

PC 492/25

NEW FOREST NATIONAL PARK AUTHORITY

PLANNING COMMITTEE MEETING – 15 JULY 2025

NATIONAL PLANNING CONSULTATIONS – PROPOSED NFNPA RESPONSES

Report by: David Illsley, Interim Head of Planning & Place

1. Introduction

- 1.1 The Government is continuing to reform the national planning system to contribute to the delivery of 1.5 million new dwellings in England over the course of the current parliament. These reforms have included the publication of an updated National Planning Policy Framework (NPPF) in December 2024 and the Government's standard method for calculating housing need for local authorities.
- 1.2 In May 2025 the Government published a further series of working papers and consultations on the following topics:
 - Reform of site size thresholds working paper - [Planning Reform Working Paper: Reforming Site Thresholds - GOV.UK](#). Closed 9 July 2025
 - Reform of planning committees: technical consultation - [Reform of planning committees: technical consultation - GOV.UK](#). Closes 23 July 2025.
 - Improving the implementation of BNG for minor, medium and brownfield development - [Improving the implementation of Biodiversity Net Gain for minor, medium and brownfield development - Defra - Citizen Space](#). Closes 24 July 2025.
- 1.3 This report focuses on the latter two consultations on (i) the reforms to planning committees; and (ii) the implementation of Biodiversity Net Gain for smaller sites. The consultation on the reform to site size thresholds closed earlier this month. The English National Park family submitted representations emphasising that within nationally protected landscapes, local planning authorities should be enabled to set the appropriate thresholds for affordable housing delivery, which could be below the national threshold where evidenced and tested at examination. This reflects the position in the adopted New Forest National Park Local Plan (2019) and several other national park local plans, where the imposition of a national threshold of 10 dwellings before affordable housing contributions are required would severely limit delivery.

2. Reform of planning committees: technical consultation – overview

- 2.1 The Government has included the following in the Planning & Infrastructure Bill:
 - A new power for the Secretary of State to set out which planning functions should be delegated to planning officers for a decision and which should instead go to a planning committee or sub-committee;
 - A new power for the Secretary of State to control the size and composition of planning committees; and
 - A new requirement for members of planning committees to be trained, and certified, in key elements of planning.

- 2.2 The measures in the Bill are enabling powers and the detailed provisions will be set out in regulations to be brought forward following Royal Assent for the Bill. The consultation seeks views on what detailed provisions should be included in the regulations.

(i) National scheme of delegation

- 2.3 Under the proposals, all householder and minor development (commercial and residential) would automatically be delegated for officer decisions in all cases. These are referred to as Tier A applications in the consultation and make up the majority of applications considered by local planning authorities. Tier B applications are larger and the starting point for Tier B is that all applications should be delegated to officers, subject to a gateway test through which the chief planning officer (or equivalent) and chair of planning committee must mutually agree that they should go to committee.
- 2.4 Importantly the Government's national scheme of delegation consultation states in footnote 1, "...these reforms do not apply to national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with." It would therefore remain a decision for the New Forest National Park Authority which applications require a Planning Committee decision under our local scheme of delegation. This is welcomed and consistent with the feedback national park authorities gave the Government prior to the consultation.

(ii) Size of Planning Committees

- 2.5 The proposals also include reform to the size of planning committees. The Government is seeking a power in the Planning & Infrastructure Bill for the Secretary of State to set out requirements on the size and composition of committees. The consultation states, "Engagement and best practice indicate a committee of 8-11 members is optimal for informed debate on applications. We recognise that there is a need for some local flexibility to take account of political balance requirements and meeting abstentions. We are therefore, proposing to set a maximum of 11 members in the regulations."
- 2.6 It is important to emphasise that the consultation states in footnote 3, "...these reforms do not apply to mayoral combined authorities, the Greater London Authority, national park authorities and development corporation planning committees due to the different structure of their committees and the types of applications they deal with." This is similarly welcomed and reflects the composition of the membership of national park authorities. The New Forest National Park Authority's Planning Committee currently has 11 members and so fits within the Government's proposals even if they were applicable.

(iii) Mandatory training for Planning Committee members

- 2.7 The Government recognises that many local planning authorities in England already train their members. However, they consider the approach to training to be inconsistent and varied across the country. The Government is therefore taking forward mandatory training for all planning committees – including those operating within National Parks – through the Planning & Infrastructure Bill. In terms of content, industry engagement showed broad support for a combination of national content (e.g. NPPF, other statutory guidance and regulations) and content driven by local context (including the local development plan). The Government will work with local government and the wider planning sector to develop a national planning committee package.

3. The implementation of BNG for minor, medium and brownfield development

3.1 Biodiversity Net Gain (BNG) is an approach to development which aims to leave the natural environment in a measurably better state than beforehand. The Environment Act 2021 introduced a mandatory BNG requirement in England for most new developments under the Town and Country Planning Act 1990, requiring them to deliver a 10% increase in biodiversity. Following a two-year transition period, BNG has been mandatory for most major developments from 12th February 2024, and for minor development (small sites) from 2nd April 2024.

3.2 The Government has been working with stakeholders to gather feedback and evidence on how BNG is being implemented. Early information suggests BNG implementation has been broadly successful for larger developments, but that there is evidence that for some smaller developments the operation of BNG is not as effective as it could be.

(i) Reform of existing exemptions and introduction of new exemptions

3.3 The Government is seeking views on changes to the existing exemptions. They are considering two key options packages for minor development to ensure the scope of BNG is more proportionate to their scale of development and impact on biodiversity:

- Targeted revisions to the existing exemptions for self and custom build development (option 1) and development below the 'de minimis' threshold (option 2). This includes an exemption for all single dwellings to replace the self and custom build development exemption and tests options for a higher de minimis threshold so more minor development would be exempt in practice; or
- A full exemption for all minor developments (option 3) This would remove the existing exemption for self and custom build development. The 'de minimis' exemption (potentially with a higher threshold) would remain to capture other developments which have no or little impact on habitats.

3.4 The Government's consultation document recognises that in some cases, the mandatory requirement for BNG has led to significant viability pressures for minor residential developments. The consultation goes on to state, "...however, exempting all minor development would significantly reduce the number of planning permissions granted with the BNG condition attached and therefore the amount of habitat creation and enhancement... Exempting minor development would also lead to a corresponding reduction in demand for the off-site market."

(ii) Creating new exemptions for certain types of development

3.5 Emerging evidence from development proposals suggests that some specific types of development are finding it challenging to deliver BNG. The Government is therefore seeking evidence on whether new exemptions from BNG should be introduced to cover:

- Parks, public gardens and playing fields are often valuable community assets, especially in urban areas. Planning permission is often required for improvements to them, for instance, the upgrading of playgrounds and sports pitches, new fencing and lighting, and refurbished changing rooms and cafes. The Government propose that a new partial exemption would apply to development within all parks, public gardens, playing fields and sporting grounds provided there is no substantive change to the existing use of land.

- There is feedback that BNG is disproportionate when applied to some biodiversity conservation or enhancement schemes which themselves require planning permission. For example, wetland restoration projects to improve habitat and flood resilience which require planning permission can be impacted by the 30-year legal obligation for mandatory BNG. The Government therefore want to test whether development whose sole or primary objective is to conserve or enhance biodiversity and that does not impact priority habitats should be exempt from BNG.
- Planning permission is required for certain temporary developments. If the temporary impacts are above the de minimis threshold, then BNG applies to the whole development. The scope to deliver onsite enhancements is limited due to the temporary nature of the development, meaning purchases from the off-site market are necessary. This creates cost pressures and additional burdens particularly for short term temporary development. The Government is seeking views on the merits for an exemption for short term temporary developments (up to 5 years) to avoid the additional complexities and costs as a result of BNG.

(iii) Streamlining the BNG metric process

- 3.6 The statutory biodiversity metric is a document for measuring the biodiversity value or relative biodiversity value of habitat or habitat enhancement. The metric's purpose is to measure and calculate biodiversity losses and gains for development and it expresses these in terms of 'biodiversity units'.
- 3.7 The Government has heard from stakeholders that the metric calculation process can be overly burdensome and the tool is complex to use. The Government has therefore identified several options aimed at simplifying and streamlining the metric process, alongside additional guidance to support its use. The options include enabling the 'small sites metric' to be used for 'medium sites'; a series of technical changes to the metric itself aimed at simplifying it; and issuing a full digitised version of the metric tools to improve functionality, user experience and reduce cost, thereby further streamlining the BNG calculation process for developers.
- 3.8 Finally, the Government is asking for views on whether the Spatial Risk Multiplier should not be applied to minor developments, to allow more flexibility for developers to look at delivering BNG off-site. The current system means that developers must purchase more biodiversity units if they secure them off-site in adjacent local authority areas.

4. Proposed New Forest National Park Authority consultation responses

- 4.1 Annex 1 and Annex 2 to this report set out the proposed principles to be included in the New Forest National Park Authority's responses to these consultations/calls for evidence. As a medium sized local planning authority for an area rich in biodiversity – and a clear Government agenda around the role of our National Parks in nature recovery – we have a useful perspective to offer on the proposals.
- 4.2 The proposals around planning committees and a national scheme of delegation recognise the particular circumstances around planning decisions within National Parks. It is positive that the Government has recognised this and the proposed exemption for National Park Authority is welcomed. The profile of development within National Parks (typically smaller scale), allied to the protection afforded through national policy and primary legislation, means it is appropriate that the scheme of delegation continues to be determined locally within National Parks.

- 4.3 The proposed reforms to the system for securing Biodiversity Net Gain in new developments raises several interesting principles. The statutory legal framework for National Parks originally established through the National Parks & Access to the Countryside Act 1949 places the conservation and enhancement of wildlife and biodiversity at the core of our work through the first National Park purpose. More recently the Government has emphasised the role of National Parks in delivery their nature recovery agenda through the '30 x 30' objectives and the protected Landscapes Targets & Outcomes Framework for National Park. There are also areas where improvements could be made, while ensuring that legal requirements for BNG are clear.
- 4.4 Members are therefore asked to note the summary of the two main consultations that are the focus of this report; and to agree the key principles set out in annexes 1 and 2 to this report to form the basis of the National Park Authority's consultation responses.

Recommendations

Members:

- (i) **Endorse the key principles set out in Annex 1 – Reform to Planning Committees: Technical Consultation; and Annex 2 - Improving the implementation of BNG for minor, medium and brownfield development to form the basis of the New Forest National Park Authority's response to these consultations/calls for evidence; and**
- (ii) **Delegate authority to the Interim Head of Planning & Place to submit the National Park Authority's full response to the consultations by the respective deadlines of 23 and 24 July 2025.**

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Papers: **PC 492/25** – cover paper
Annex 1: Reform to Planning Committees: Proposed NFNPA consultation response
Annex 2: Improving the implementation of BNG: Proposed NFNPA consultation response

Equality Impact Assessment: No equality impacts identified.

Annex 1 – Principles to be included in the New Forest National Park Authority's consultation response to the 'Reform to Planning Committees' technical consultation

- In principle, the New Forest National Park Authority supports the proposals around mandatory training for Planning Committee members. Member training would need to include not just national and local planning matters but also training in National Park-specific matters. The training and certification should therefore be carried out locally, to include some national elements that are consistent across the country (including the issuing of certificates).
- The proposed exemptions for national park authorities to both the national scheme of delegation and the prescribed size of planning committees are supported. The consultation rightly recognises National Parks as areas with different membership models and committee structures; and also a different profile of planning applications. The imposition of national thresholds for delegation within National Parks would mean that very few developments were considered at Committee. Given the level of protection afforded to National Parks through national policy and primary legislation, it is appropriate that national park authorities can continue to set their own local scheme of delegation.

Annex 2 – Principles to be included in the New Forest National Park Authority's consultation response to the 'Improving the implementation of BNG for minor, medium and brownfield development' consultation

- The Authority does not agree with the option being considered that the BNG requirement should be removed for minor or temporary development (for example, including up to 9 residential homes). Minor development still cumulatively impacts on biodiversity and such developments should still contribute towards the goal of nature recovery. This is particularly relevant in the New Forest, where the profile of development is typically smaller scale and the biodiversity value of the area is high. If the Government wishes to remove this are, we would prefer a single dwelling threshold to be used (i.e. replacing the current self-build/custom build exemption with a single dwelling exemption). Likewise temporary permissions still impact habitats. Given that BNG does not currently apply to retrospective development, and that any temporary permission usually continues on while full permission is being applied for under section 73A, any exemption for temporary permission would likely bypass BNG requirements.
- There is a logic to exempting development whose sole or primary objective is to conserve or enhance biodiversity from the requirement to deliver BNG. In the New Forest context, this would include wetland restoration and pond creation schemes and some projects funded through the Farming in Protected Landscapes scheme.
- The proposed relaxation of the biodiversity gain hierarchy for minor development to support small developers may enable more strategic off-site enhancements to be delivered. National Parks (including the New Forest) have a role to play in landscape-scale enhancements and the revisions should allow these projects to come forward, rather than a series of small, piecemeal sites that don't form a coherent network.
- The proposal to amend the 'Spatial Risk Multiplier' assessment methodology for all development types raises concerns. At present the multiplier rightly incentivises the local delivery of BNG. If this is amended, the scenario whereby development within the National Park is off-set by biodiversity gains well beyond the National Park boundary is more likely to occur. This would be contrary to the first statutory National Park purpose to conserve and enhance natural beauty and wildlife of the New Forest. National Parks are instrumental in enabling land in England to meet 30x30 targets (i.e. to protect and conserve a minimum of 30% of land and sea for biodiversity by 2030) and if BNG is not delivered locally within National Parks there is a risk this target will not be reached.
- The proposed reforms have implications for the emerging off-site habitat bank market, especially if all minor development was exempted from BNG. Larger developments are more likely to be able to accommodate BNG on-site, therefore the financial support for off-site habitat banks tends to come from minor developments that do not have the capacity to accommodate all their required biodiversity uplift on-site (Government estimates that 80% of all transactions for off-site credits are from minor development). Revisions to types of development required to deliver BNG will impact the confidence of landowners to bring land forward for such habitat banks. This will, in turn, affect the ability of the National Park Authority to meet its aspirations for nature recovery.
- The Authority is supportive of additional clarity surrounding definition of a 'competent' person undertaking and reviewing a BNG assessment using the Small Sites Metric.