

## Summary of representations through consultation on Draft New Forest International Nature Conservation Designations: Recreational Mitigation Framework Supplementary Planning Document (SPD)

### List of respondent organisations

BCM Wilson Hill  
 Environment Agency  
 Historic England  
 National Highways  
 Natural England  
 New Forest Association  
 New Forest National Park Authority  
 Romsey & District Society Natural Environment Committee  
 RSPB  
 Save our Stockbridge  
 Responses also received from three individuals.

### Schedule of Responses

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BCM Wilson Hill (act for Willis Fleming Enterprises Limited)	Client owns land within the area delineated, therefore a stakeholder in potential delivery of the proposed mitigation measures. As such, client should be joined into these proposals at an early stage to enable them to be consulted on the potential delivery of mitigation sites.	No changes are required to the SPD. The council will separately engage on the potential mitigation options.
	Client was involved with the Forestry Commission and Eastleigh Borough Council in the new access to Home Wood.	The comment is noted. No change required.
Environment Agency	Do not have any comments to make on this SPD.	No changes required.

<sup>1</sup> Note: Any reference to paragraphs, figures, etc relate to those within the consultation draft version of the SPD.

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Historic England	Do not have any comments to make on this SPD.	No changes required.
Individual 1	Paragraph 4.4: Need to consider a balance with the chronic shortage of housing and the need to support local developers. Suggest that single dwellings and small developments cannot lead to a significant effect when considering the number of people who already have access to the New Forest. To remove costs and ambiguity it may be appropriate to state that this does not apply to development of less than a certain level (perhaps 20 dwellings).	The Habitat Regulations require consideration of projects both alone and in-combination. It is this in-combination consideration that results in a starting point that all net gains in homes (and other relevant forms of overnight accommodation) will need to be providing mitigation for this matter. This is taking account of available evidence and the advice of the statutory consultee for this matter. As such, no change is proposed to remove the requirement for mitigation for smaller scale development.
Individual 2	People wanted the national park status for the New Forest but now this is in place it seems that it cannot cope with the visitors, such that there somehow needs to be mitigation for additional people wanting to visit.	The SPD proposes mechanisms to enable compliance with the Habitat Regulations in relation to development that could contribute to a significant effect on the New Forest international nature conservation designations as a result of recreational impacts. There are other plans and strategies in place that consider the New Forest National Park more broadly, including the New Forest National Park Partnership Plan. No changes are required to the SPD.
	There is nowhere in Test Valley that fits the bill in relation to creating Suitable Alternative Natural Greenspace (SANG), so query what is left.	The council has delivered one SANG at Mill Lane in Sherfield English. Additional SANG provisions have been secured in conjunction with residential development proposals. The SPD sets out guidance for SANG, that takes account of Natural England's guidance on the creation of SANG, to help inform proposals.

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	<p>This is a stealth-tax on development. It is a pretend solution to a not very big problem and represents greenwashing. The council should be ashamed in taking this forward.</p>	<p>The proposed mitigation framework has been produced to enable compliance with the Habitat Regulations, taking account of the latest evidence and advice of the statutory consultee (Natural England) on this matter. The option is available for applicants to provide evidence to demonstrate that there is no likely significant effect.</p>
	<p>Where do the zones of influence come from?</p>	<p>The zones of influence are based on the outcome of a visitor survey (Footprint Ecology, 2020) and subsequent analysis of this data (Footprint Ecology, 2021). These reports are available on the council's <a href="#">website</a>. The statutory consultee on this matter has endorsed the approach to identifying the zones and the outputs of this process. Additional wording has been included in the SPD to make reference to the background report that has informed the extent of the zones of influence.</p>
<p>Individual 3</p>	<p>In relation to SANG, the approach sticks to the maxim of maximising total net benefit from land use. The approach is generally sensible and logical to achieve maxim benefit.</p>	<p>No change required.</p>
	<p>The Habitats Regulations requirements incorporate developments that do not need planning consent. There appears to be concern about the council's attitude and judgement over residential projects in locations such as conservation areas. Worry that unless the council offers some words of assurance in the use of these powers, residential housing</p>	<p>The council needs to demonstrate compliance with this legislation when determining relevant planning applications and advising on schemes that involve prior notification processes. There are also separate requirements on the use of planning conditions and legal agreements, including that such provisions are necessary and relevant to the development. Each</p>

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	schemes could be blighted and badly needed housing would be lost.	<p>application would be considered on its own merits.</p> <p>The SPD seeks to provide mechanisms to aid developers in being able to deliver mitigation in line with this legal requirement, including through the option of the strategic mitigation package which is likely to be most relevant to smaller schemes where on site or bespoke measures may not be as achievable. It is not proposed to alter the SPD on the matter indicated.</p>
National Highways	Have reviewed the consultation and have no comments.	No changes required.
Natural England	Pleased to see reference to the visitor survey work completed by Footprint Ecology, alongside the Strategic Access Management and Monitoring evidence report (2023). These reports underpin the zone of influence and requirement for mitigation.	No changes required.
	Continue to advise that new residential development within a 13.8km zone of the New Forest designated sites is likely to have a significant effect via recreational disturbance, alone and / or in combination with other plans or projects. Pleased to see this is reflected in the draft SPD.	No changes required.
	Continue to support the recognition that large development on the border of the wider zone of influence (i.e. 13.8-15km) should consider the impact to the New Forest designated sites on a	No changes required.

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	<p>case by case basis. Pleased that the interim strategy notes that in these cases, a bespoke mitigation package may be required which should be agreed with Natural England and yourselves, as the competent authority. Recommend this applies to residential development exceeding Environmental Impact Assessment (EIA) thresholds.</p>	
	<p>Strongly support the recommendation that your authority is jointly working towards a strategic, proportionate, and co-ordinated approach together with affected local authorities and partners, to enable a robust means for development to avoid and / or mitigate its impact over the long term. Natural England is continuing to work with affected authorities to develop such a strategy.</p>	<p>No changes required.</p>
	<p>Supported that the mitigation framework will remain an interim strategy, to apply until a strategic approach is agreed and put into effect. Welcome the opportunity to continue working with your authority on this joint strategy.</p>	<p>No changes required. The council appreciates the ongoing engagement from Natural England as part of the wider strategic approach to mitigation.</p>
	<p>Largely content with the options for mitigation detailed in the draft SPD.</p>	<p>No changes required.</p>
	<p>Important to recognise that where a likely significant effect is identified, mitigation will be required to address either in-combination recreational impacts only, or both alone and in-combination recreational impacts, depending on the scale of the development.</p>	<p>No changes required. The SPD makes reference to both in-combination and alone recreation impacts.</p>

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	Paragraph 5.9: Understood that the strategy refers to a development threshold of 100+ residential dwellings as to when the requirement for SANG will be necessary to address the alone impacts. Need to ensure that have sufficient evidence behind this threshold. Other effected authorities are progressing with a 50+ dwelling threshold for when SANG is likely to be required.	The council has had regard to the approach being taken by other local planning authorities in preparing the SPD, including the approach to this threshold. Each application will be considered on its own merits taking account of the likely significant effects and proposed mitigation.
New Forest Association (Friends of the New Forest)	Strongly support the principle of the need to mitigate the impact of increasing recreational use on the special qualities of the New Forest and the draft SPD is relevant to the ambition.	No changes required.
	Section 2: Silent on the requirements of the Levelling-up and Regeneration Act 2023 for decision makers to <i>'... seek to further the purposes specified in section 5(1) and if it appears that there is a conflict between those purposes, must attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park'</i> .	A reference to this duty has been added to section 2 of the SPD.
	Paragraph 3.2: The reports are reliable for the position in 2020/21. However, the number of visitors to the Forest has increased since the pandemic – it would be helpful if the visitor number data was updated to reflect the behaviour changes that have occurred since 2022.	Future monitoring and review will provide an opportunity to reflect on the implications of changes to recreational use of the New Forest, including accounting for lasting implications following the pandemic. Any implications could then be appropriately addressed through that review process. The Partnership Plan also gives consideration to recreational impacts on the New Forest – the council was involved in the

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		production of this document and its co-operating with its implementation.
	Paragraphs 3.3 and 5.11: These paragraphs reference the need for a comprehensive and co-ordinated approach to mitigation. This appears to be pushing a resolution into the future. What is going to change to make this strategic, co-ordinated approach become a reality? There is nothing in the draft SPD that demonstrates how or when this will happen.	The council has been working with other local planning authorities and partners for some time, including through updating evidence and subsequent work on a co-ordinated approach in light of this. A specific timetable for a joint strategy is not yet available. The council has prepared this SPD in response to the latest evidence, including for on-designation mitigation, and has indicated it remains interim to ensure that regard is had to strategic approaches to mitigation that are currently being prepared.
	Paragraph 3.5: Welcome the commitment to providing suitable alternative natural greenspace in addition to mitigation through strategic access, management and monitoring.	No changes required.
	Paragraph 5.8: In relation to the quantity of SANG at 8ha per 1000 population, this figure emerged through the examination of the South East Regional Plan in 2007. The methodology used was a simple arithmetic approach based on the use of Thames Basin Heath SPA. If the same approach were used for the New Forest then the requirement would be over 50ha per 1000 population. Object to the assumption that 8 ha per 1000 population requirement is acceptable in this case.	The 8ha per 1000 population minimum quantitative standard for SANG is commonly used across the country as part of the guidance for ensuring effective mitigation. SANG would also need to be of a quality to enable it to be effective, with a guidance checklist set out in Appendix 2 of the SPD. No changes are required.

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	<p>Paragraph 5.10: Reference is provided to parts of the Forest Park as SANG. The Forest Park has been identified in successive versions of the local plan dating back 15 years but there has been limited evidence of any commitment to drive this proposal forward. The SPD would be improved if it were made evident how much funding is already available, how it will be spent, and a timescale for doing this.</p>	<p>The Forest Park has been proposed as an opportunity for a green infrastructure resource that could come forward in phases, including beyond the current Local Plan period. Two parcels within the extent of the Forest Park have been brought forward as SANG. At this stage, the remainder of the Forest Park proposal is not specifically being relied upon as mitigation for recreational impacts on the New Forest.</p>
<p>New Forest National Park Authority</p>	<p>Welcome the updated draft mitigation strategy. Revised document is succinct and will enable planned new development to be delivered while addressing legal requirements to protect the integrity of the New Forest’s internationally designated sites from increased recreational pressures.</p>	<p>No changes required.</p>
	<p>Front Cover: Minor point but suggest a more appropriate photograph is used on the cover to illustrate the New Forest’s internationally designated sites or an example of the mitigation measures the strategy will help to deliver.</p>	<p>The photograph on the cover shows the Mill Lane SANG in the foreground, however it is appreciated that this is not obvious from the selected image. The cover photograph will be replaced in the final published version of the SPD.</p>
	<p>Section 3: There is a wealth of research and evidence on this matter, including identifying the 13.8km zone of influence. Importantly, Natural England has commended this evidence as best available for the purposes of Habitat Regulations Assessments and appropriate assessments. Therefore recommend that the</p>	<p>The wording in section 3 has been updated to acknowledge that Natural England considers it to be the best available evidence.</p>



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	SPD should highlight this Natural England support for the underlying evidence base.	
	Section 4: The wording is supported.	No change required.
	Paragraphs 5.24 – 5.26: These paragraphs could be amended to give examples of the types of development that this relates to, so the reader understands the reference to ‘permitted development’ and ‘prior approval’ in these paragraphs and Appendix 3.	Some additional text has been added to give examples of some of the types of proposal that can fall within these processes, along with a footnote linking to an overview of prior approvals.
	Paragraph 4.8: Support the approach set out in relation to visitor / tourist accommodation that is considered to contribute to a likely significant effect would require mitigation based on the increase in potential visitor capacity (adjusted to reflect overall occupancy levels over a year). This is consistent with the approach adopted by other local planning authorities.	No change required.
	Section 5: Broadly support the approach set out in this section. In option b) under paragraph 5.1, the wording ‘and’ is important. It has been accepted in other mitigation schemes that the provision of alternative recreational greenspace is an important part of the package of measures; however, the scale and draw of the New Forest means that recreational pressures will remain. Therefore the wording in option b) is supported. This is also reflected in option c), which is supported.	No change required.
	Section 5: The New Forest SAMM report (Footprint Ecology, 2023) recommends a SAMM contribution of £700 per dwelling, noting	No change required.

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	that there is the potential to vary the tariff based on dwelling type or number of bedrooms. The approach set out in Table 1 of the SPD is in general conformity with these recommendations and therefore supported.	
Romsey & District Society Natural Environment Committee	Paragraph 3.2: It is not clear whether the 2023 report referred to was based on the previous or fresh data. This is important as the use of the New Forest for recreation increased during and after the Covid pandemic.	The data collated via the 2020 reports was not updated prior to the preparation of the 2023 report. The 2023 does acknowledge the implications of the pandemic on the use of greenspaces and was informed by engagement with some of the organisations involved in managing recreational use in the New Forest. Future monitoring and review would provide an opportunity to reflect on implications of any changes to recreational use of the New Forest, including accounting for lasting implications following the pandemic.
	Paragraphs 4.3 & 4.8: References to tourist accommodation are particularly relevant. However, consider that this should be broadened to include caravan and camp sites, since they bring in numbers of people with an interest in life outdoors.	The reference to tourist and visitor accommodation is taken to include caravan and camp sites. For clarity, additional wording has been included in section 4 to highlight this.
	Paragraphs 5.3-5.9: SANG needs to be of sufficient quality to make an attractive alternative to visiting the New Forest. Also needs to be nearer to where people live or stay in order to be more attractive.	Paragraph 5.4 notes the importance of SANG being in a location that will encourage their use. For larger sites, the council encourages the provision of SANG on site or in close proximity to the site as a means to encourage the use. Additional information is provided in Appendix 2 on the quality of SANG. There would need to be site by site consideration of any proposals to

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	<p>Paragraph 5.5: SANG need to avoid sites of high nature conservation value, this should include automatic refusal of using sites designated as SSSI and SINCC. For other sites, the impact assessed should include ground-nesting birds, waterways, where dogs cause problems with erosion and pollution.</p>	<p>ensure they are likely to be effective. No changes are proposed to the SPD.</p> <p>The comment is noted. As set out in section 5, should any sites of high nature conservation value be proposed as SANG, the impact on their nature conservation value will need to be assessed. Such consideration would be site by site, taking account of the nature conservation value and any proposals. As such, it is not proposed to include any specific wording indicating that there would be automatic refusal in relation to particular designations or if certain habitats or species are present. Regard would also need to be had to relevant policies in the adopted Local Plan and other material planning considerations.</p>
	<p>Paragraph 5.9: For sites providing smaller numbers of residential accommodation, may not deliver sufficient space to attract people to want to use it. Dog owners need a large area where dogs can socialise and run off the lead. There is a severe lack of such space in and around Romsey. To find such a space, more likely to go to the New Forest instead.</p>	<p>A developer would be able to put forward what is considered to be an appropriate approach to mitigation, this would then be reviewed as part of the determination of any application. Any SANG would need to be likely to be effective to be relied upon as appropriate mitigation. An option of contributing to a strategic mitigation package has been put forward that could enable smaller development proposals to contribute to the delivery of SANG. Another option could be to deliver a larger SANG than is required quantitatively in order to achieve the necessary quality. No change is proposed to the SPD.</p>

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	<p>One way of securing suitable sites for large areas of SANG would be the use of sites designated as local gaps.</p>	<p>While land located with local gaps, as defined in the adopted Local Plan, could be compatible with SANG, it would not be the only location where such provisions could be made. Regard would need to be had to ensuring SANG is located so as to be effective in mitigating recreational impacts on the New Forest designations. Some of the considerations for this are identified in Appendix 2 of the SPD. No change is proposed.</p>
	<p>Appendix 2: In relation to ‘must haves’, benches have been much requested at Fishlake Meadows and regularly used by those who are less able. Dog waste bins are essential. The proposal to create a circular walk of 2.7-3.2km is not very far, more people would be attracted to a place offering alternative walks further than this.</p>	<p>The wording of the Appendix has been updated to include the provision of benches within the ‘desirable’ section in the checklist, and multi use bins in the ‘should haves’ section. The circular walk length has been identified having regard to median distances of walks and dog walks undertaken in the New Forest from the on-site visitor survey undertaken by Footprint Ecology, as indicated in the footnote associated with this checklist item.</p>
	<p>Appendix 2: In relation to ‘must haves’ the fifth bullet point, reference is made to being perceived as safe by users, avoiding trees and scrub cover, however this implies a rather barren appearance. The ‘desirable’ list makes reference to areas of sense and scattered trees and scrubs. Trees are important both visually and ecologically.</p>	<p>The wording of this item in the ‘must haves’ section has been amended to refer to paths following routes with good visibility, rather than specific references to avoiding trees and scrub covering parts of the walking route.</p>
	<p>Appendix 2: Reference ‘should haves’, leaflets and websites should have maps of the site so people can plan their visits and find their way</p>	<p>It is considered to be appropriate to leave the publicity items in the ‘should haves’ section, as the specific provisions needed are likely to</p>

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	<p>around. Publicity should be moved from 'should have' to 'must have'. Have seen little or no information about the SANG at Sherfield English.</p>	<p>depend on the way the mitigation is being provided (for example if located as part of a site that it is providing the mitigation for). There is already an item in the 'desirable' section that access points have signage outlining the layout of the SANG and routes available – an additional bullet has been added to indicate the same information would be desirable should websites and / or leaflets be used.</p>
	<p>Appendix 2: Reference 'desirable', signage at the car park or entrance would be improved by having information about what wildlife and other features of interest visitors may see. Areas of water are popular, however, there may be problems with erosion and pollution by dogs, also the risk of people feeding wildfowl bringing about erosion, fouling, and rats attracted by left-over food.</p>	<p>Additional wording has been added to the bullet point in the 'desirable' section to reflect this comment, in relation to information on what visitors may see.</p> <p>The comments in relation to areas of water are noted, however no changes have been made in this regard. The provision of areas of water can contribute to making a desirable location to visit and the SANG would need to have an accompanying management plan.</p>
RSPB	<p>Pleased that the document has the same format as the draft 2021 SPD, which was set out in a clear and logical manner, with unambiguous language. Pleased to see further detail on contributions, including a breakdown for SANG and SAMM elements.</p>	<p>No change required.</p>
	<p>Welcome the additional wording that clarifies how this SPD relates to the ongoing development of a strategic approach with other relevant authorities. Strongly support this collaborative approach and this is likely to be</p>	<p>No change required.</p>

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	<p>the most effective form of mitigation for recreational impacts on the New Forest.</p>	
	<p>In the context of the above, recommend close liaison with, in particular, the New Forest National Park Authority Habitat Mitigation Steering Group to determine existing approaches, best practice, and the effective use of funds. Look forward to the opportunity to engage in appropriate consultation within this process and reaffirm offer to engage as a stakeholder in this area.</p>	<p>The council is working with other partners, including local planning authorities and Natural England, on the development of a strategic approach. This includes the New Forest National Park Authority, who will be in a position to share insight from their Habitat Mitigation Steering Group. No change required to the SPD.</p>
	<p>The document contains clear policies and practices. Welcome this and the strategic approach outlined, and support the adoption of this Supplementary Planning Document.</p>	<p>No change required.</p>
<p>Save our Stockbridge</p>	<p>Concerned about knock on effects that the SPD could have on Stockbridge. The 13.8km mitigation zone extends to within 2 or 3km from the southern boundary of Stockbridge Parish. If a development of new homes was permitted, even with mitigation, it would in effect swamp Stockbridge and the current infrastructure would not cope. Occupants would use green spaces in and around Stockbridge, including the SSSIs (Common Marsh and The Down) and Danebury Ring. Any new development of more than 4 or 5 houses in or near Stockbridge should be looked at on a case by case base.</p>	<p>Should any planning application be received for new development, it would need to be considered in the context of the adopted Local Plan as well as other material considerations. The adopted Local Plan includes policies in relation to the provision of infrastructure and biodiversity. No change proposed to the SPD.</p>
	<p>Green spaces in Stockbridge have become increasingly popular since the pandemic and many people have chosen to avoid driving to</p>	<p>It is understood that there have been general increases in the use of green spaces during and since the pandemic.</p>

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	<p>the New Forest in favour of using the Stockbridge local countryside. People will not drive to Sherfield English or Stoneham when they have amenities on the doorstep.</p>	<p>The SANG provisions mentioned at Sherfield English and Stoneham were created taking account of the location for which they were providing mitigation. Additional SANGs have been secured or delivered alongside larger residential development in Nursling and Rownhams and North Baddesley for example. No changes are proposed to the SPD.</p>
	<p>Any new development in Stockbridge will cause serious flooding and sewage spill issues.</p>	<p>This is not directly relevant to the draft SPD. Any planning application for new development would be determined having regard to the adopted Local Plan and other material considerations – this would include flood risk and pollution.</p>
	<p>Paragraph 5.15: Contribution rates will mean that developers subsume the charges within the overall cost of development. Fear none of the money will come to Stockbridge as it will be diverted to an existing SANG or a new one to be created nearer the New Forest to attempt to divert people from visiting the Forest.</p>	<p>The contribution options set out within the draft SPD specifically relate to addressing recreational impacts on the New Forest international nature conservation designations. The approach set out is based on a range of evidence studies, as referred to within the document. Therefore, contributions would be spent so as to mitigate recreational impacts on the New Forest. Any other relevant requirements for mitigation would be considered through each planning application, taking account of the adopted Local Plan and other material planning considerations.</p>

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	Will the creation of a new SANG or contribution to a strategic mitigation package divert new residents away from the New Forest, or will it mean that more residents use the green spaces that exist in and around Stockbridge.	The approaches to mitigation within the SPD have been identified through evidence studies specifically focusing on the New Forest. These are available on the council's website. The approach to mitigation will be monitored. The SPD is intended as an updated interim approach to ensure it aligns with the latest evidence and outcome of joint working. Therefore no changes are proposed to the SPD.