regulation 19 stage from Natural England, RSPB and the Friends of the New Forest (164/5/SP6, 147/07/SP6, 109/08/SP6).</p>	<p><b>None</b> – Policy SP6 relates to nationally, regionally and locally designated sites; protection of European sites is separately addressed by Policy SP5.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><i>biodiversity, and for certain types of development<sup>13</sup> by submission of an <del>preliminary</del> Ecological Appraisal, <b>which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity</b> (and any subsequent survey work it recommends).</i></p> <p>Add new footnote <sup>x</sup>: <b>Nature in the New Forest: Action for Biodiversity, National Park Authority</b></p> <p><sup>13</sup> <i>In particular, for greenfield development, replacement dwellings, extensions affecting roof structures and those affecting identified biodiversity interests. The Authority's biodiversity checklist provides guidance.</i></p>		
MM4	Policy DP8	<p>Amend Policy DP8 to state:</p> <p><i>"In addition, all new residential development within <del>the Southern Water company supply area</del> 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. <del>This standard will be encouraged in new homes elsewhere across the National Park area.</del>"</i></p>	<p>To implement Natural England's advice contained in their Regulation 19 representation (164/7/DP8, 164/13/ HRA).</p>	<p><b>None</b> – MM4 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.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
MM5	DP10	<p>Amend Policy DP10 to state:</p> <p><b><i>"Where there is an identified need, development should either provide for the enhancement of existing open space and amenity areas, or provide on-site open space to the minimum provision standard of 3.5 hectares of public open space per 1,000 population.</i></b></p> <p><i>Proposals that result in the loss of existing open space, <b>sports and recreational buildings and land, including playing fields</b>, will not be permitted <b>unless:</b></i></p> <ul style="list-style-type: none"> <li><b><i>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</i></b></li> <li><b><i>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</i></b></li> <li><b><i>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."</i></b></li> </ul>	<p>This proposed change arises from the discussions on Matter 5 of the Examination hearing sessions and the need to ensure consistency with national policy in paragraph 74 of the NPPF (2012).</p>	<p><b>None</b> - MM5 should ensure that outdoor sports and recreation opportunities are protected or enhanced unless they are not needed, so it does not increase the potential for recreation pressure on European sites.</p>
MM6	Para 5.61 and Policy DP12	<p>Amend paragraph 5.61 and Policy DP12 to state:</p> <p><b><i>"National Planning Practice Guidance sets out the 'sequential test' that will be used to assess all planning applications to direct development away from flood Zones 2 and 3 as the areas at highest risk of flooding. This will also need to take account of the broader considerations set out in the New Forest Strategic Flood Risk Assessment 2017, and consider all localised flood risk areas and all surface water flood risks. Only if there are no reasonably available suitable alternative sites <del>should</del> can development in areas of higher risk (Flood Zones 2 and 3) be considered by applying the 'exception test' as outlined in National Planning Practice Guidance."</i></b></p> <p><i>Policy DP12: Flood Risk</i></p> <p><i>"Development proposals will not be permitted if they:</i></p>	<p>In response to discussions on Matter 5 of the Examination hearing sessions and to ensure consistency with national policy on flood risk and the 'exception test' contained within the NPPF (2012).</p>	<p><b>None</b> - as the amended policy will continue to ensure that development proposals that increase flood risk will not be permitted.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p>a) would increase the risk of coastal, fluvial, or surface flooding, or coastal erosion;</p> <p>b) do not comply with the sequential test, <b>and, if necessary, the exception test (as outlined in National Planning Practice Guidance)</b>, or are <del>inappropriate</del> in high flood risk areas (as defined by the Environment Agency's Flood Zones 2 and 3 categories and the New Forest Strategic Flood Risk Assessment 2017); or</p> <p>c) are not compatible with the appropriate Shoreline Management Plan and Coastal Defence Strategy.</p> <p><i>Relevant developments will require a flood risk assessment."</i></p>		
MM7	Para 5.67 and Policy SP14	<p>Amend the penultimate sentence in paragraph 5.67 to state:</p> <p><i>"The New Forest is not an appropriate location for <del>large</del> on-shore wind development due to insufficient wind speed and the impact such development would have on the landscape and statutory National Park purposes."</i></p> <p>Amend Policy SP14 to state:</p> <p><i>"Development proposals for, or incorporating, renewable energy generation, <b>other than wind energy</b>, will be permitted where they:</i></p> <p>a) <i>are small-scale and provide energy for individual households or businesses, or for small local community facilities; and</i></p> <p>b) <i>are located and designed to have minimal visual impact; and</i></p> <p>c) <i>do not have adverse impact on the landscape character, heritage assets, natural beauty, wildlife, tranquillity or other special qualities of the National Park.</i></p> <p><i>Planning permission for renewable energy developments likely to have an adverse effect on a designated nature conservation site (including Natura 2000 sites, Sites of Special Scientific Interest and National Nature Reserves) will not be granted."</i></p>	This proposed change arises from the discussions on Matter 5 of the Examination hearing sessions and the need to have regard to national policy (including the Written Ministerial Statement) on wind energy.	<b>None</b> - restrictions to the type of renewable energy development will not have any implications for the HRA.
<b>Chapter 6: Protecting and Enhancing the Historic &amp; Built Environment</b>				
MM8	SP16	Amend Policy SP16 to state:	This proposed modification	<b>None</b> - strengthens the

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><i>"Proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment, including local vernacular buildings, archaeological sites and designed and historic landscapes, and, where appropriate, help secure a sustainable future for those heritage assets at risk.</i></p> <p>a) <i>Proposals will be supported where they conserve and enhance the significance <b>or special interest</b> of designated or non-designated heritage assets including their setting. i.e. In particular where they:</i></p> <p>(i) <del>it does</del> <b>do not harm the special interest, character or appearance of a Conservation Area or its setting, including spaces, street patterns, views, vistas, uses and trees which contribute to that special interest, character or appearance, having regard to the relevant conservation area character appraisal and management plan; and</b></p> <p>(ii) <del>it does</del> <b>do not harm the significance, or result in the loss, of a:</b></p> <ul style="list-style-type: none"> <li>- <b>scheduled monument (or a non-designated asset of archaeological interest of demonstrably equivalent significance); or</b></li> <li>- <b>listed building, including through inappropriate siting, size, scale, height, alignment, materials, finishes (including colour and texture), design and form; or</b></li> <li>- <b>registered historic park and garden, and particularly its layout, design, character, appearance and key views within, into and out; and,</b></li> </ul> <p>(iii) <del>it makes</del> <b>a positive contribution to, or better reveals, or enhance the appreciation of, the significance or special interest of a heritage asset or its setting; and</b></p> <p><del>(iv) any harm is outweighed by the public benefits of the proposals including securing its optimum viable use; and</del></p> <p>(iv) <b>helps secure the long term conservation of a heritage asset.</b></p> <p>b) <b>Proposals will be resisted where they would harm the significance or special interest of a heritage asset unless any harm is outweighed by the public benefits of the proposal, proportionate to the degree of harm and significance of the asset, including securing its optimum viable use.</b></p>	<p>arises following discussions at the Examination hearing session on Matter 6 and subsequent correspondence between the Authority and Historic England.</p>	<p>protection for the built and historic environment of the National Park, therefore no potential for effects on European sites.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p>c) <i>All development proposals that affect, or have the potential to affect, <b>the significance or special interest of</b> a designated or non-designated heritage asset, <b>either directly or by being within its setting</b>, will need to be accompanied by a clearly evidenced justification—<b>heritage impact statement proportionate to the development and the significance or special interest of the asset</b>, setting out how the impact of the development <del>on the heritage assets and a suggested mitigation that is proportionate to the impact and significance of the assets, including any contribution made but its setting</del>—<b>on that significance or special interest and how any harm has been avoided or minimised through careful design and mitigation.</b></i></p> <p>d) <i>Where proposals are likely to affect a site of known or potential archaeological interest, an appropriate desk-based assessment will also be required, including field evaluation where necessary."</i></p>		
<b>Chapter 7: Vibrant Communities</b>				
MM9	Policy SP19	<p>Amend Policy SP19 to state:</p> <p><i>"An additional 800 dwellings will be delivered within the New Forest National Park between 2016 and 2036. To meet this, new residential development will be permitted within the National Park to maintain the vitality of local communities and support local services where the proposal involves:</i></p> <p>a) <i>The development of sites allocated for housing in the Local Plan; <del>(300 dwellings);</del></i></p> <p>b) <i>The implementation of extant planning permissions; <del>(standing at just over 100 dwellings at 31/03/17)</del></i></p> <p>c) <i>The development of land previously unallocated or unidentified (windfall development) within the <b>Defined Villages of the National Park (Policy SP4)</b>; <del>(estimated at 400 dwellings over the Plan period, at an annual average of 20 dwellings per annum);</del></i></p> <p>d) <i>Development that comes forward on appropriate rural exception sites (Policy SP28); and</i></p> <p>e) <i>Housing for New Forest Commoners (Policy SP29); Estate Workers</i></p>	<p>In response to discussions on Matter 7 of the Examination hearing sessions, the Regulation 19 representations submitted by Draycott Surveyors, to improve the clarity of the policy and clearly set out the various sources of housing supply within the National Park.</p>	<p><b>None</b> - the proposed modification does not increase the overall quantum or spatial distribution of planned residential development within the National Park, and therefore the previous conclusions on draft Policy SP19 stand.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<i>(Policy SP30) and tied agricultural dwellings (Policy DP31)."</i>		
MM10	New paragraph on housing supply to support Policy SP19	<p>Insert new paragraph 7.10 before the policy box (and renumber the remaining paragraphs of Chapter 7 as necessary) to read:</p> <p><b>"Policy SP19 indicates that 800 dwellings will be delivered up to 2036. This will be made up of the following components:</b></p> <ul style="list-style-type: none"> <li>· <b>Housing completions: Completions in the Plan period to date (between 1 April 2016 and 31 March 2019) total 63 dwellings.</b></li> <li>· <b>Extant planning permissions: Permissions as at 31 March 2019 total 114 dwellings.</b></li> <li>· <b>Site allocations: The Local Plan's five site allocations will result in approximately 300 dwellings up to 2036.</b></li> <li>· <b>Windfalls. Windfalls will be comprised of dwellings arising from rural exception sites, commoners dwellings, estate workers dwellings and tied agricultural dwellings and other unallocated sites in Defined Villages.</b></li> </ul> <p><b>It is estimated that these will total 400 dwellings over the Plan period, at an average of 20 dwellings per annum."</b></p>	In response to discussions on Matter 7 of the Examination hearing sessions to clarify the different elements of supply of housing land and to provide up to date figures.	<b>None</b> - the proposed modification does not increase the overall quantum or spatial distribution of planned residential development within the National Park, and therefore the previous conclusions on draft Policy SP19 stand.
MM11	SP22	<p>Amend the wording of Policy SP22 to state:</p> <p><i>"Land at Whartons Lane, Ashurst is allocated for the development of <b>around</b> 60 residential dwellings. Detailed proposals for the site that meet the following site-specific requirements will be permitted:</i></p> <ol style="list-style-type: none"> <li>a) <b>The provision of on-site affordable housing for local people in housing need in accordance with the target of 50% affordable housing; <del>50% of the dwellings must be provided as affordable housing for local people in housing need;</del></b></li> <li>b) <i>All of the dwellings on the site will be limited to a maximum total</i></li> </ol>	In response to representations received at Regulation 19 stage: (i) highlighting that detailed site masterplanning may result in a slight variation (up or down) in the total number of dwellings proposed; and (ii) the findings of the New Forest	<b>None</b> - the proportion of housing development that is affordable does not affect the HRA; the requirement to assess flood risk will help to reduce any potential for flood-related effects on European sites.

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><i>internal habitable floor area of 100 square metres;</i></p> <p>c) <i>The site must be developed in a comprehensive manner;</i></p> <p>d) <i>Measures must be put in place to protect the trees subject to Tree Preservation Orders that border the site;</i></p> <p>e) <i>Contributions will be required to enhance the adjacent Whartons Lane Recreation Ground located opposite the site; <del>and</del></i></p> <p>f) <i>Development proposals must provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider; <b>and</b></i></p> <p>g) <b><i>A site-specific flood risk assessment will be required and measures put in place to address any groundwater or surface water flooding issues identified.</i></b></p>	<p>Strategic Flood Risk Assessment (2017).</p> <p>Criterion (a) revised in response to discussions at the Examination hearing session.</p>	
MM12	SP23	<p>Amend the wording of Policy SP23 to state:</p> <p><i>“Land at the former Lyndhurst Park Hotel is allocated for a mixed-use development <del>including tourism and residential</del>. The site has potential for around 50 dwellings alongside the retention of the historic elements of the existing building <b>and development could include tourism uses</b>. Residential development on the site should secure the future conservation of the heritage assets on the site. Detailed proposals for the site that meet the following site-specific requirements will be permitted:</i></p> <p>a) <i>The site must be redeveloped in a comprehensive manner;</i></p> <p>b) <i>The historic elements of the existing hotel building must be retained and could be used for a range of uses, including tourism and residential use. A detailed heritage assessment will be required to justify any proposals which harmed their retention;</i></p> <p>c) <i>The design and scale of the redevelopment of the site must conserve <del>and</del> <b>or</b> enhance the character of this part of the Lyndhurst Conservation Area;</i></p> <p>d) <i>Redevelopment proposals must retain the important trees on the site that contribute to the open verdant setting and the site’s edge-of-village location;</i></p> <p>e) <b><i>Redevelopment proposals for the site should be accompanied</i></b></p>	<p>In response to representations received at Regulation 19 stage from Hampshire County Council (151/08/SP23), the highway authority for this part of the National Park; and discussions at the Examination hearing session.</p>	<p><b>None</b> - site was already assessed for both residential and tourism potential uses; new criterion (e) relates to transport assessment for allocated site which reduces any potential for air quality-related effects from this allocation.</p>



Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><b>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;</b></p> <p>f) <i>Proposals for C3 residential use must provide on-site affordable housing for local people in housing need as close to the Authority's target of 50% affordable housing as is viable. Viability will be demonstrated through an open book approach;</i></p> <p>g) <i>All of the dwellings on site will be limited to a maximum total internal habitable floor area of 100 square metres;</i></p> <p>h) <i>Any proposals for C2 use (i.e. where no affordable housing for local people would be provided) must be accompanied by a legal agreement requiring the occupancy to be limited to those with a local connection.</i></p> <p>i) <i>Development proposals must ensure future access to existing water supply infrastructure for maintenance and upsizing purposes; and</i></p> <p>j) <i>Development proposals must incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats.</i></p>		
MM13	SP24	<p>Amend the wording of policy SP24 to state:</p> <p><i>"Land to the south of Church Lane, Sway is allocated for the development of <b>around</b> 40 residential dwellings. The site will also provide 1 hectare of informal greenspace provision for the local community. Detailed proposals for the site must meet the following site-specific requirements:</i></p> <p>a) <b><i>The provision of on-site affordable housing for local people in housing need in accordance with the target of 50% affordable housing; 50% of the dwellings must be provided as affordable housing for local people in housing need;</i></b></p> <p>b) <i>All of the dwellings on the site will be limited to a maximum total internal habitable floor area of 100 square metres;</i></p> <p>c) <i>The site must be developed in a comprehensive manner;</i></p> <p>d) <i>Residential development on the site will be limited to the part of the site that lies outside the New Forest Special Protection Area 400 metre zone (illustrated in the red shading on the map below);</i></p>	<p>In response to representations received at Regulation 19 stage (150/01/SP24) highlighting that detailed site masterplanning may result in a slight variation (up or down) in the total number of dwellings proposed; and discussions at the Examination hearing session.</p> <p>Criterion (a) revised in response to discussions at</p>	<p><b>None</b> – neither the additional qualification to the number of allocated dwellings at this site nor the proportion of housing development that is affordable affect the findings of the HRA.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p>e) Measures should be put in place to protect the trees that fringe the site that are protected by Tree Preservation Orders;</p> <p>f) 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;</p> <p>g) The use of the remainder of the site (green shading) that lies within the New Forest SPA 400 metre zone for informal greenspace will be supported. Proposals should be accompanied by details of the proposed layout and long-term management arrangements for the greenspace provision; and</p> <p>h) Development proposals must provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider."</p>	the Examination hearing session.	
MM14	SP25	<p>Amend the wording of the criteria of Policy SP25 to state:</p> <p>"As part of the comprehensive redevelopment of the adjacent brownfield Power Station site, adjoining land to the south of the site within the National Park is allocated for around 120 dwellings. Detailed proposals for the site must meet the following site-specific requirements:</p> <p>(a) <b>The provision of on-site affordable housing for local people in housing need in accordance with the target of 50% affordable housing; 50% of the dwellings must be affordable housing to meet local needs;</b></p> <p>(b) 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;</p> <p>(c) 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 <b>and an integrated transport strategy</b> for the entire Fawley Power Station site;</p> <p>(d) 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 <del>for</del> the compensatory provision of alternative habitats of equivalent or higher value to</p>	<p>In response to representation made at the Regulation 19 stage by the Environment Agency, Hampshire County Council, the RSPB and the Hampshire &amp; Isle of Wight Wildlife Trust; and discussions on Matter 10 of the Examination hearing sessions to improve the clarity of the policy.</p> <p>Criterion (a) revised in response to discussions at the Examination hearing session.</p>	<p><b>None</b> – (a) the proportion of housing development that is affordable does not affect the findings of the HRA; (c) the requirement for an integrated transport strategy reduces any potential for air quality-related effects from this allocation; the requirement to assess flood risk will help to reduce any potential for flood-related effects on European sites.</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p>achieve a net gain for biodiversity;</p> <p>(e) <b>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.</b></p>		
MM15	SP26 and supporting text	<p>Delete paragraphs 7.35 and 7.36 and Policy SP26:</p> <p><u>Calshot Village</u></p> <p>7.35 The redevelopment of Fawley Power Station will deliver infrastructure improvements for the area, provide local employment opportunities and significantly improve the services on offer. Linked to the Authority's duty to foster the socio-economic well-being of local communities within the National Park, the nearby community of Calshot should benefit from these improvements. The village has pockets of relative deprivation and there is an opportunity to broaden the range of housing available in the village and provide local community facilities through the provision of a new primary school close to the village. This will provide a connection between the village of Calshot and the Fawley Power Station site and a focal point for the local community in Calshot.</p> <p>7.36 A number of improvements — including landscape and public realm enhancements — can be implemented without the need for additional development. In addition to these improvements, the village would benefit from a more mixed community with a better balance of housing tenures. Land adjacent to St George's Church Hall has been identified as an important site to the village and is relatively unconstrained.</p> <p><u>Policy SP26 — Land at Calshot Village</u></p> <p>Land at Calshot Village is allocated for 30 dwellings and cemetery use. Detailed proposals for the site must meet the following site specific requirements:</p>	Proposed allocation at Calshot Village to be deleted from the Local Plan following discussions at the Examination hearing session.	<b>None</b> - the potential for adverse effects on the integrity of European sites has already been ruled out for the deleted allocation policy.

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><del>a) 50% of dwellings must be provided for affordable housing for local people in housing need;</del></p> <p><del>b) All of the dwellings on the site will be limited to a maximum total internal habitable floor area of 100 square metres floor area of 100 square metres;</del></p> <p><del>c) The site must be developed in a comprehensive manner and ensure the proposed layout of the residential and cemetery uses are compatible;</del></p> <p><del>d) Measures should be put in place to protect the trees in the centre of the site that are subject to Tree Preservation Orders;</del></p> <p><del>e) The enhancement of St George's Hall for the benefit of the local Calshot community should form part of the plans; and</del></p> <p><del>f) Development proposals must ensure future access to existing wastewater and water supply infrastructure for maintenance and upsizing purposes.</del></p> <p><b>Policies Map to be amended to show deleted site allocation.</b></p>		
MM16	Ashurst Hospital site allocation policy and supporting text	<p>Add new policy, supporting text and site allocation to state:</p> <p><b><u>Ashurst Hospital</u></b></p> <ol style="list-style-type: none"> <li><b><i>The Ashurst Hospital site comprises previously developed land with access to a range of local services, including the train station and local shops. The site immediately adjoins the existing Defined Village boundary of Ashurst and is located within Flood Zone 1 for fluvial flooding.</i></b></li> <li><b><i>Health Commissioners have confirmed that much of the existing accommodation at Ashurst Hospital is no longer fit for purpose and there is an opportunity to make a more efficient use of the site. Large parts of the site have been declared surplus to the operational healthcare requirements of the NHS and are vacant. The more modern Snowden Building at the west of the site currently contains the Birthing Centre and is to be retained. It is likely that this building will need to be</i></b></li> </ol>	In response to discussions at the Examination hearing session into the proposed Ashurst Hospital site allocation policy (March 2019).	As noted at para. 1.7 above, a draft of this new development allocation policy has already been subject to detailed HRA, as separately documented in the January 2019 HRA addendum <sup>7</sup> . That addendum identified the potential for adverse effects on the integrity of European sites in relation to three types of effect as follows:  <u>Loss of offsite supporting habitat</u>

<sup>7</sup> Available from [https://www.newforestnpa.gov.uk/app/uploads/2019/01/New-Forest-NPA-Local-Plan\\_Ashurst-Hospital-HRA-Addendum.pdf](https://www.newforestnpa.gov.uk/app/uploads/2019/01/New-Forest-NPA-Local-Plan_Ashurst-Hospital-HRA-Addendum.pdf)

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><i>extended to accommodate the future healthcare services that will continue to be delivered from the Ashurst Hospital site and policy XX supports this.</i></p> <p><b>3. Policy XX allocates the site for a mix of residential (C2 care home use or extra care) and retained healthcare provision. It is considered that the surplus part of this previously developed site can deliver around 30 units - although the exact number will depend on the final form of residential development, which will in turn be guided by the need to avoid impacts on the adjacent protected habitats. Viability modelling for the Local Plan indicates that the redevelopment of the Ashurst Hospital site (including site clearance costs) is unlikely to achieve the 50% affordable housing policy target.</b></p> <p><b>4. The site allocation policy highlights the natural and built environment constraints and opportunities on the Ashurst Hospital site. The site lies adjacent to the New Forest SSSI, SAC, SPA and Ramsar sites and the Habitats Regulations Assessment for the Local Plan identifies the potential for a range of possible effects from development on these protected sites, including recreation pressure, urban edge effects including cat predation and the loss or damage to off-site supporting habitats.</b></p> <p><b>5. Policy XX therefore requires development to be confined to the previously developed land to the north of the site and the strengthening of the planted boundary to the adjacent Natura 2000 site designations. Mitigation measures for potential urban edge effects could include the use of legal covenants (e.g. preventing cat or dog ownership) and arrangements for grounds maintenance. The requirement to ensure no adverse impact on the adjacent national and internationally protected habitats will also influence the form of the C2 care home or extra care residential development on site.</b></p> <p><b>6. Elements of the existing built development on the site date back to the 1830s. The former historic workhouse building is considered to be a non-designated heritage asset due to its 19th Century origins and the degree to which the building has survived to a large extent. The Victorian Chapel on the site was constructed sometime between 1869 and 1896 and the exterior remains in good condition. The former workhouse building and Victorian Chapel have heritage significance and</b></p>		<p>The greenfield part of the Ashurst Hospital site shares direct functional connectivity with the New Forest SPA and is likely to contribute to maintaining the foraging resource and habitat connectivity upon which qualifying populations of nightjar, woodlark and Dartford warbler of the SPA depend. The previously assessed draft policy allowed this type of effect to be ruled out by protecting and retaining the greenfield part of the site. This policy requirement is also present in paragraph 5 of the supporting text and criterion (b) of the proposed policy in MM16 and <b>adverse effects on integrity due to loss of offsite supporting habitat can therefore continue to be ruled out.</b></p> <p><u>Urban edge effects</u></p> <p>The Ashurst Hospital Site is located immediately adjacent to a continuous block of New Forest SPA and SAC which supports, or is capable of supporting, the qualifying features and a potential for adverse effects on integrity due</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><b><i>Policy XX confirms the Chapel will be retained as part of the redevelopment of the site. The policy requires a detailed heritage assessment to be undertaken to justify proposals that would result in the loss of the former workhouse building.</i></b></p> <p><b><u>Policy XX - Land at Ashurst Hospital</u></b></p> <p><b><i>Land at Ashurst Hospital is allocated for a mixed-use development comprising:</i></b></p> <ul style="list-style-type: none"> <li><b><i>▪ Retained (and potentially extended) healthcare provision in the western part of the site (focused on the Snowden Building) – illustrated in blue on the map below; and</i></b></li> <li><b><i>▪ Around 30 residential units (Use Class C2 care home or extra care use) on the remaining previously developed part of the site (i.e. on the footprint of the existing buildings and car park).</i></b></li> </ul> <p><b><i>Detailed proposals for the site that meet the following site-specific requirements will be permitted:</i></b></p> <ol style="list-style-type: none"> <li><b><i>a) The site must be redeveloped in a comprehensive manner and detailed proposals for residential development will need to ensure the retained healthcare uses on the site can operate efficiently;</i></b></li> <li><b><i>b) Built development will be confined to the previously developed land to ensure the existing green buffer remains to the south of the site and the New Forest’s protected habitats.</i></b></li> <li><b><i>c) The Victorian Chapel will be retained as part of the redevelopment. A detailed heritage assessment and structural survey will be required to justify the loss of the former workhouse buildings;</i></b></li> <li><b><i>d) Redevelopment proposals must retain the protected trees on the site;</i></b></li> <li><b><i>e) Proposals for extra care use (that is not C2 Use) must provide on-site extra care affordable housing for local people in housing need as close to the Authority’s target of 50% affordable housing as is viable. Viability will be demonstrated through an open book approach;</i></b></li> <li><b><i>f) Proposals for C2 care home use must be accompanied by a legal agreement requiring the occupancy to be limited to those with</i></b></li> </ol>		<p>to urban edge effects was identified from the C3 residential development provided by the draft policy, resulting in a recommendation to restrict any residential development at the site to types from which the severity of urban edge effects is likely to be less and where there is potential to prevent adverse effects on integrity by the provision and effective implementation of mitigation measures. This recommendation has been adopted in MM16 by restricting residential development to Use Class C2 care home or extra care use and by the requirements in criterion (h) for mitigation measures and appropriate assessment of proposals. <b>Adverse effects on integrity due to urban edge effects can therefore be ruled out.</b></p> <p><u>Changes in water quality due to sewer overflows</u></p> <p>Potential capacity issues were identified in the local sewerage network to so that development at the Ashurst Hospital site could result in overloading of</p>

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><b>a local connection;</b></p> <p><b>g) All of the dwellings on site will be limited to a maximum total internal floor area of 100 square metres;</b></p> <p><b>h) Development proposals must incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats. The existing southern boundary between the site and the adjacent protected habitats should be retained and strengthened with the planting of native species. Proposals should seek to enhance both its role in buffering the designated sites and supporting species of principal importance for biodiversity. A detailed application for the site will be subject to a full appropriate assessment; and</b></p> <p><b>i) Development proposals must provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider.</b></p> <p><b>Policies Map to be amended to show additional site allocation.</b></p>		<p>the sewer network and contamination of European sites such as the adjacent New Forest SAC, SPA and Ramsar site or of nearby tributary streams of the Beaulieu River draining to the Solent European designations. It was therefore recommended that the allocation policy require development proposals to provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider. This recommendation has been adopted in criterion (i) of MM16 and <b>adverse effects on integrity relating to changes in water quality due to sewer overflows can therefore be ruled out.</b></p>
MM17	SP27	<p>Amend the wording of Policy SP27 to state:</p> <p><i>"50% of net dwellings developed within the defined village boundaries of Ashurst, Brockenhurst, Lyndhurst and Sway and on sites allocated for residential development in the Local Plan will be provided as affordable homes to meet local needs. In practice:</i></p> <p><i>a) On developments of 1 – 2 net new dwellings, no affordable housing will be sought;</i></p> <p><i>b) On developments of between 3 – 10 net new dwellings, a target of 50% affordable housing will be sought on site. Exceptionally, at the</i></p>	<p>In response to discussions on Matter 8 of the Examination hearing sessions to clarify that regard will be given to the viability of development.</p>	<p><b>None</b> - MM17 ensures that consideration is given to development viability in terms of affordable housing provision and as such, does not affect the findings of the HRA.</p>



Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<p><i>discretion of the National Park Authority, financial contributions in lieu of on-site provision will be accepted on smaller sites;</i></p> <p>c) <i>On development sites of 11 dwellings or more, a target of 50% affordable housing <b>will be sought on site</b> <del>must be made on site.</del></i></p> <p><i>The layout and design of affordable housing will be appropriately integrated into each development. Local connection criteria will be applied to affordable housing to ensure local needs are met.</i></p> <p><i>The tenure (social and affordable rented, intermediate, shared ownership and other) of affordable homes will be based on up-to-date evidence of local needs. A suitable mix will be determined through liaison with the local housing authority and the starting point is to seek 75% social/affordable rented tenure and 25% shared ownership / intermediate housing.</i></p> <p><b><i>The proportion and tenure mix of affordable housing sought will take into account evidence on viability.</i></b></p>		
MM18	SP28	<p>Amend the wording of Policy SP28 to state:</p> <p><i>"Small-scale affordable housing developments may be permitted as "exceptions" on sites in or adjoining villages to meet the identified needs of local people in these areas. Proposals for exception sites should:</i></p> <ul style="list-style-type: none"> <li>a) <i>meet a particular local need that cannot be accommodated in any other way;</i></li> <li>b) <i>be subject to a planning obligation under Section 106 of the Town and Country Planning Act (1990) to ensure that the dwellings provide for low-cost housing for local needs in perpetuity;</i></li> <li>c) <i>be capable of management by an appropriate body, for example a Registered Provider, the Authority, or a community land trust or similar accredited local organisation; and</i></li> <li>d) <i>be located where there are appropriate local services (e.g. shops, schools and public transport).</i></li> </ul> <p><del>The expectation is that</del> <i>100% of the housing on rural exception sites will be</i></p>	<p>In response to discussions on Matter 8 of the Examination hearing sessions to clarify that open market housing will not be supported on rural exception sites.</p>	<p><b>None</b> - the total proportion of affordable housing on rural exception sites does not affect the findings of the HRA.</p>



Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
		<i>affordable."</i>		
MM19	SP30	Amend the wording of criterion (c) of Policy SP30 to state:  <i>"The housing is subject to an occupancy condition and remains available for Estate Workers, <b>or last employed as Estate Workers</b>, in perpetuity; and..."</i>	In response to representations received from the Beaulieu Estate (173/01/SP30/2) at Regulation 19 stage to clarify that Estate Workers' Housing would also be available to retired Estate Workers.	<b>None</b> – clarifies occupancy rights for Estate Workers housing.
MM20	Policy SP33	Amend the wording of criterion (b) of Policy SP33 to state:  <i>"Occupancy of the site will be restricted to gypsies and travellers, <b>and travelling showpeople</b> with a local connection to the New Forest National Park;"</i>  Update the policy criterion numbering to avoid duplication.	In response to discussions on Matter 9 of the Examination hearing sessions to fully reflect the coverage of the policy.	<b>None</b> - the details of this occupancy restriction do not affect the findings of the HRA.
MM21	Policy DP34	Amend the wording of Policy DP34 to state:  <i>"To ensure the conservation and enhancement of the built heritage of the Defined Villages, development proposals within the villages must be informed by consideration of the character of the local area. <del>The four Defined Villages are rural areas often characterised by spacious residential plots set within mature landscapes and.</del> <b>D</b>development densities should reflect the strong built heritage of the <b>Defined Villages</b>, <del>and their</del> <b>locally distinctive character and</b> location within a nationally protected landscape."</i>	This proposed change arises from the discussions on Matter 7 of the Examination hearing sessions.	<b>None</b> – clarification relating to the character of new development which does not affect the previous HRA conclusions on this policy.

Reference	Policy / para.	Proposed main modification	Reason for proposed modification (including representation no. if applicable)	Implications for the HRA conclusions
<b>Chapter 8: A Sustainable Local Economy</b>				
MM22	Policy DP44	Amend the wording of Policy DP44 to state: <i>"The redevelopment of established employment sites for industrial, office, <del>and</del>-business <b>and low-key storage</b> uses will be permitted <b>throughout the National Park</b> where:"</i>	In response to discussions on Matter 12 of the Examination hearing sessions to clarify the policy intentions.	<b>None</b> - clarification.

### 3 Summary and conclusion

- 3.1 This HRA Addendum has assessed the proposed main modifications to the Submission draft Local Plan and they either have no implications for the HRA conclusions at Submission draft stage, as modified by subsequent HRA addendum reports, or they serve to strengthen mitigation of potential effects on European sites.
- 3.2 The conclusion of the HRA of the NFNPA Local Plan, as amended by the proposed main modifications (April 2019), 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.**