

## **New Forest National Park Authority (NPA) Response to the ‘Planning Reform Working Paper: Development and Nature Recovery’ (February 2025)**

This paper invites views on the government’s proposed new approach to development and nature recovery.

Written responses should be sent to:  
Planning Policy Division  
Ministry of Housing, Communities and Local Government  
Floor 3  
Fry Building  
2 Marsham Street  
London  
SW1P 4DF

When you respond, it would be very useful if you can confirm whether you are replying as an individual or submitting an official response on behalf of an organisation and include:

- your name
- the name of your organisation (if applicable)

Please make it clear which question each comment relates to and ensure that the text of your response is in a format that allows copying of individual sentences or paragraphs, to help us when considering your view on particular issues.

For any enquiries about this working paper, please contact:  
[Nutrient.PPD@communities.gov.uk](mailto:Nutrient.PPD@communities.gov.uk)

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The New Forest National Park Authority (NFNPA) is responding to this consultation based on our experiences as the planning authority for the New Forest National Park area since 2006. The New Forest National Park contains a wealth of internationally designated sites (SPA, SAC and Ramsar) and we are involved in several strategic mitigation schemes that help to protect the integrity of these designated sites, enabling planned development to come forward that is legally compliant. Protecting and conserving the sites is key to achieving nature recovery within the National Park.

### **a) Do you consider this approach would be likely to provide tangible improvements to the developer experience while supporting nature recovery?**

The current Government systems of Biodiversity Net Gain (BNG) and Green Finance do not currently offer much for areas that are already rich in nature. There is a risk that the proposed system will not direct finance into the best and most important sites, which need to be maintained and enhanced. Any new system should invest in the key nature features that enable nature recovery across the rest of the country.

The NFNPA supports the principle of streamlining the process to allow development to meet its environmental obligations, but only where these important obligations are afforded the same legal protections (or stronger) than existing regulations. The legal

protections provided through the Habitat Regulations, and weight given to precautionary principles in the process are key to the protection of the New Forest National Park and the delivery of the statutory National Park purposes (as well as the Government's Protected Landscapes Targets & Outcomes Framework objectives). It is important that the same legal protections are carried forward into the proposed Delivery Plans as, without this protection, the New Forest would be vulnerable to the impacts of development, with development that only meets the minimum threshold of other statutory obligations like BNG.

We have concerns and reservations regarding the transition between existing, well established strategic mitigation schemes and the system proposed by the Government. For example, we are a partner to several strategic schemes that deliver appropriate mitigation in an efficient and cost-effective way, enabling development to come forward that is legally compliant. These existing strategies – which are evidence-based and demonstrate effective partnership work in action - include:

- The Bird Aware Solent Mitigation Strategy ([Home - Bird Aware Solent](#)), where fifteen local planning authorities, Natural England, the RSPB, Hampshire & Isle of Wight Wildlife Trust and Chichester Harbour Conservancy work to deliver mitigation for recreational pressures arising from planned development within 5.6km of the Solent's internationally designated sites.
- The Solent Mitigation Partnership's work on addressing nutrient neutrality ([Home - Solent Mitigation Partnership](#)), which has helped to support the establishment of over a dozen nutrient credit schemes across the Solent catchment to enable new development to address water quality impacts. This partnership working include public and private bodies and shows there are solutions available to these issues.
- New Forest recreational disturbance, where the NFNPA is leading work with 8 other planning authorities, Natural England and Forestry England on addressing in-combination recreational impacts on the New Forest's designated sites arising from new development within the defined 13.8km 'zone of influence'.

Given that several strategic mitigation schemes are already operational in and around the New Forest National Park, it would be in the best interests of Government to engage bodies such as the NFNPA on how to move forward with these proposals and any transitional arrangements.

**b) Which environmental obligations do you feel are most suited to this proposed model, and at what geographic scale?**

Where feasible, a new system should look to accommodate environmental functions where the nature and scale of habitat is appropriate. The concern is that where too many functions are grouped together and considered as a whole, the smaller-scale issues are dismissed and passed over. Similarly, if the area a Delivery Plan covers is too large then the actions to address can become weaker and less implementable on smaller sites. This risks severing the link between development, the local communities within which it is located, and the environmental mitigation. In these cases, it should be clear what 'tests' a site would need to fail to be allowed to follow the existing system.

In the case of the New Forest National Park, the primary environmental obligations currently relate to recreational impacts and water quality impacts (relating to elevated levels of nitrates and phosphates). However, we recognise there is scope to include consideration for air quality and flood management within Delivery Plans. Given the extent of protected sites within the New Forest (which cover over 50% of the National Park), we would also welcome further consideration for climate change and its affects be addressed and mitigated for through the role of Delivery Plans.

It is recommended that one singular body is responsible for a Delivery Plan that encompasses impacts on entire protected sites and that protected sites are not split between different organisations or area teams. The model will be dependent on the scale of the protected sites within which measures are required, with options including delivery through the respective national park authority for example, who have strong records on partnership working to deliver environmental projects.

The consultation notes that the proposals will not seek to '*reduce the level of environmental protection provided for in existing law*' and this commitment is supported. We would welcome further detail on how the proposed streamlined system will be more efficient in addressing nature recovery, which is a key Government target nationally and for National Parks in particular. We would encourage central Government to engage with bodies such as the New Forest National Park Authority to trial these proposals and develop case study evidence to support the case of implementation across England; both where a system is already in place and where it is not.

**c) How, if at all, could the process of developing a Delivery Plan be improved to ensure confidence that they will deliver the necessary outcomes for nature?**

Delivery Plans will need to be based on sound evidence and research to justify why impacts on a wider scale can be assessed collectively and not through existing processes. The consultation has not provided any studies that would evidence the proposed scheme being more efficient than what is already in place across some parts of England (including the established strategic mitigation schemes in the New Forest and South Hampshire area). Case studies are provided but these are hypothetical rather than realised examples.

The weight of Delivery Plans within the planning process should also be clarified, alongside the 'tests' or criteria that will need to be passed for development to not be addressed by a Delivery Plan but under an existing system. For example, this could include an assessment of whether the Delivery Plan does not provide the same legal protection as the existing system.

It would also be useful to address the overlap that Delivery Plans will have with other nature-based strategies, namely Local Nature Recovery Strategies. We recognise there is a correlation between the purposes of both documents in identifying areas for habitat enhancement and making it easier to direct funding. In the same way that responsible bodies for the LNRS have been engaging with local authorities, the

responsible bodies for Delivery Plans should also consult and engage on their development and provide a timescale of key milestones until adoption.

The intention to keep BNG matters separate is welcome. However, it is worth reiterating that BNG is occasionally stacked as a credit alongside other mitigation measures such as nutrient neutrality and so there may be cross over. For example, the NFNPA has worked with the landowner, the Wildlife Trust and New Forest District Council to bring forward a 250-hectare environmental enhancement site at Keyhaven on the edge of the National Park. This site offers 'stacked' BNG units and nutrient credits for the Solent catchment and it is important that these strategic schemes (and their business cases) are not undermined by the proposals. The national system of BNG became mandatory for certain developments in 2024 and landowners require certainty to enable investment, so we do not support significant changes to the BNG system that has been introduced following years of preparation.

In the case of National Parks, a Management Plan for the designated area is another statutory requirement that the Government should consider strengthening the role of. It is through the statutory Management Plan objectives and actions that national park authorities and partners contribute towards the 'Protected Landscapes Targets and Outcomes Framework'. The scenario below provides an example of how a Delivery Plan might be developed for the New Forest National Park.

### ***Scenario - A Delivery Plan for the New Forest National Park and hinterland***

National Parks are regarded by the Environment Improvement Plan 2023 as iconic landscapes that can play an important role in recovering nature and contributing to our collective 30x30 commitment. Delivery plans at the National Park scale can help deliver on these ambitions. National Park authorities have strong track records on both co-ordinating the work of partner organisations to deliver shared priorities (through the National Park Management Plans); and also delivering enhancement projects (e.g. through the Farming in Protected Landscapes fund).

Guidance for National Park Management Plans highlights the role of a Delivery Plan as a means of summarising the strategy of the Management Plan, linked to outcomes. The Delivery Plan sets timeframes and identifies both the means of delivery and delivery Partners. This framework is supported by the Protected Landscapes Targets and Outcomes Framework (Jan 2024), which builds on new legislation in the Levelling Up and Regeneration Act 2023 (LURA) that strengthens how relevant authorities must seek to further the purposes for which Protected Landscapes were designated. This also applies to functions undertaken outside of the designation boundary which affects land within the Protected Landscape.

In the New Forest National Park, over half of the area is designated for its environmental quality, and a significant area of land beyond the boundary is designated an SAC/SPA/ SSI and/or RAMSAR site.

The New Forest National Park Authority - with a good track record on delivery and experience of several mitigation schemes as outlined above – would welcome further engagement on how the Delivery Plan model outlined in the Working Paper might be applied to the scale of the New Forest National Park and its immediate hinterland.



For example, a Delivery Plan for the New Forest National Park and its immediate “halo” could be a component of a Solent Catchment Delivery Plan, based on the current area of Natural England’s Nutrient Neutrality advice:



**Area where Natural England’s Nutrient Neutrality advice applies for Solent: Includes Chichester and Langstone Harbours SPA / Ramsar, Solent and Southampton Water SPA, Solent Maritime SAC, Portsmouth Harbour SPA / Ramsar**  
European protected sites requiring nutrient neutrality strategic solutions

- Local Authorities
- National Parks
- Component SSSIs of impacted designated site
- Surface water catchment area of relevant designated site due to nutrient pollution

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**d) Are there any additional specific safeguards you would want to see to ensure environmental protections and / or a streamlined developer experience?**

Delivery bodies should have a statutory responsibility to report on the performance of Delivery Plans so that objectives can be achieved, and developers are reassured that the Nature Restoration Fund they are supporting is performing its intended legal function as planned. The ongoing cost of monitoring schemes coming forward should also be allocated within the fund, possibly using the same approach as the CIL regulations i.e., 5% monitoring/administration fee.

Planning authorities should also be able to engage with the development of Delivery Plans and feed into the evidence base that identifies opportunities for nature recovery. This will allow more nuanced local issues to be addressed according to scale of the Delivery Plan.

**e) Do you support a continued role for third parties such as habitat banks and land managers in supplying nature services as part of Delivery Plans?**

Yes. The implementation of BNG and nutrient neutrality credits in the Solent demonstrates the need for third parties to have a role in facilitating nature recovery. We have worked with landowners and managers in the New Forest on the options they have to deliver nature recovery on their holdings and third parties will continue to have a key role to play given the scale of planned development and the legal commitments to nature recovery. We are pleased that the Government is working with the British Standards Institution to ensure emerging nature markets, and those engaged with them, are legitimate and transparent about sites coming forward.

**f) How could we use new tools like Environmental Outcomes Reports to support this model?**

EORs are not operational at the time of this consultation (see [Environmental Outcomes Reports: a new approach to environmental assessment - GOV.UK](#)) and the NFNPA is therefore not able to comment on its application to a new system until further detail is provided. However, the NFNPA recognises that EORs are also looking to streamline the process of environmental assessment (SA, SEA, EIAs etc) of strategic plans. In principle the ambition to reduce the extent of work required is welcome, but more information on how this current government will move forward with EORs since the last consultation in 2023 is needed.

**g) Are there any other matters that you think we should be aware of if these proposals were to be taken forward, in particular to ensure they provide benefits for development and the environment as early as possible?**

As outlined earlier in this response it is important that if these proposals go ahead, that the transition between existing schemes is clearly addressed and negotiated between central Government and partnership groups to avoid a decline in the quality of mitigation. These established mitigation schemes are based on extensive evidence, consultation with stakeholders and formal adoption through the democratic

process. It would be counterproductive not to recognise the quality of evidence that supports such schemes and the resources that make them operational.

The creation of a Nature Restoration Fund provides a useful one-stop shop for developer contributions. It would be useful to clarify whether planning authorities will have access to this funding as they do under the current system or whether delivering bodies will entirely manage the distribution of funding for mitigation.

It is suggested that Natural England would be best placed to work as a partner in the creation of the Delivery Plans, which would then be delivered at a Strategic Authority or protected landscape level. It is important that there is a link between development, the communities it takes place within and the nature recovery measures that are implemented to address impacts through the new approach. This is best achieved through local delivery and Natural England are not best placed to do this. An alternative role for Natural England as a partner would enable them to maintain involvement, but also be able to take on the role of a third-party advisor and enforcer, if any Delivery Plans are deemed not to be effective. This would ensure the distinction is clear between Natural England's role in monitoring the condition of designated sites and the delivery of the environmental enhancement/mitigation measures.