

Report to Cabinet – 18 April 2018

ITEM New Forest Special Protection Area Mitigation Project

Report of the Planning Portfolio Holder

Recommended:

That the Head of Planning Policy be given delegated authority to use the Ministry of Housing, Communities and Local Government grant of £250,000 on the New Forest Special Protection Area (SPA) mitigation project.

SUMMARY:

- The Council, on behalf of several authorities and organisations, successfully bid for a £250,000 grant towards understanding the impact of recreational pressure from new development on the New Forest SPA.
- As this grant for this joint project is outside of the annual budget process, it is necessary for Cabinet to approve its use for the purposes outlined in this report and for delegated authority to be sought.

1 Introduction

1.1 In January 2018 the Council, on behalf of several authorities and organisations, submitted a bid to the Ministry for Housing, Communities and Local Government's 'Planning Delivery Fund – Joint Working' to seek a grant of £250,000 to fund a study to understand the impact of recreational pressure on the New Forest SPA arising from new development. This bid was successful.

1.2 As the spending and funding for this joint project is outside of the annual budget process, it is necessary for Cabinet to approve delegated authority to the Head of Planning Policy to use for the purposes of the original bid, as outlined in this report.

2 Background

2.1 Many people enjoy outdoor recreation and leisure activities and contact with wildlife and the natural environment. While such activities have been proven to have positive mental and physical health benefits, some recreational activities in certain natural environments can have adverse effects on biodiversity.

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- 2.2 The Conservation of Habitats and Species Regulations (2017) (referred to as the Habitat Regulations) include provisions to assess whether planning proposals could result in likely significant effects on certain nature conservation designations, and the steps to follow should such effects be identified.
- 2.3 The New Forest Special Area of Conservation (SAC), Special Protection Area (SPA)¹ and Ramsar² sites cover more than 29,000 hectares. Collectively they represent one of the largest protected habitats in England. Habitat Regulation Assessments supporting Local Plans for the six planning authority partners³ identified the potential for recreational pressure arising from new residential development in and around these designations will have a potentially harmful impact which needs to be addressed. Failure to do so would impact on the scale and rate of housing delivery and slow the progress of each authority's respective Local Plans as evidence was collected and mitigation agreed. It was for this purpose that the funding was sought.
- 2.4 Currently each authority has established its own method for addressing these impacts on the New Forest, based on what is now relatively dated evidence. The Council's evidence dates from 2014⁴. A coordinated cross boundary approach to ensuring impacts arising from each area are appropriately mitigated would enable a more consistent approach and ensure potentially harmful impacts are properly addressed. It would also enable the delivery of housing, streamline the planning process, and provide greater certainty for the benefit of the development industry, whilst protecting the integrity of the internationally protected sites.
- 2.5 In 2016 officers from the named authorities and Natural England established a joint project group specifically focussing on strategic mitigation for the New Forest in order to help progress the individual Local Plans and housing delivery. This overlapped with the work of the New Forest Partnership Plan which had also identified this as an action.
- 2.6 The funding awarded has enabled the named authorities, with TVBC as the contracting authority, to commence work on jointly commissioning the necessary evidence base. Phase one would concentrate on establishing a robust evidence base to understand existing and future pressure on the internationally protected habitats of the New Forest from increased population and visitor numbers. The second phase would lead to a joint strategic mitigation framework.
- 2.7 The impacts of achieving funding would be to help move forward with balancing the strategic issues which the area faces – delivering the homes needed in the area whilst conserving the natural environment.

¹ International designation in relation to the presence of certain bird species.

² Wetlands of International Importance especially as Waterfowl Habitat

³ Eastleigh Borough Council, New Forest District Council, New Forest National Park National Park Authority, Southampton City Council, Test Valley Borough Council and Wiltshire Council.

⁴ Qa Research - Open Space Residents Survey 2013-14 (2014)

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- 2.8 The grant funding is time limited. By the 31 March 2019 the evidence gathering needs to have been completed; reviewed, actions identified and progress made with establishing a framework. To enable this work to be commissioned expediently and the targets achieved before the deadline delegated authority for the Head of Planning Policy to use the funds as identified is sought.

3 Corporate Objectives and Priorities

- 3.1 While this matter has been driven by legal requirements, there are links to two of the aims within the Corporate Plan; namely Live and Work.
- 3.2 It should be noted that the bid achieved support from the MHCLG on the basis of it scoring highly on the scale and strength of the proposal, its commitment to effective planning across authority boundaries and the potential to accelerate the delivery of housing growth.

4 Consultations/Communications

- 4.1 The Council has been working with Natural England, Eastleigh Borough Council, New Forest District Council, New Forest National Park Authority, Southampton City Council and Wiltshire Council. There is further scope to also work with the Forestry Commission and their respective management strategies.

5 Options

- 5.1 As the grant has been received solely to fund the gathering of evidence for this specific project there is no option of using the money for an alternative purpose.
- 5.2 The option revolves around allowing the Head of Planning Policy to have delegated powers to use the grant received.

6 Option Appraisal

- 6.1 Allowing delegated powers would enable the project to progress against the timetable submitted by the project group mindful of the MHCLG deadline of 31 March 2019 to spend the grant.
- 6.2 To not delegate would result in the project timetable being slowed as officers reported key stages and expenditure for Cabinet approval.

7 Risk Management

- 7.1 A risk assessment has been completed in accordance with the Council's risk management process and the existing risk controls in place mean that no significant risks (Red or Amber) have been identified.

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8 Resource Implications

- 8.1 The grant will be received in two equal tranches of £125,000 for 2017/18 and 2018/19. As the bid was led by the Council, officers have the responsibility for procurement and administration of that process. This can be met within existing resources.

9 Legal Implications

- 9.1 The proposed approach would assist the Council satisfying its obligations in determining planning applications in relation to the Conservation of Habitat and Species Regulations 2010 (as amended).

10 Equality Issues

- 10.1 The EQIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.

11 Other Issues

- 11.1 Community Safety – not applicable
- 11.2 Environmental Health Issues – not applicable
- 11.3 Sustainability and Addressing a Changing Climate - The basis for undertaking this joint project will support the delivery of more sustainable development in line with the guidance contained within the National Planning Policy Framework (NPPF)
- 11.4 Property Issues – not applicable
- 11.5 Wards/Communities Affected – Current evidence considers that a population increase in the following Wards of the borough, either whole or in part, would have an impact on the New Forest: Chilworth, Nursling and Rownhams; Romsey Extra, Abbey; Cupernham; Tadburn; North Baddesley; Valley Park; Blackwater; Ampfield and Braishfield; Dun Valley; King's Somborne and Michelmersh; Broughton and Stockbridge.

12 Conclusion and reasons for recommendation

The Council has successfully bid for a £250,000 grant from MHCLG on behalf of a number of authorities. However, work needs to progress to a relatively tight timetable. To enable this project to progress expediently it is recommended that the Head of Planning Policy be given delegated powers to undertake the necessary procurement process.

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<u>Background Papers (Local Government Act 1972 Section 100D)</u>			
Test Valley Revised Local Plan 2016 New Forest Interim Framework (2014)			
<u>Confidentiality</u>			
It is considered that this report does not contain exempt information within the meaning of Schedule 12A of the Local Government Act 1972, as amended, and can be made public.			
No of Annexes:	0	File Ref:	Pt4.1
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