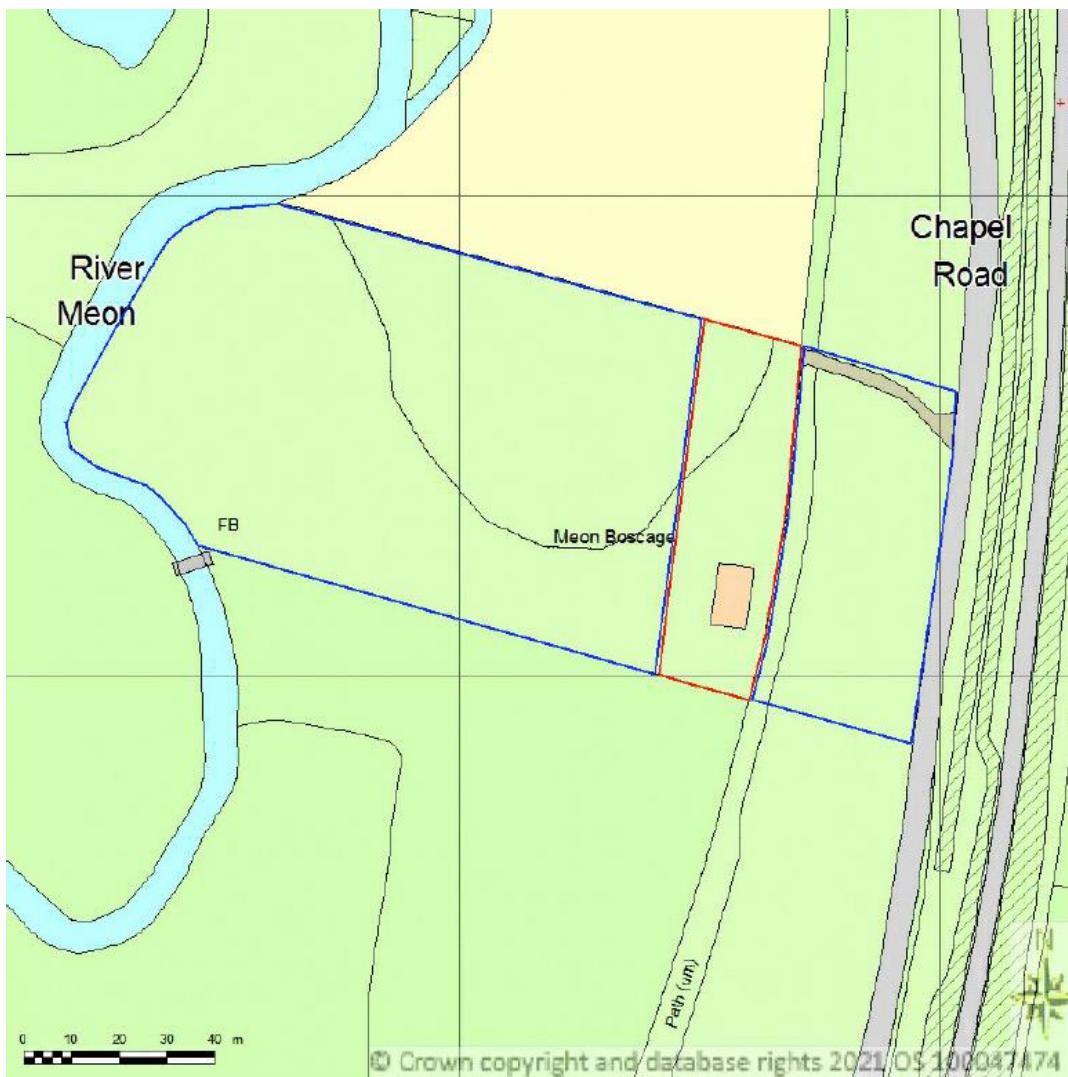


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: SDNP/21/05842/HOUS
Proposal Description: (AMENDED DESCRIPTION) Installation of below ground gas storage tank and electricity generator (Retrospective)
Address: Meon Boscage
Brockbridge Road
Meonstoke
Southampton
Hampshire
SO32 3AJ

Parish, or Ward if within Winchester City: Corhampton and Meonstoke Parish Council
Applicants Name: Mr Dredge
Case Officer: Hannah Harrison
Date Valid: 2nd December 2021
Recommendation: Approval
Pre Application Advice: No



Case No: SDNP/21/05844/HOUS

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Reasons for Recommendation

The development is recommended for permission as it is considered that it will have minimal impact on the character and setting of the National Park in accordance with policies SD4 and SD5 of the South Downs Local Plan (2014-33).

General Comments

The application is reported to Committee at the request of Ward Member Councillor Hugh Lumby, based upon material planning considerations is shown in Appendix 1.

Amendments to Plans Negotiated

Updated plans to remove any proposal linked to case ref: SDNP/21/05844/HOUS

Site Description

The site is situated to the west side of Brockbridge Road to the south of Meonstoke village in the South Downs National Park. Vehicular access is off Brockbridge Road down a steep sloping access driveway. An existing building is situated to the east boundary which forms an area of densely planted trees extending back up towards the road. The remainder of the site extending west towards the river is managed grassland with a number of specimen trees. Levels fall away towards the river.

The building on site is a former agricultural building used as a tractor shed with a mezzanine floor to storage above. In 2012 Planning Permission was granted to convert the building into tourist accommodation.

There is a public Right of Way along Brockbridge Road and the river to the west which is a SINC.

Proposal

(AMENDED DESCRIPTION) Installation of below ground gas storage tank and electricity generator (RETROSPECTIVE)

Relevant Planning History

- **93/00264/OLD** - Temporary/portable agricultural store – REFUSED
- **08/02640/FUL** - Alterations to allow the change of use of agricultural building including existing access, parking and turning areas to tourist accommodation (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) – REFUSED
- **09/01070/FUL** - Alterations to allow the change of use of agricultural building including existing access, parking and turning areas to tourist accommodation (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY)(RESUBMISSION) – APPROVED
- **10/02832/FUL** - Alterations to allow change of use of the site, with building and associated access, parking and turning and amenity space to a four bedroom dwelling (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) – REFUSED

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- **SDNP/12/00970/FUL** - Change of use of the land and building to guesthouse with seasonal camping for up to 3 years – REFUSED / APPEAL DISMISSED
- **SDNP/20/03375/PRE** - Creation of basement space to house renewable energy installations. Roof mounted solar PV. Change of roof material of the existing building (amended) – PRE-APPLICATION ADVICE GIVEN
- **SDNP/21/05845/LDE** - An existing riverside deck area, used for relaxation and the enjoyment of the property owners. - APPROVED

Consultations

Parish Council Consultee - Corhampton and Meonstoke

Stance: SDNP/21/05842/HOUS - OBJECTION

The planning history of the Meon Boscage site is long, but in the Parish Council's view it is not credible to view it other than a lengthy, contrived and continuing attempt to take an open, agricultural, countryside plot and develop it to permanent domestic dwelling use. This outcome would clearly be contrary to the provisions of both the Winchester District and now South Downs Local Plans that have sought to restrict such development in the countryside within what was a designated AONB, now the South Downs National Park, and within the Corhampton & Meonstoke Conservation Area. A Planning Inspector has supported the resistive efforts of the planning authority.

Whilst it is only the riverside deck for which a certificate of lawful development is sought, other work has recently been carried out at the site even whilst an application is being considered. Of particular note, work has been carried out on the shed and a generator is already installed and running, to the disturbance of the occupiers of the neighbouring property to the south.

On the specifics of the current application, the Parish Council sees no justification for further development of this site, even if limited to support of its tourist accommodation purpose. The deck in particular serves as a magnet for younger people and is in direct line of sight of the windows of the neighbouring property to the south. Its stated purpose as being for 'the enjoyment of the owners' is clearly contrary to the C1 approved use of the site. There is no justification for development of space and a bund for generating capacity since the property has enjoyed a grid connection for some considerable time, which could easily have its capacity increased should the owner so wish without resorting to further development of the land in this sensitive countryside site. That the generator has already been installed and been running itself demonstrates the ongoing harm that it will now cause if not required to be removed. It is noted that the applicant's request for pre-application advice on this issue did not include development of the bund or the installation of a generator.

In sum these proposals are, in themselves, contrary to policies SD23 and SD25 of the South Downs Local Plan in that they do not positively contribute to the natural beauty, wildlife and cultural heritage of the National Park (SD23g) nor fulfil any of the requirements to permit development in the countryside (SD25). Moreover, they should be seen as part of a continuing attempt by the owner to configure the site to become a single domestic dwelling through incremental developments which each test the limits of existing

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permissions. The Parish Council draws the irresistible conclusion that the clear intent is, ultimately, to achieve change of use of the site to C3 contrary to the successively stated views of both the Planning Authority and an Inspector. This should continue to be resisted through refusal of both current applications.

WCC – Ecology

SDNP/21/05842/HOUS Meon Boscage – Further information required prior to determination

Ecological consultation – 5/1/22

Installation of solar panels to roof of existing house, below ground gas storage tank, electricity generator and associated earth bund.

Meon Valley Trail South - Stocks Lane to B2150 Brockbridge Site of Importance for Nature Conservation (SINC) is located approximately 40m to the east and the River Meon SINC is located approximately 70m west.

The site is classified as Deciduous Woodland which is a priority habitat. This habitat could be considered suitable for protected species such as hazel dormouse, bats, badger, hedgehog, reptiles and nesting birds. It is not clear whether any trees will be removed or impacted by the proposal but a tree officer should be consulted and it is likely that a tree protection plan will be considered necessary.

The main property could be considered suitable for roosting bats and nesting birds. The proposed solar panels have the potential to impact any potential roost features, which may be present on the roof.

An Ecological Appraisal is required to determine the potential for protected species, priority habitats and designated sites to be impacted by the development. This report may recommend further surveys, avoidance or mitigation measures. It should also include recommendations of how to achieve a measurable net gain in biodiversity in accordance with the NPPF 2019.

WCC – Environmental Health

Thank you for your consultation regarding the above. I have examined the proposals and I have no adverse comments to make regarding the proposals. I note that the electricity generator may produce some noise, but as this is for standby purposes only, it should be minimal.

WCC - Environment Agency

We have no objection to the proposal as submitted.

WCC - Landscape

Observations:

- River Meon SINC at the west end of the property.
- Public Right of Way (Corhampton and Meonstoke 33) close to the house on the east side of the property.

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- Meon Valley Trail (Corhampton and Meonstoke 503) to the east on disused railway line also designated SINC

The site appears to be well wooded with a band of woodland along Brockbridge Road, trees along the property boundary and individual specimens within the garden.

The solar panels on the roof of the house would have little visual impact in themselves. Of concern would be whether they would produce sufficient energy given shade from the surrounding trees; is there an intention to remove any trees?

The 'C' shaped earth bund around the generator would not be feasible as shown. For it to be 1.5m high it would need to be at least 3m wide at the base to allow 45-degree side slopes, the maximum angle likely for a stable slope, and covered with something to stop it eroding e.g. turf, however this would be unlikely to succeed under a tree canopy. Such a large bund would appear to interfere with surrounding trees, increasing the level of soil around existing trees will kill them over time. A simple timber fence with some additional shrub planting around would be sufficient. The unit appears to be only 80cm high and could be enclosed with a fence and shade tolerant planting to integrate it with the surroundings. It is not likely to be seen from any significant locations.

No objection is made to the shed, its impact on the surroundings is likely to be low, however its location appears to be very close to tree trunks. So as to avoid impact on tree roots in particular (or possibly trees dropping branches on to the shed) a more spacious location is advised, perhaps grouped with the generator and integrated with planting as one unit to make a more compact and easily screened installation.

Representations:

The application has collectively received 3 objections - 2 neighbouring objections and 1 objection from Councillor Lumby. It should be noted the application has been reduced since receiving these comments. The comments state the following:

- Noise pollution from the generator
- Light pollution from the generator
- Site can be seen from far views
- Impact on tranquillity
- Incremental development
- Gas storage tank is environmentally damaging
- Justification not clear

Planning Policy Context

Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plan in this area is the **South Downs National Park Local Plan Adopted 2 July 2019 (2014-33)** and any relevant minerals and waste plans.

The development plan policies and other material considerations considered relevant to this application are set out below.

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National Park Purposes

The two statutory purposes of the SDNP designation are:

- To conserve and enhance the natural beauty, wildlife and cultural heritage,
- To promote opportunities for the public understanding and enjoyment of the special qualities of their areas.

If there is a conflict between these two purposes, conservation takes precedence. There is also a duty to foster the economic and social wellbeing of the local community in pursuit of these purposes.

Planning Policy

Relevant Government Planning Policy and Guidance

Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued on 24 July 2018. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 172 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks.

National Planning Policy Framework (NPPF)

The following National Planning Policy Framework documents have been considered in the assessment of this application:

- NPPF12 - Achieving well-designed places
- NPPF15 - Conserving and enhancing the natural environment

Paragraph 2 states that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.

The following policies of the **South Downs National Park Local Plan Adopted 2 July 2019 (2014-33)** are relevant to this application:

- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD7: Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 – Biodiversity and Geodiversity
- Development Management Policy SD11 – Trees, Woodland and Hedgerows
- Strategic Policy SD23 – Sustainable Tourism
- Strategic Policy SD25 – Development Strategy

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Partnership Management Plan

The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan.

The following Policies and Outcomes are of particular relevance to this case:

- General Policy 1
- General Policy 3
- General Policy 43

Planning Assessment

Principle of development

The proposal is acceptable in principle and has been reduced significantly to address objections and concerns raised and also to omit elements of the application falling under Permitted Development. The elements that fall under Permitted Development are the solar panels (Part 14, Class J). The remaining proposed works are considered to be retrospective and consist of a below ground gas storage tank and electricity generator. The earth bund element of the original submission has been removed completely.

Policy SD4 applies. The purpose of this policy is to ensure that all development is of the highest possible quality which will be expected to conserve and enhance landscape character in the National Park.

Design, scale and impact on the character of the area

The location of the gas storage tank is sited near the main entrance of the site. Installed underground and therefore not visible, the reasoning for planning permission is due to the earth works involved to install the storage tank. Photos have been submitted to the application regarding the works involved and the evidence of the land after the works had completed. A site visit has been carried out following the additional evidence.

The location of the generator is sited just west of the gas tank site. Screened by shallow fencing by the request of the Landscape Officer, the generator has been enclosed to reduce visual and noise impact. The fence height is noted to be 1.8 meters, a size considered to be acceptable and falling under Permitted Development (Part 2, Class A). A site visit confirms the placement and fencing.

An Arboricultural Impact Assessment (Prepared by Helen Brown Treescapes) has been submitted by the applicant to address concerns raised by consultees. The report states:

“The electricity generator and gas fuel tank installations in question have been located in a copse of planted trees on the northern side of the site and are not clearly visible from public views. In my opinion, these trees are not of the same

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standard as their open grown counter parts and are of low quality. Moreover, this copse would benefit if these trees were thinned, regardless of the development (the

generator and gas fuel tank installations), which would improve the health and density of others in the surroundings. For this reason, I consider these installations will not have a detrimental impact on the trees within this site.”

The retrospective works stated within the application are considered to be acceptable and comply with Policy SD4. The removal of the earth bund, work locations and scale are not considered to be impacting the landscape setting of the National Park. The works have been carried out to ensure the onsite planting remains unharmed and maintained to a high standard.

The South Downs National Park was awarded International Dark Sky status in May 2016. The SDNP have taken action to ensure the protection of the Dark Night Skies from artificial light pollution by applying Policy SD8 of the SDNP Local Plan and General Policy 3 of the Partnership Management Plan. No external lighting has been proposed however a condition will be placed on the decision notice to ensure all future lighting must comply with Policy SD8 of the SDNP Local Plan and General Policy 3 of the Partnership Management Plan to ensure the Dark Night Skies are protected from artificial light emission.

Additional information was requested by the Ecology Officer. Upon further investigation, the works that prompted the ecology requirements, solar panels placed upon the roof of the main building and earth works for the installation of the gas storage, fell under Permitted Development or have been implemented and therefore the additional information was no longer necessary. Nevertheless, the applicant has submitted further details as to how the proposal will be enhancing the ecosystems within the location. The following actions have been noted:

- Maintenance of the site to a high standard
- Planting of meadow flowers

These actions are seen to be acceptable and comply with SD2 of the SDNP Local Plan.

Neighbouring amenity

Policy SD7 applies. The purpose of Policy SD7 is to ensure that development does not harm the relative tranquillity of the National Park and to encourage the conservation and enhancement of positive tranquillity factors.

Concerns have been raised in regards to noise pollution, however the Environmental Health Officer stated no objection within their comments. Given the size of the generator, it should not give off a volume of noise to warrant an impact on neighbouring amenities or the tranquillity of the rural location as considered above also.

The proposals are set away from other neighbouring properties, so they are not considered to have any detrimental impact. Any structures are set far enough away from neighbouring sites to ensure no overbearing or overshadowing can occur.

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Conclusion

Based on the evidence submitted and the consultation responses, the application is considered to be acceptable and in accordance with the Development Plan and is recommended for approval.

Reason for Recommendation and Conditions

It is recommended that the application be Approved for the reasons and subject to the conditions set out below.

1. Approved Plans

The development hereby permitted shall be carried out in accordance with the plans listed below under the heading "Plans Referred to in Consideration of this Application".

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The actions outlined within the eco systems services statement (received 02.12.2021) shall be implemented within one month following the completion of the development hereby approved or, in the case of soft landscaping, during the next available planting season following the completion of the development, and thereafter retained.

Reason: To ensure an overall positive impact on the ability of the natural environment to contribute goods and services, in accordance with policy SD2 of the South Downs Local Plan.

3. Prior to installation, details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to its installation. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles) and hours of operation. The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the landscape character of the South Downs National Park from light pollution and to minimise the impact on surrounding habitats

Informative:

N/A

11. Crime and Disorder Implications

It is considered that the proposal does not raise any crime and disorder implications.

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12. Human Rights Implications

This planning application has been considered in light of statute and case law and any interference with an individual's human rights is considered to be proportionate to the aims sought to be realised.

13. Equality Act 2010

Due regard has been taken of the South Downs National Park Authority's equality duty as contained within the Equality Act 2010.

14. Proactive Working

Discussion regarding issues occurred with the applicant, however in this case the issues were unable to be resolved.

Plans Referred to in Consideration of this Application

The application has been assessed and recommendation is made on the basis of the following plans and documents submitted:

Plan Type	Reference	Version	Date on Plan	Status
Plans - GENERATOR SITE PLAN	0853/11C		29.07.2022	Approved
Plans - BLOCK/SITE PLAN			22.11.2021	Approved
Plans - SITE LOCATION PLAN			22.11.2021	Approved
Application Document - ECOSYSTEMS SERVICES STATEMENT			02.12.2021	Approved

Reasons: For the avoidance of doubt and in the interests of proper planning.

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Appendix 1

City Councillor's request that a Planning Application be considered by the Planning Committee

Request from Councillor: Hugh Lumby

Case Number: SDNP/21/05842/HOUS

Site Address: Meon Boscage, Brockbridge Road, Meonstoke, SO32 8AJ

Proposal Description: Installation of solar panels to roof of existing house, below ground gas storage tank, electricity generator and associated earth bund

Requests that the item be considered by the Planning Committee for the following material planning reasons: This property is located in the Upper Meon Valley ward of Winchester City Councillor. I am one of the members for this ward.

There are a number of issues with this application which I could necessitate this application being considered by the planning committee. These include the following:-

- the site is beside the River Meon and is low lying. The river has been designated as a SINC. What development if any is appropriate here should be considered.
- as a related issue, there must be a concern about below ground works so near the river and the danger of contamination
- the South Downs National Park Authority are considering designating areas in the vicinity as a SINC to protect the water vole population here. Water voles have been released back into the river and their population locally is increasing; 200 were released by the neighbours five years or so ago. Water voles are our fastest declining mammal and there are only limited areas where populations are increasing. Protection of this population is vital. The wildlife of the national park is of course protected by the local plan
- In addition, there are now new planning requirements for biodiversity gain, which is supported by both the SDNPA and WCC. It is unclear how this is achieved by this development, especially given the danger to the water voles. Certainly the underground works including pipes, soakaways and the tank can only present a danger to them.
- the proposal also presents a danger to the trees on the site which has not been addressed. The proposed solar panels will not work properly unless trees are cut back or removed but no proposals for this have been made. Given that there has been a track record of doing works on this site without consent, this should be a particular concern to the committee.
- the bund does not enhance natural beauty of the national park and is likely to damage it. In any event it appears inadequate for its intended purpose and therefore is wholly inappropriate.
- there is no electricity supply to the site, hence the application for the generator (in my original objection I said that supply was available nearby, this was incorrect, these comments supersede those). A generator is noisy and contrary to the net zero objectives required to respond to the climate emergency. They also emit noise which damages the peace and tranquillity of the national park and the amenity of neighbouring properties. A proposal was made to run a cable

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over neighbouring land but this would have endangered the habitat of the voles, as referred to above. The alternative is to provide a mains connection from Brockbridge Road in a trench at some considerable cost. This should not be a relevant planning consideration; indeed the applicants should have been aware of this when they applied for consent for the C1 use previously. They have chosen to proceed at risk without it and they should not be rewarded for that. Indeed, it is questionable whether that consent would have been granted had it been known then that an electricity generator and a bund would have been required.

- this application would appear to be part of an incremental attempt to turn this site progressively from woodland and limited tourist accommodation into permanent residential accommodation. The other applications made before and subsequently should therefore be viewed together and a decision made on whether this is appropriate. I would suggest for the above planning reasons that it is not.

My preferred outcome is therefore for this application to be refused. If that is the officer's intention, it does not need to be referred to planning committee unnecessarily. If minded to approve, then I request that it is considered by the planning committee.