

Release of developer contributions towards securing access to Home Wood

Report of the Planning Portfolio Holder

Recommended:

- 1. That existing Section 106 developer contributions secured for the delivery of the Forest Park be used to deliver and manage public access of Home Wood.**
- 2. That any future Section 106 developer contribution related to New Forest mitigation arising from planning permission granted for residential development at Park Farm, Stoneham (Policy COM5) be used to deliver and manage public access of Home Wood.**
- 3. That the developer contributions outlined in recommendations 1 and 2 are transferred to Eastleigh Borough Council as lead authority in the delivery of Home Wood.**

SUMMARY:

- This report sets out the proposed release of developer contributions to Eastleigh Borough Council to help deliver public access to Home Wood, part of the Forest Park allocation contained within the Revised Local Plan (2016).

1 Introduction

- 1.1** This paper proposes that the Council provides financial support, through the use of developer contributions, to Eastleigh Borough Council to enable the delivery of Home Wood, an area of the Forest Park allocation.

2 Background

- 2.1** As part of the Revised Local Plan (RLP) five areas of woodland were allocated for a Forest Park (Policy LHW3). This proposal was supported by the Council's Forest Park Implementation Plan (2014). The Forest Park is a long standing proposal of sub regional significance. Its value has been reaffirmed in the Partnership for South Hampshire's Green Infrastructure Strategy (2017) and the Green Infrastructure Implementation Plan (2019). The submitted Eastleigh Local Plan (2018) also identifies the principle and benefits of the Forest Park.
- 2.2** The primary justification for the Forest Park was to provide a location for the current and future population of southern Test Valley and adjoining areas to access a range of informal recreation activities. The RLP also recognised the potential to provide mitigation for the impact on European designated sites from new development in south Hampshire.

- 2.3 One of the areas allocated for the Forest Park is Home Wood. The wood is situated on the south eastern boundary of the Borough. The mixed woodland comprises an area of 35 hectares of mixed woodland, bordered by the M3 and M27 motorways to the north-west and south respectively. The wood is predominantly within Test Valley (see annex A – map of Home Wood).
- 2.4 Adjacent to Home Wood is an area of major residential development within the administrative boundary of Eastleigh Borough Council (EBC) for approx. 1,100 homes, which is under construction. Adjoining this development is a small allocation within Test Valley for 50 homes at Park Farm, Stoneham (Policy COM5). There is a current planning application for 55 units on this site (ref: 19/02630/FULLS).
- 2.5 As part of the delivery of the major residential scheme, EBC has worked with the landowner, developer and leaseholder (Forestry England) to secure, through a future management plan, the long term release of Home Wood for informal recreation and ecological mitigation. EBC has secured developer contributions towards delivering public access and the ongoing maintenance of Home Wood. However, there remains a shortfall in the forecasted costs. Whilst negotiations between EBC and the landowner and leaseholder of the wood are continuing, the scale of the shortfall can not be confirmed. What is apparent from discussions with EBC is that the release of the Council's developer contributions outlined in this report is unlikely to exceed any shortfall.

3 Corporate Objectives and Priorities

- 3.1 The Corporate Plan 2019-2023 includes 'local environment' as one of its priorities. The plan identifies the provision of high quality green infrastructure as one area which the Council will invest in. Linked to this is the 'communities' priority which highlights the importance of the delivery of leisure spaces to improve the wellbeing and quality of life of our residents. Securing Home Wood would help meet these priorities.
- 3.2 The Council's draft Climate Emergency Action Plan identifies the benefits of land acquisition to enhancing biodiversity. An element of any future management of Home Wood will be to balance greater public access with protecting and enhancing existing biodiversity. In addition, by securing such a facility in a location adjacent to a large community it provides an accessible alternative instead of the use of the private car to other areas of woodland and open space that may be more ecologically sensitive.

4 Consultations/Communications

- 4.1 Natural England and neighbouring planning authorities have supported the principle of the Forest Park and have been keen to see the proposal move towards implementation.
- 4.2 If the preferred option is approved it is proposed that a communication plan be established to highlight the use of Home Wood and to demonstrate the role that both the Council and EBC have had as part of enabling public access to this wood.

5 Options

- 5.1 There are two options to consider. The first option is whether or not developer contributions should be released to EBC to help deliver public access to Home Wood. The second option to consider is the scale of the contribution to be provided.

6 Option Appraisal

The principle of releasing the contribution

- 6.1 The five parcels of woodland identified as the Forest Park have always been promoted by the Council as a sub regional resource rather than an asset to serve only Test Valley residents. Those that would get the most benefit, save for the future residents of the Park Farm site and potentially Valley Park residents, would be residents of Eastleigh Borough. As such it is a 'boundary blind' Partnership for South Hampshire green infrastructure project. The scale of the Forest Park relies on joint working to help secure its funding and delivery.
- 6.2 EBC has secured considerable developer contributions from the South of Chestnut Avenue development and given the connection between landowner and developer has therefore led on the negotiations to unlock the woodland. EBC are currently working with both landowner and leaseholder in the drafting of a future management plan and funding agreement. The Council would be party to these documents which will also set out the authorities' joint responsibility of monitoring and, if necessary, enforcement.
- 6.3 Working with EBC to help bridge the shortfall and secure access to Home Wood is an opportunity to achieve a long term aspiration of the Council to bring forward the Forest Park. To retain the funding may prevent Home Wood from coming forward and its long term management.

The scale of the contribution

- 6.4 As a pre-requisite of granting planning permission appropriate benefits provided in association with new development are secured through the planning application process, by means of planning obligations under Section 106 of the Town and Country Planning Act 1990.
- 6.5 The Council has £87,814.05 in Section 106 contributions specifically required to help deliver the Forest Park. These contributions are time limited (repayment by 2025) and at this time there are no alternative elements of the Forest Park coming forward. Therefore there may be a risk that if the contributions are not spent the repayment clause could be triggered. It is therefore proposed that these contributions are used at Home Wood.
- 6.6 Subject to permission being granted, the developer of the Park Farm site would need to mitigate its impact on the New Forest ecological designation. The indication from the agent is that this will be via financial contribution. As part of the current planning application a contribution of £71,500 (55 units x £1,300) would be required based on the Council's approved tariff approach for New Forest mitigation.

- 6.7 The Council's approach includes the ability to pool such financial contributions in order to deliver land as Suitable Alternative Natural Green Space (SANG). Any SANG land must be considered deliverable in order for the mitigation to satisfy the Habitat Regulations.
- 6.8 In the case of Park Farm the use of the financial contribution to provide New Forest mitigation, in the adjacent Home Wood, is particularly beneficial to the new residents. As negotiations have proved that the wood is deliverable for the purposes of providing mitigation it is considered that the contribution should be used for this purpose and not pooled with other contributions.
- 6.9 There is also additional New Forest mitigation contributions from schemes within Chilworth parish, where Home Wood is located. As mentioned previously given the relative isolation of Home Wood it is unlikely that any resident of Chilworth would use the woodland. There are no Rights of Way serving the site from Chilworth and any trip would be via private car. No car parking is proposed for visitors to the woodland and the nearest parking (excluding on road parking) would be Lakeside County Park to the east. As there may be other opportunities to deliver SANG that better serve the population of Chilworth it is proposed that these contributions are not released.

7 Resource Implications

- 7.1 The funding will come from existing and anticipated developer contributions. Should Cabinet approve the proposal the existing contributions of £87,814.05 would be released to EBC as the lead authority. Subject to planning approval the contribution of £71,500 from the Park Farm application would also be released once it has been received by the Council, making a total capital contribution of £159,315 towards the cost of Home Wood. The Council will share responsibility for monitoring, and if necessary enforcement, of the future management plan with EBC.

8 Legal Implications

- 8.1 No legal implications. The developer contributions would be used for the purpose for which they were sought.

9 Equality Issues

- 9.1 An EQIA is not needed because the issues covered do not raise any equality concerns, therefore a full EQIA has not been carried out.

10 Other Issues

10.1 Sustainability and Addressing a Changing Climate

- 10.1.1 The delivery of Home Wood would help protect ecologically sensitive sites by providing an alternative recreation destination. Its location close to residential development would allow for it to be accessed by more sustainable modes of transport. There would also be opportunity for woodland management to improve biodiversity.

10.2 Wards/Communities Affected

10.2.1 Home Wood falls within Chilworth parish. However, because of the potential attraction of the wood; the geography and administrative boundary of the Borough; and the ability to access the wood those communities that will be positively affected are predominantly those residing within the administrative boundary of Eastleigh Borough.

11 Conclusion

11.1 The Forest Park is a long standing proposal of sub regional significance. There is an opportunity to work with Eastleigh Borough Council to deliver an element of the Forest Park at Home Wood. It is recommended that the Council release the developer contributions as outlined in the report to secure the long term access and management of the wood.

Background Papers (Local Government Act 1972 Section 100D)

Test Valley Borough Revised Local Plan (2016)
PUSH Green Infrastructure Strategy
PUSH Green infrastructure Implementation Plan
Forest Park Implementation Framework (2014)
New Forest SPA Mitigation - Interim Framework

Confidentiality

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:	1	File Ref	Pt4.1
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(Portfolio: Planning) Councillor N Adams- King

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Report to:	Cabinet	Date:	17 June 2020
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