



## **New Forest National Park Regulation 19 Submission Draft - Local Plan 2016-2036**

### **Comments from the New Forest Commoners Defence Association**

**February 2018**

#### **Overview**

The Commoners Defence Association (CDA) welcomes this opportunity to comment on the draft Local Plan. We strongly support measures to protect the New Forest from development and associated pressures. We do, however, have three substantive concerns, which we believe make the current draft unsound as a basis for future policy when judged against the National Park's purposes.

Firstly, we are deeply concerned at the unexpected, unilateral proposal to reduce the potential size of new dwellings built under the rigorous Commoners' Dwelling Scheme. The scheme has been a small but important force for good in sustaining commoning over the past 25 years, and thereby protecting the grazing of the New Forest for the future from the very real challenges that it faces. This arbitrary and ill-judged proposal would put the scheme's viability at serious risk. Any such change should be discussed and carefully considered in the next formal review of the scheme.

Secondly, the CDA is also dismayed to see that the section on the Cultural Heritage of the National Park (p11-12, para 2.6) omits intangible cultural heritage, focusing only on buildings and archaeology. The National Park 2014 Cultural Heritage Action Plan made clear that cultural heritage includes "*intangible heritage*" of which its commoning heritage forms a core part. Safeguarding the cultural heritage of commoning is therefore part of the NPA's primary responsibility of delivering its statutory purposes (p20, para 4.1).

Finally, we also believe that the draft Local Plan is unsound in its current draft because it acknowledges the rising recreational pressure on the New Forest, yet offers no substantive measures to limit these pressures. It is insufficient to leave this core topic to the Recreation Management Strategy, given the central place of the Local Plan in all other policies and the capacity of planning policies to tackle recreational pressures at source. The Local Plan offers some small commitments on this, but they are far too limited and offer too many exceptions. This aspect of the Local Plan requires a much more comprehensive and effective approach. The expected growth of recreational demand must be accommodated by provision within the surrounding towns, cities and countryside if the special qualities of the New Forest are to be conserved for the future.

On these three priority points and other specific proposals with the draft local plan the CDA has the following observations:

## Housing

The CDA strongly supports the continued capacity for development outside the defined villages to be permissible where it meets the specific locational needs for commoners. The significant value of this provision increases as local property inflation continues to reduce the opportunities for commoners to remain within the New Forest.

The imposition of a 100sq.m floorspace limit on the **Commoners' Dwelling Scheme** would have grave consequences. The reduction to 100sq.m in **SP29** is arbitrary and will significantly harm the viability of this successful and rigorous Scheme.

The CDA and New Forest District Council (NFDC) planners worked together in the early 1990s to develop the Commoners' Dwelling Scheme. The NFDC later took over managerial responsibility for Scheme in 1999 and incorporated the 120sq.m limit into its 2001 Local Plan. This policy was explicitly approved by the Inspector.

The policy for exception properties beyond village boundaries stated that:

*"the habitable floor area should not exceed 100sq.m, or 120 sq.m for dwellings permitted specifically to meet the needs of New Forest Commoners"* (Policy NF-H8).

We believe that no case has been made to alter this well-established and successful policy. We also note that **DP35** and **DP36** allow exceptions up to 120sq.m, yet the Authority proposes to remove this facility from commoners, despite the obvious exceptional needs from a commoning lifestyle on top of normal needs of any family.

It is worth reviewing the sacrifices made by commoners entering the scheme. They must:

- Spend around 5 years developing a proposal within the Scheme.
- Commit at least two acres of their land to the Scheme, over which they lose effective control. At current market rates this contribution alone could be worth more than £100,000 on the open market, but would be lost to commoning if sold.
- Obtain finance at unusually high interest rates in order to build the property within the onerous legal terms of the scheme.
- Limit their career opportunities in order to meet the requirements of the scheme. The daily commitment involved in active commoning means that career opportunities are limited by geography and time, which also limits potential income from employment.
- Invest time and effort in a home with no potential for future gain. The potential future market for the property is restricted to similarly eligible commoners; a very small group indeed, often with very limited means. It is inconceivable that any commoner could ever profit from a property they have developed under the scheme.
- Commit through a Section 106 Agreement to commoning in perpetuity, and face potential eviction in the event of illness, divorce or a death etc.

These properties are for life. They are not starter homes, and the option to move and upsize later as needs grow will not exist. Furthermore, the cottages have no permitted development rights, which would normally allow the addition of a porch or other small extensions. The nature of commoning means that associated clothing and equipment must be kept indoors for use several times every day, that a home office of some description is essential, not a luxury, to deal with the rising volume of paperwork associated with livestock management. The small number of homes developed under the Scheme over time is a testament to its success in ensuring that all proposals are very carefully considered and scrutinised. The urgent need for housing to sustain commoning has brought a flow of commoner applicants willing to make the commitment involved despite the onerous conditions attached. The floorspace of the dwelling was not considered an issue in the particularly thorough October 2011 Review of the Scheme<sup>1</sup>, by which time some 14 homes had been developed in 19 years. The scheme has been working well to balance all interests.

With regard to housing more generally, we strongly support the requirement of **SP27** for 50% affordable housing within the defined villages and on allocated sites for developments of 3 or more net new dwellings, but would prefer to see a stronger constraint on the discretionary exemption from affordable provision on “smaller sites”.

### **Rising Pressure on the Special Qualities of the New Forest**

Increasing pressures on the New Forest due to the growth of the number of households within a half hour drive mean that recreation management must be addressed within the Local Plan. The draft Plan states that visitor numbers are forecast to increase by more than 1 million per annum by 2026 (p12, para 2.8). It is insufficient to leave this important topic to the Recreation Management Strategy rather than incorporate it into the Local Plan. The impact of recreation growth must be a central consideration of the plan if the special qualities of the National Park are to be effectively protected.

We welcome the requirement that new housing development should incorporate open amenity areas and features (p40, para 5.49). These must be sufficiently attractive that they will be used and not token gestures to meet a planning requirement. We also welcome to commitment in **SP54** to resist further development of the road network and to ensure that the traffic impacts of new developments outside the New Forest are properly researched and mitigated (p103, para 9.13); and the commitment in **SP55** to make roads safer.

### **Protecting Back-Up Grazing**

The identified locations for Housing Site Allocations within villages and any rural exception sites (**SP28**) must be checked for recent past or present active use as commoners’ back-up grazing land. Where there is evidence that the sites have been used recently for the grazing

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<sup>1</sup> New Forest National Park Authority: *Review of the Commoners Dwelling Scheme*. October 2011 [http://www.newforestnpa.gov.uk/downloads/file/470/review\\_of\\_commoners\\_dwelling\\_scheme](http://www.newforestnpa.gov.uk/downloads/file/470/review_of_commoners_dwelling_scheme)

of depastured stock then steps should be taken to offset the loss. Any development on such Housing Site Allocations where a loss of back-up grazing is identified should be treated as if these were also “rural exception sites” under **SP28**: The 100% requirement for affordable housing on such sites would ensure that any loss of back-up is offset by a gain for local people in housing need.

We support the terms of **SP9** that: *“providing new Suitable Alternative Natural Greenspace (SANG) in the nationally protected landscape of the National Park as mitigation for development outside the National Park is not appropriate, and will only be considered in exceptional circumstances”*. There must be sufficient recreational greenspace made available outside of the protected landscape to fully provide for growth in recreational demand due to housing development and other forecast social and demographic changes.

For the same reasons we endorse **DP47** on Holiday Parks and Camp Sites, and the content of paragraphs 8.28-8.29, including consideration of measures to control the proliferation of campsites in cases where this generates the permanent loss of grazing land.

### **Agricultural Buildings and the Land-Based Economy**

We welcome **SP48** on the Land-Based Economy. Notwithstanding the current threat to impose a new floorspace limit on the the Commoners’ Dwelling Scheme in **SP29**, the commitment to continued support for commoning within the land-based economy is important. Many commoners derive their main household income from the land-based economy, and it is crucial that these opportunities are retained. The commitment to ensure that commoning-related uses are prioritised in the re-use of existing agricultural buildings (p97, para8.38) is also welcome.

We very much hope that the Authority will address the three main points raised before the Local Plan proceeds further towards approval.

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