



## **Southern Area Committee**

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# **REPORT**

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### **NEW FOREST NATIONAL PARK**

#### **Report Summary:**

The purpose of the report is to give Members' information on the implications of the newly announced New Forest National Park on land within our District.

#### **The New Forest Heritage Area / National Park Boundary**

The New Forest Heritage Area is a designation in our Local Plan. It identifies the land that was deemed to function as part of the forest. It was given special status by the Government, so that the same planning policies would apply to the area as if it were in a national park. The Government have been discussing whether the New Forest should become a National Park, and from October 2000 to January 2001 a public consultation was undertaken about a draft boundary for the National Park. Following on from this on 13<sup>th</sup> December 2001, the Countryside Agency resolved to designate the New Forest as a National Park. The designation order consultation ended on 25<sup>th</sup> March 2002, and there followed a public inquiry, in which objectors to the proposals were able to put forward their arguments.

The inquiry started in October 2002 and ran for 7 months. Since then the Inspector has been making his deliberations, with the Inquiry report of the Inspectors report along with the Ministers decisions on whether he accepted / rejected the Inspectors recommendations. This was published on 28<sup>th</sup> June 2004.

The Minister has confirmed the New Forest National Park (designation) Order) 2002 on 28<sup>th</sup> June 2004, but agreed with the Inspector and made some amendments to the boundary. The amendments of interest to Salisbury are

- The exclusion of Landford manor area from the National Park (see map)
- The exclusion of land to the south of Whiteparish (see map)
- The inclusion of the SSSI to the south of Newton (part of the New Forest SSSI) (See map)

The area designated was smaller than expected and there is no process by which the boundary can be further examined. The only recourse would be for a legal challenge, but there do not appear to be any breaches in legal procedure that would justify a High Court Challenge.

There was a public consultation period for the areas that were included over and above the Heritage area, in our case, the SSSI south of Newtown. As this did not raise any significant issues for this authority, no response on the consultation of the boundary has been made.

#### **The Policy Position**

The New Forest Heritage area is given life by the relevant local plan, in our case the Adopted Salisbury District Local Plan therefore, until either our local plan is replaced by our own LDF or the National Park Authorities LDF is in place, the Heritage area policies still have material weight. So if an application were submitted today for a proposal in Landford Wood, which is not in the National Park, our Heritage area policies will still apply. Therefore any areas that were in the Heritage Area but are now excluded from the National Park boundary are still covered by the Heritage Area policies.

Likewise, for consistency, the heritage area policies will also now apply to the SSSI that has been added. It is unlikely that any applications will be made on this land, and the SSSI designation will be of more importance than the Heritage Area status.

## **Development Control Issues**

All the other National Parks are also the local planning authority for both policy and development control functions. At the inquiry it was argued by many bodies that the New Forest was a special case and that a different system should be put in place. Suggestions put forward were for the development control functions to be kept by the current planning authorities, with the National Park Authority having the power to call in large proposals or those that it felt would impinge on the national park. If this were to be pursued either the National Park Authority or New Forest District council would prepare the Local Plan (and subsequent Local Development Framework), which the other authorities (ie, Salisbury and Test Valley) would need to use when determining the application.

The Inspector was not convinced by any of the evidence put forward that this was a good idea, and recommended to the minister the following

*'The NFNPA will be the sole planning authority for its area, responsible for carrying out all statutory plan-making and development control functions under Section 4A of the Town and Country Planning Act 1990 as provided for by Section 67 of the Environment Act 1995 (or any succeeding legislation). The NPA will not be expected to delegate any powers of decision making to other authorities but is advised to establish clear, efficient and effective consultation arrangements with neighbouring local planning authorities over matters of mutual interest. Guidance should also advise the NFNPA to work with other relevant authorities on preparing (a) a local transport plan and (b) community strategies, relevant outcomes of which should be reflected in the National Park Management Plan.'*

(Inspectors report Page 59)

However the Minister is considering the Inspectors recommendations on the administrative arrangements for the National Park and will issue Government Guidance to the National Park Authority in due course.

There has been considerable dialogue and work carried out by the "New Forest delegation of development control steering group", on which Salisbury District has officer input. This group was established to see how practical and achievable delegating development control to the relevant authorities would be. Since the announcement, officers have still been attending this group, and are working on scheme that the National Park Authority may accept. They have been working on a protocol and service level agreements for the delegation of development control. It has been made clear in conversations with staff from DEFRA that this will be left to the discretion of the incoming National Park Authority, who will want to create its own identity and presence in the New Forest.

## **Recommendations**

I. That the contents of this report be noted

## **Background Papers:**

New Forest National Park (Designation) order 2002 – Inquiry Report

New Forest National Park (Designation) order 2002 – Inquiry Report – Summary of Inspector's Recommendations

Proposed New Forest National Park: Inquiry report recommendations

## **Implications:**

**Legal:** None

**Financial:** The District Council's membership of the New Forest Committee is allowed for within an existing budget.

**Personnel:** None

**Environmental:** None

**Human Rights:** None at this stage

**Council's Core values:** Excellent Service; Fairness and Equality; open, learning Council and a willing partner; communicating with the public; supporting the disadvantaged.

**Consultation Undertaken:** This proposal is being put forward by The New Forest Committee, who have consulted with the public on the Strategy.

**Parish Affected:** Redlynch, Whiteparish and Landford.

