

New Forest National Park Authority
Infrastructure Funding Statement
Covering the period 1 April 2019 – 31 March 2020

Published December 2020

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1. Introduction

- 1.1 In accordance with the Community Infrastructure Levy Regulations, any authority (including local planning authorities and parish councils) that receives a contribution from development through either the Community Infrastructure Levy or Section 106 planning obligations is required to prepare and publish an Infrastructure Funding Statement.
- 1.2 This report therefore provides a summary of the financial contributions the New Forest National Park Authority has secured through Section 106 legal agreements (including unilateral undertakings) from development for off-site infrastructure works, the delivery of affordable housing and mitigation measures for the internationally protected habitats of the New Forest and Solent coast. **The report covers the period 1 April 2019 – 31 March 2020.**
- 1.3 The information included in the report will be updated annually and published on the National Park Authority's website. This will ensure the most up to date information on the amount of developer contributions received from new development and the projects where these contributions have been spent is readily available to local communities and other interested parties.

Section 106 planning obligations and developer contributions

- 1.4 Under Section 106 of the *Town and Country Planning Act 1990*, local planning authorities (including National Park Authorities) can enter into legal obligations with developers to mitigate the impacts of new development. These agreed legal obligations can include both physical on-site measures and financial contributions towards off-site infrastructure provision and mitigation measures.
- 1.5 Planning obligations assist in mitigating the impact of unacceptable development to make it acceptable in planning terms. National planning regulations state that planning obligations may only constitute a reason for granting planning permission if they meet the tests that they are necessary to make the development acceptable in planning terms. They must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development; and
 - fairly and reasonably related in scale and kind to the development.
- 1.6 These tests are set out as statutory tests in the Community Infrastructure Regulations 2010 (as amended by the 2011 and 2019 Regulations) and as policy tests in the Government's National Planning Policy Framework (NPPF)¹.

New Forest National Park Local Plan (2019)

- 1.7 The [New Forest National Park Local Plan](#) was formally adopted in August 2019, approximately halfway through the 2019 – 2020 reporting period for this Infrastructure Funding Statement. The Local Plan forms a key part of the statutory 'development plan' for the National Park and the policies set out in Table 1 are particularly relevant to this Infrastructure Funding Statement.

¹ Paragraph 56, National Planning Policy Framework (2019)

Table 1: Relevant Local Plan policies

Local Plan Policy	Summary
SP5: Nature conservation sites of international importance	Confirms that a contribution to the Authority’s Habitat Mitigation Scheme for the New Forest sites and/or the Solent Recreation Mitigation Partnership’s Scheme (‘Bird Aware Solent’) will enable measures to be put in place to mitigate the recreational impacts of new development.
DP10: Open Space	New development is required to provide new public open space provision. Where this cannot be delivered on site (typically due to the small-scale of development within the National Park) a financial contribution to support off-site provision or enhancements will be sought.
SP27: Affordable Housing Provision	At the discretion of the Authority, financial contributions in lieu of on-site affordable housing provision will be accepted on smaller development sites.
SP38: Infrastructure provision and developer contributions	<p><i>“Development proposals shall make provision for the infrastructure and measures necessary to ensure that the development is acceptable in planning terms. Where appropriate, financial contributions for the provision of off-site infrastructure and measures will be sought.”</i></p> <p>Within the context of development within the New Forest National Park, developer contributions may be required towards highway and transportation works; affordable housing; education provision; recreation provision; and nature conservation mitigation measures.</p>

- 1.8 Further details on the developer contributions sought within the New Forest National Park are set out in the Authority’s adopted [Development Standards SPD](#) (2012), which sets out the level of financial contributions sought from new development towards affordable housing, public open space and transport.
- 1.9 In the context of planning within the New Forest National Park, developer contributions are also required to mitigate the impacts of new residential and visitor accommodation development on the internationally protected habitats of the Solent coast and the New Forest heathlands. Further details of these mitigation schemes can be found in the Authority’s updated [Habitat Mitigation Scheme](#) (2020) and the [Bird Aware Solent Strategy](#).
- 1.10 It is also important to note that alongside local planning policies, the process for seeking developer contributions from new development is guided by national planning policy and guidance. The Government’s National Planning Practice Guidance (NPPG) resource includes a specific section on [‘Planning Obligations’](#) which sets out the national framework for seeking developer contributions.

2. Section 106 contributions available at 31 March 2019

2.1 Prior to the adoption of the New Forest National Park Local Plan in August 2019, the previous Core Strategy (2010) also sought developer contributions from new development towards a range of local infrastructure and habitat mitigation measures. Table 2 (below) sets out the level of developer contributions held by the National Park Authority as at 31 March 2019.

Table 2: Contributions available at 31 March 2019 received preceding years

Infrastructure / measure	Contributions available at 31 March 2019
Affordable Housing	£523,583
New Forest SPA Habitat Mitigation	£93,858
Solent SPA Habitat Mitigation	Pooled contributions held by the Bird Aware Solent habitat mitigation scheme*
Transport	Pooled contributions held by Hampshire County Council for local transport schemes #
Public open space, sport & recreation	£67,963

*Solent SPA habitat mitigation contributions are transferred to the Bird Aware Solent mitigation project on a quarterly basis and so are not in the direct control of the National Park Authority.

#Transport contributions are transferred to the local highway authority and so are not in the direct control of the National Park Authority

2.2 Developer contributions secured through Section 106 agreements in the National Park are legally ring-fenced for specific uses/forms of infrastructure. This means they must be used for the purposes set out in the relevant legal agreement. Unlike funding received through the Community Infrastructure Levy (CIL) – which the National Park Authority does not operate - the priority for the use of received Section 106 contributions is not at the discretion of the Authority.

2.3 It is important to note that other than for the affordable housing and the New Forest SPA Habitat Mitigation contributions, the National Park Authority itself is not directly responsible for the expenditure of the following contributions:

- Solent SPA Habitat Mitigation contributions have been sought since 2015/16 from new residential development within 5.6 kilometres of the Solent's internationally protected sites. Contributions within the 5.6-kilometre catchment area from across the 14 planning authorities in the area are pooled to be spent on the delivery of the 'Bird Aware Solent' habitat mitigation scheme and further details can be found [here](#).
- Although the Authority is the sole statutory planning authority for the National Park area, it is not responsible for highways (or education and social care). The two 'highway authorities' for the National Park area are Hampshire County Council (for the 95% of the land area of the National Park that lies within Hampshire) and Wiltshire Council (for the remaining 5% of the National Park located within the county of Wiltshire). Transport contributions are therefore transferred to the relevant highway authorities to be spent on schemes within the National Park area.

- The National Park Authority does not own or manage any public open space, sport or recreational facilities in the National Park. This responsibility typically rests with the local town and parish councils in the National Park and therefore contributions received towards open space provision are made available for the relevant town or parish council to draw down on and spend on open space projects in the locality of the new development.
- 2.4 For developer contributions towards affordable housing, it is necessary to build up a pot of pooled contributions to enable the delivery of off-site affordable housing. Affordable housing contributions have previously been spent on the delivery of two affordable dwellings for local people at Bransgore.
- 2.5 Table 2 confirms that the level of developer contributions held by the National Park Authority as at 31 March 2019 stood at a little under £700,000. Of the total contributions held at the start of the Infrastructure Funding Statement reporting period, it is also important to note that the habitat mitigation contributions for the Solent coast and New Forest habitats were earmarked for specific projects in 2019 – 2020 and beyond. Both the New Forest and Solent mitigation schemes have published strategies in place setting out future spending priorities. The Solent contributions are pooled from development across the sub-region to fund the implementation of the Bird Aware Solent Mitigation Strategy, which is subject to separate annual reporting. The implementation of mitigation measures funded by the financial contributions towards the New Forest Habitat Mitigation Scheme is overseen by a Steering Group that meets annually to agree priorities for the following year.

3. Section 106 contributions received in 2019 – 2020

Table 3 – Contributions received in 2019 – 2020

Infrastructure / measure	Contributions received in 2019 - 2020
Affordable Housing	£41,280
New Forest SPA Habitat Mitigation	£46,637
Solent SPA Habitat Mitigation	£7,168
Transport	£2,904
Public open space, sport & recreation	£3,505

- 3.1 As summarised in Table 3, during 2019 – 2020 the National Park Authority received just over £100,000 in financial contributions from new development, secured through either Section 106 agreements or unilateral undertakings.
- 3.2 The scale of new development between 1 April 2019 to 31 March 2020 in the New Forest National Park (and the wider catchment of the Solent in South Hampshire) has been impacted by the requirement for all net new residential development to demonstrate 'nitrate neutrality'. This is required to ensure compliance with the Habitats Regulations and has resulted in a significant slow-down in new development in the South Hampshire sub-region. Nonetheless, the level of developer contributions received by the Authority in this period was higher than the circa £62,000 received during the preceding 2018 – 2019 year.
- 3.3 Developer contributions towards habitat mitigation measures to address recreational pressures for both the Solent coast and the New Forest Special Protection Area (SPA) and Special Area of Conservation (SAC) are required to ensure legal compliance. They are therefore sought from all net new dwellings and visitor accommodation permitted in the National Park, unlike other forms of contributions where various site size thresholds apply. During 2019 – 2020, habitat mitigation contributions towards the New Forest and Solent designated sites were received from a number of small-scale residential schemes, including developments in Brockenhurst, Lyndhurst, Sway and Winsor.
- 3.4 In the 2019 – 2020 reporting year, the biggest single financial contribution received was from the redevelopment of the former Hatch Motors site in Sway (planning application reference 18/00946). The mixed residential and retail development is due to contribute a total of £96,020 towards various forms of local infrastructure; of which £41,280 was received in the 2019 – 2020 reporting period. The permission granted for the extension to the Premier Inn at Ower (planning application reference 18/00122) contributed towards measures to mitigate the impacts of increased recreational pressures on the internationally protected New Forest SPA and SAC (£18,125).

4. Section 106 contributions spent in 2019 – 2020

Table 4 – Contributions spent in 2019 – 2020

Infrastructure / measure	Contributions spent in 2019 - 2020
Affordable Housing	£8,623
New Forest SPA Habitat Mitigation	£31,006
Solent SPA Habitat Mitigation	£7,168 transferred to the Bird Aware Solent habitat mitigation scheme
Transport	£2,904 transferred to Hampshire County Council for local transport measures
Public open space, sport & recreation	£40,708

4.1 Table 4 illustrates that during 2019 – 2020 a total of £90,409 of contributions were spent on infrastructure or habitat mitigation measures within the National Park. This includes spend of contributions received in previous years and is an increase from the circa £79,000 spent in the 2018 – 2019 financial year.

Affordable Housing

4.2 A total of £8,623 in received developer contributions towards affordable housing was spent as part of the feasibility work for the two proposed affordable dwellings at Burley. The scheme – which now has full planning permission – is based on the model established by the National Park Authority for the two affordable dwellings completed in Bransgore, whereby financial contributions towards affordable housing are pooled and spent on dwellings managed by the National Park Authority for local people in identified affordable housing need.

New Forest SPA Habitat Mitigation

4.3 The spending of received financial contributions towards mitigating the impacts of increased recreational pressures associated with new development is done in accordance with the Authority’s adopted habitat mitigation scheme. The scheme is overseen by a steering group comprising representatives from the National Park Authority, Natural England, the RSPB, the Hampshire & Isle of Wight Wildlife Trust and New Forest District Council. During 2019 – 2020 a total of £31,006 was spent on mitigation measures, including the following.

- Seasonal Rangers: Habitat mitigation contributions have been used with funding from other sources to increase the seasonal ranger resource working in the New Forest SAC and SPA - £18,000
- Communications: An important mitigation measure is the regular cost of interpretation information, publications, website and social media development - £5,000. In addition, this year a short film was produced with strong messages about the potential impacts of people on rare bird species and habitats in the New Forest, which is available to use in a range of formats (see [Ground nesting birds - New Forest National Park Authority \(newforestnpa.gov.uk\)](http://newforestnpa.gov.uk) - £6,000.

Solent SPA Habitat Mitigation

- 4.4 The Solent Recreation Mitigation Strategy [annual reports](#) provide more detail on the spending of the contributions received. The 2020 Annual Report sets out the value of the developer contributions received by the partnership in 2019 - 2020, and details of all expenditure.
- 4.5 During 2019 - 2020, planning permission was granted for a total of 2,564 net new dwellings within the 5.6 kilometre 'catchment area' of the Solent's protected habitats. This includes 10 net new dwellings within the New Forest National Park within the Solent's identified visitor catchment area. In total, the Bird Aware Solent Mitigation Scheme received £715,000 in developer contributions from across the sub-region, including £7,168 from developments within the National Park (i.e. just over 1%). Set out below is an overview of the mitigation projects supported in the 2019/20 reporting year through the use of pooled developer contributions and further details can be found in Appendix 1 of the Solent Recreation Mitigation Strategy Annual Report 2020.
- Team of full time and seasonal rangers: The key mitigation measure is a team of rangers who patrol the Solent coast, including the National Park's coastline. The rangers aim to reduce bird disturbance by helping people to better understand the importance of the over-wintering birds and their vulnerability to disturbance - £254,000.
 - Monitoring: During Winter 2019/20, interviews were undertaken with coastal visitors to establish their patterns of use and behaviour. 10 passive counters have been installed at set points along the coast so that the movement of people could be captured. The third tranche of Access Management Assessments (detailed assessments of high priority sites) took place during the 2019/20 year - £60,000.
 - Information, Marketing and Communications: Effective communications are key to raising awareness and achieving behavioural change amongst people who visit the coast. The Bird Aware Solent website has been extended to include more information about the birds and a new section on visiting the Solent has been created, signposting users to walks and cycle routes away from the coast - £58,000.

Transport

- 4.6 Following changes in national planning policy, the National Park Authority is only able to negotiate financial contributions towards transport infrastructure from larger developments. Given the typical profile of development in the protected landscape of the New Forest National Park, transport contributions are not usually triggered. In 2019 – 2020 the Authority received £2,904 in transport contributions, which was transferred to Hampshire County Council.

Public open space, sport and recreation provision

4.7 The National Park Authority liaises with town and parish councils regarding the spending of received contributions towards public open space, sport and recreation facilities. During 2019 – 2020 a total of £40,708 was released to the parish councils in Brockenhurst and Ashurst for the following projects.

- The provision of new bike racks at Brockenhurst Village Hall to support cycling within the village (£2,338.50).
- The enhancement of the Whartons Lane recreation ground in Ashurst (£4,000).
- The refurbishment and improvement of the Highwood Road children's playing facilities in Brockenhurst (£34,370).

5. Section 106 contributions available for future years

Table 5: Contributions available as at 31 March 2020

Infrastructure / measure	Contributions available at 31 March 2020
Affordable Housing	£556,240
New Forest SPA Habitat Mitigation	£109,490
Solent SPA Habitat Mitigation	Pooled contributions held by the Bird Aware Solent habitat mitigation scheme
Transport	Pooled contributions held by Hampshire County Council for local transport schemes
Public open space, sport & recreation	£30,760

5.1 During the 2019 – 2020 year of this Infrastructure Funding Statement, the National Park Authority received just over £100,000 in developer contributions (Table 3); and released just over £90,000 towards local infrastructure projects and habitat mitigation measures (Table 4). The total level of contributions held by the National Park Authority therefore rose very slightly compared to the position at 31 March 2019 (see Table 2). It should be noted that some of the contributions received in 2019 – 2020 were spent within the same reporting year. Table 5 sets out what was held by the Authority at the end of March 2020.

5.2 As well as reporting on the developer contributions received and spent between April 2019 – March 2020, the Infrastructure Funding Statement is required to set out the priorities for spending in the future. These are set out below for the main areas of infrastructure provision sought in the National Park.

Affordable housing

5.3 The delivery of affordable housing for local people in identified housing need is a key element of the adopted Local Plan and accords with the Authority's statutory duty to foster the socio-economic wellbeing of local communities living within the National Park. Successive development plans dating back prior to the designation of the New Forest National Park in 2005 have required new development to support the delivery of affordable housing, through either on-site provision or financial contributions to enable off-site delivery.

5.4 Received developer contributions towards affordable housing have previously been used to fund the delivery of new affordable housing in the National Park. This has included the release of funds to New Forest Villages Housing Association to support new provision at Foxhills in Ashurst; and the use of contributions to fund the construction of two new affordable homes at Bransgore (application reference 14/00664).

5.5 Following the successful delivery of the affordable dwellings at Bransgore, in September 2018 the Authority granted planning permission for two affordable dwellings on land adjacent to Park Lodge, Burley (application reference 18/00517 – see images below). The intention is to use received affordable housing contributions to support this development.



New Forest SPA Habitat Mitigation

- 5.6 The National Park Authority has sought developer contributions towards a package of measures to mitigate the impacts of increased recreational pressures associated with new development (residential and visitor accommodation) on the New Forest SPA and SAC since 2012. In July 2020 the Authority’s revised Habitat Mitigation Scheme SPD was formally adopted following public consultation. The revised scheme sets out the package of mitigation measures that will be funded by developer contributions through the Local Plan period to 2036 and is supported by Natural England.
- 5.7 Ultimately, as the ‘competent authority’ under the Habitats Regulations, the decision on what mitigation measures to prioritise rests with the National Park Authority. However, the implementation of the Habitat Mitigation Scheme is also overseen by a Steering Group comprising representatives of the National Park Authority, Natural England, the RSPB, the Hampshire & Isle of Wight Wildlife Trust and New Forest District Council. The Steering Group typically meets annually to review the mitigation measures implemented in the preceding year; and to agree priorities for the next year.
- 5.8 The following broad mitigation projects have been agreed for the 2020 – 2021 year to address the potential impacts of increased recreational pressures from new development on the New Forest SPA and SAC.
- Communications activities to promote key messages: To include key messages in new publications, through social media channels and on the website - £5,000
 - Seasonal rangers: Recruitment of three seasonal rangers for 2020 - 2021. Plan to retain one until March 2021 as a pilot to judge benefits of year-round ranger – circa £13,000 for spring/summer 2020 ranger provision and a further £12,000 for ‘winter’ 2020 - 2021.
 - Improvement of recreational routes outside the SPA/SAC: Plan to install improved signage to promote use of the Hale-Woodgreen route and a second route - £25,000
 - Monitoring: Installation of automated counters on rights of way to monitoring usage following improvements - £2,000

Solent SPA Habitat Mitigation

- 5.9 The fourteen local planning authorities within the Solent's 5.6km catchment area (including the New Forest National Park Authority) are continuing to pool developer contributions to support the delivery of strategic mitigation measures for the Solent coast. A budget has been set for 2020/21 totalling £1,997,000 to fund the implementation of mitigation measures and associated costs including the part-time Partnership Manager and the headlines are set out below:
- Team of full time and seasonal rangers: The ranger team remain a core part of the mitigation package and the Bird Aware Solent rangers complement the work undertaken by other rangers along the Solent coast - £287,000
 - Monitoring: Undertaking the next phase of data collection to monitor the effectiveness of the mitigation measures - £35,000
 - Information, Marketing and Communications: To include: (i) actively promoting the use of the Bird Aware brand to 3rd parties; and (ii) implementing the second year of the agreed Marketing Strategy, growing the reputation and sphere of influence of Bird Aware Solent - £50,000
 - Dog Initiatives Lead: Recruiting a dedicated Dog Initiatives Lead officer to implement initiatives to encourage responsible dog walking - £40,000
 - Site Specific Projects: A total of £2 million is set aside over a number of years to fund capital projects designed to further the aims of the strategy - £400,000

Public open space, sport and recreational facilities

- 5.10 In accordance with Policy DP10 of the adopted National Park Local Plan (2019), new residential development is required to either provide on-site open space provision, or financially contribute towards off-site provision and/or enhancement in the locality of the development.
- 5.11 The developer contributions received by the Authority are made available for local town and parish councils to request the release of. Over the years, the Authority has released over £250,000 towards local open space infrastructure, including the wildplay projects at Stanford Rise, Sway and Whartons Lane, Ashurst; and new play equipment at the Coles Mead recreation ground, Lyndhurst; and the Highwood Road play area in Brockenhurst.
- 5.12 The Authority will continue to make the received open space contributions available for the relevant town and parish councils to support the delivery of costed open space enhancement. The contributions are linked to the locality of the development.

6. Section 106 Monitoring Fees received 2019 - 2020

- 6.1 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 enable local planning authorities to charge a monitoring fee to cover the cost of the monitoring and reporting on delivery of the Section 106 obligation. Monitoring fees can be used to monitor and report on any type of planning obligation, for the lifetime of that obligation.
- 6.2 The regulations allow monitoring fees to be established using a number of alternative methods. However, in all cases, monitoring fees must be proportionate and reasonable and reflect the actual cost of monitoring. Local planning authorities are required to report on monitoring fees in their Infrastructure Funding Statements.
- 6.3 At the full National Park Authority meeting in December 2019, members approved the introduction of Section 106 monitoring fees (as enabled by the relevant Regulations). The monitoring fees took effect from 1 January 2020 and were therefore in place for the final three months of the 2019 – 2020 reporting period. The monitoring fees implemented in January 2020 are set out below.

	Band 1: 1-5 dwellings or up to 1ha of land	Band 2: 6-10 dwellings or up to 3ha of land	Band 3: 11-49 dwellings or up to 10ha of land	Band 4: 50+ dwellings or more than 10ha of land
Percentage increase	0%	20%	40%	80%
Monitoring fee per covenant	£284	£284 x 1.2 = £340.80	£284 x 1.4 = £397.60	£284 x 1.8 = £511.20

- 6.4 In the Infrastructure Funding Statement reporting period of April 2019 – March 2020 the National Park Authority received £852 in Section 106 monitoring fees. This reflects the fact that monitoring fees were only introduced for the final three months of the reporting period.