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Q1

Title Mr/Mrs/Miss/Ms/Dr/Other(please state)*

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Organisation*(If responding on behalf of an organisation)

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Q7

Insert any general comments that do not relate to a specific paragraph number or policy in the general comments box below.*If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording. If you are commenting on a document supporting the draft Local Plan (such as a topic paper, or the Sustainability Appraisal), please indicate so.

A significant amount of work has clearly gone into the preparation of the Regulation 18 (Stage 2) draft Plan for Test Valley. We commend the Borough Council's decision to publish a full draft Plan, prior to the future consultation on the Regulation 19 Submission draft Local Plan and then submission to the Secretary of State in 2025 for independent examination.

Q8

Insert any specific comments in the general comments box below, indicating which paragraph, policy or matter your comments relate to where possible.*If you are suggesting a change is needed to the draft Local Plan or supporting document, it would be helpful if you could include suggested revised wording.

New Forest NPA's planning remit in part of the Borough

Paragraph 1.14: Welcome the clear statement in paragraph 1.14 of the draft Plan that, "...a small area of the borough is within the New Forest National Park. The New Forest National Park Authority is responsible for planning of this part of the Borough, with the adopted New Forest National Park Local Plan 2016-2036 forming the Development Plan for this area." The New Forest National Park is illustrated on Figure 3 – Key Diagram; and Figure 3.1 which is welcomed.

Policies Map: We note the Local Plan Policies Map (Southern) is cut to the full Test Valley Borough Council administrative boundary, rather than the Council's planning administrative area. This is relevant for the area of Test Valley Borough in the National Park, where the National Park Authority is the sole statutory planning authority (rather than the Borough Council). As the relevant designations for this area of the National Park are already shown on the Policies Map for the New Forest National Park Local Plan (2019) our view is they should not be illustrated on the Test Valley Borough Local Plan Policies Map. This should be cut to the Borough Council's planning boundary and only cover the area within the remit of the Council's Local Plan. Similarly Inset Map 52 (Wellow, West) currently illustrates the New Forest National Park and the nature conservation designations within in, which are outside the Borough Council's planning remit and the scope of their Local Plan.

Housing Need

Paragraph 3.62: The National Park Authority does not receive a housing need requirement from the Government generated through the standard methodology relating to the objectively assessed housing need. Instead the National Planning Practice Guidance (NPPG) resource on 'housing and economic needs assessment' acknowledges that in National Parks an alternative approach to the Government's standard method for assessing housing need will be required. Paragraph 014 of the NPPG confirms that national park authorities, '...may continue to identify a housing need figure using a method determined locally.' The National Park Authority will therefore be commissioning evidence on the local housing need arising from communities within the New Forest National Park to inform the approach taken to the review of the New Forest National Park Local Plan review. At this stage we are unable to confirm whether there will be an unmet housing need arising from the 35,000 residents of the New Forest National Park. It is noted that Test Valley Borough Council are making provision for a minimum 10% supply in housing above the Council's housing requirement, equating to 12,415 dwellings planned compared to OAN need of 11,000 dwellings.

Forest Park

Policy SA16: The National Park Authority supports the long-standing principle of the Forest Park in Southern Test Valley – draft policy SA16. The recreational provision on this site can contribute towards addressing recreational impacts on the New Forest's designated sites, as part of a wider package of measures.

Policy CL5: Renewable and low carbon energy

Policy CL5: Paragraph 182 of the NPPF (December 2023) confirms that development within the setting of National Parks and AONBs "...should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas." This is relevant to the application of policy CL5. Although criteria (a) of draft policy CL5 refers to 'protected landscapes and their setting' this could be strengthened. The map that accompanies the policy illustrates the area of the Borough right up to the National Park boundary as being 'potentially suitable' for wind energy developments with a tip height of less than 25 metres and so we consider the criteria in policy CL5 could be strengthened.

Landscape Character of the Borough

Policy ENV3: The Authority supports Policy ENV3 (Landscape Character) which ensures that new development conserves or enhances the landscape and setting of the New Forest National Park where applicable. In particular, the specific reference in the policy to consideration of the setting of the National Park is welcomed.

Lighting

Policy ENV6: The policy on lighting is welcomed (Policy ENV6), especially as the supporting text refers to the National Park Authority's adopted Design Guide (2022) and the impact of lighting on the dark night skies of the National Park.

International Nature Conservation Designations

Paragraph 5.247 states, "Strategic mitigation packages are in place that can be contributed towards, such as the Solent Recreation Mitigation Strategy for the Solent designations. The Council is working with partners on a co-ordinated strategic approach to mitigation for recreational impacts on the New Forest. This is likely to result in a mitigation package that incorporates the provision of Suitable Alternative Natural Greenspace (SANG) of at least 8 hectares per 1,000 population, as well as on-designation mitigation measures and monitoring." This strategic New Forest mitigation work will focus on Strategic Access Management & Monitoring (SAMM) measures and there is a need for the Test Valley Borough Council to ensure appropriate mitigation is provided within the Borough (e.g. through new greenspace provision) as part of the overall package of mitigation. It is also noted that more detail is to be provided at Regulation 19 stage. Linked to this Policy BIO2 - which sets out a criterion requiring any potential adverse recreational impacts on the New Forest international nature conservation designations to be fully mitigated – is supported.

Strengthened 'duty of regard' towards the statutory National Park purposes

Paragraphs 5.175 and 5.176: The National Park Authority welcomes the inclusion of wording in paragraphs 5.175 and 5.176 outlining the protection afforded to National Parks through the latest NPPF (paragraph 182 and 183). The paragraphs also rightly recognise that development within the setting of National Parks should be carefully considered – as per paragraph 182 of the NPPF. It is important that this element of national policy is reflected in the Test Valley Borough Local Plan given the relationship with the New Forest National Park to the south.

With the Levelling Up and Regeneration Act 2023 passing into law at the end of last year came a strengthening of the previous 'duty of regard' under section 11A of the National Parks and Access to the Countryside Act 1949. The strengthened legal duty now requires relevant authorities in carrying out their functions which could affect National Parks to 'seek to further' the National Park purposes, rather than merely having regard to the purposes. This strengthened legal duty is relevant to neighbouring planning authorities and their plan-making and decision-taking functions. The National Park Authority therefore considers that the Test Valley Borough Local Plan should reflect this strengthened duty in paragraph 5.175 or 5.176 under 'Protect and enhance the landscape character of the Borough'.

Habitats Regulations Assessment

Habitats Regulation Assessment: Welcome preparation of a Habitats Regulations Assessment of the draft Plan, given the wealth of international nature conservation designations in Test Valley (and the identified issues around recreational and water quality impacts for example).

There appears to be an omission in the Habitat Regulations Assessment in the section on page 9 setting out the key documents to be considered with a potential for in-combination effects. The list should include the adopted New Forest National Park Local Plan (2019). In addition, the Authority notes the consideration of issues including nutrient neutrality, recreational pressures and air quality have been rightly identified within the HRA as requiring mitigation measures.

Duty to Corporate Statement

Draft Local Plan 2040 Regulation 18 Stage 2 Public Consultation

Duty to Cooperate Statement: The New Forest National Park Authority welcomes recognition of the cumulative impacts of residential development on the international nature conservation designations of the New Forest and the Solent.

Interim Sustainability Appraisal

Interim Sustainability Appraisal: It is noted that the supporting Interim Sustainability Appraisal considers cumulative effects on the New Forest International nature conservation designations, and this is followed through to the relevant policies in the draft Plan. The Authority welcomes that those site allocations that fall within the recreational impact zone of the New Forest SPA / SAC and Ramsar set out criteria in the respective policies requiring appropriate mitigation measures (including Suitable Alternative Natural Greenspace) be put in place.
