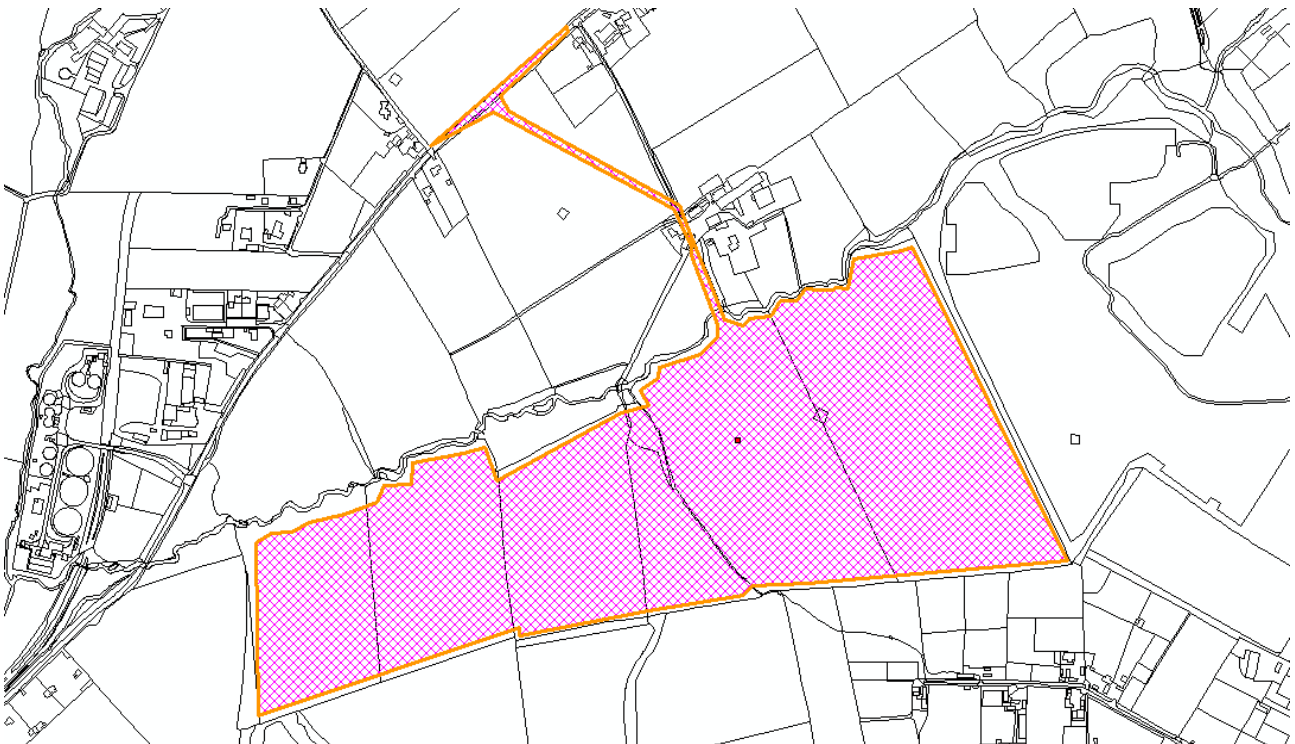


WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 21/01391/FUL
Proposal Description: Solar farm including new access road, permissive footpath and associated development (May Affect a Public Right of Way; May Affect Setting of Listed Buildings) (Revised Description & Revised Details)
Address: Land At Locks Farm Botley Road Bishops Waltham Hampshire
Parish, or Ward if within Winchester City: Bishops Waltham Parish Council
Applicants Name: NextPower SPV 12 Limited.
Case Officer: Mr Stephen Cornwell
Date Valid: 8 June 2021
Recommendation: Approval
Pre Application Advice Yes

Link to Planning Documents

21/01391/FUL - <https://planningapps.winchester.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>



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Case No: 21/01391/FUL

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PLANNING COMMITTEE

Reasons for Recommendation

The proposal results in the introduction of an important renewable energy development. Although the development does not wholly comply with the policies of the development plan having regard to the setting of the adjacent listed building, an assessment in line with the National Planning Policy Framework (NPPF) has been completed which confirms this harm is outweighed by public benefit.

The proposal complies with other policies of the development plan and no adverse harm is raised from other matters including landscape, visual impact, residential amenity and drainage considerations amongst others.

Other material considerations, including the NPPF, support the grant of planning permission.

General Comments

The application is reported to Committee because it is a major application, which has attracted a large number of objections that are contrary to the Officer's recommendation.

Amendments to Submitted Plans and other Supporting Documents

In May 2022, the applicant submitted a number of revised documents to supplement those already submitted. These were presented in response to a range of questions raised in the first consultation exercise and to reflect changed circumstances, including the new grade two listing of two heritage assets, namely Locks Farmhouse and the Granary. The application description was adjusted to reflect the new circumstances. A full re-consultation exercise was undertaken using consultation letters, site notices and a notice in the press. The application description did refer to the new status of Locks Farmhouse and the Granary.

In September 2022, the applicant informed the Local Planning Authority that they wished to withdraw the battery storage component from the scheme. The applicant has requested a decision is made on the other elements of the scheme. New plans were submitted that showed the space formerly occupied by the Battery Storage compound as vacant. A revised Flood Risk Assessment and Sustainable Urban Drainage assessment, an updated Biodiversity Management Plan and an updated Glint and Glare assessment have been submitted. The withdrawal of the Battery Storage Compound took place after the listing of Locks Farmhouse and the Granary. This change to the scheme is considered to have reduced the scale of development, retaining those elements that had been part of the application when the earlier consultation exercises had been undertaken. Accordingly, it was not considered that a further re-consultation exercise was necessary. Local members and the parish councils were informed of this change. An update letter was circulated to all those third parties who had commented previously on the application informing them of this change and assuring them that their previous comments on the remaining components of the application would be taken into account. The application now being assessed excludes any consideration of the battery storage element.

In response to specific questions, the applicant has provided answers, which have also involved making minor changes to some of the submitted documents and plans. These responses and minor changes to submitted plans and document are not considered to be

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

of an extent that would require any further public consultations. These responses have been posted on the application web site. The last addition took place on 7 March 2023.

Site Description

The application site consists of several distinct elements, which can be seen on the plan above.

The application site lies within an agricultural holding some 800m southwest of Bishops Waltham, south of the Botley Road. The site includes a section of land abutting the Botley Road (B3035) which links Bishops Waltham to Botley and on to the M27. On the south side of the Botley Road is a verge with a drainage ditch and hedgerow with an open field beyond. The application site includes a section of the verge and the field to the south. The group of buildings that forms Locks Farm lie 300m south of the Botley Road. The Farm shares a single width access road off the highway with a small number of residential properties. The existing access point off the Botley Road lies between a commercial business (Kamm Civil Engineering) and two residential properties. This track terminates at a farmyard. A section in the middle of the field west of the residential properties that abut the Botley Road is also part of the application site with a red line corridor running diagonally down the grass field to the north west corner of the farmyard.

Around the farmyard is a range of agricultural buildings. What appears to have been the original farmhouse lies on the southern edge of the yard within its own defined curtilage. This farmhouse is no longer in the same ownership as the farm. This property (Locks Farmhouse) and the Granary building that is located within its grounds have now been designated as grade 2 listed buildings. The land south of this property down to the stream is in the ownership of the Farmhouse and used as amenity space. A new farmhouse has been built on the western side of the farmyard.

Two tracks run from the farmyard to serve the land to the south beyond the stream. One track runs south down the side of the original farmhouse and its garden leading to a bridge that crosses the stream. The bridge is showing signs of wear and tear. The second track strikes southwest from the farmyard down to a ford that crosses the watercourse 174m west of the bridge crossing referred to above.

A pedestrian bridge lies alongside the ford and serves the public footpath (FP13) that crosses the centre of the site before running up the track to the farmyard, from there it then strikes off in a north-easterly direction across fields up to the Botley Road.

The red lined application site includes part of the concrete farmyard reflecting that this will be used as part of the access. South of the farmyard the red line includes a narrow corridor down the field which lies west of the existing track that runs down the side of the original farmhouse. The boundary between the existing track and the field is a hedge with trees. The application site then crosses the stream linking to the fields that lie to the south.

The main part of the site consists of 34 hectares of agricultural land that forms part of Locks Farm. The site occupies five irregular sized gently sloping grass fields separated by strong hedgerows, all located on the south side of a stream that is a tributary to the River Hamble. For future reference, when any field number is used in this report the count is made from west to east. The site boundary follows the perimeter field boundaries on the east, west and southern sides. On the north side, the red line follows the southern bank of

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

the stream except in the middle field (Field 3) where it steps in 50m from the stream at the western end but gradually tapers back to the stream at the eastern end of the field, leaving a triangular section of ground outside the site. There is mature vegetation all along the northern boundary. A public footpath (FP 13) crosses the site (north-south) in field 3 linking Curdridge Lane to Botley Road. Excluding the land associated with Locks Farmhouse, the site is surrounded by agricultural land except to the east where it adjoins an existing solar farm.

Botley Road includes scattered roadside ribbon development with a mix of residential properties and commercial businesses. A number of these overlook the site. To the south is the Glebe, the Clewers Hill area and Curdridge Lane, which lie west of Waltham Chase. Several private roads run off Clewers Hill and Curdridge Lane. These areas off Clewers Hill and Curdridge Lane, also comprises scattered ribbon development with a mix of residential, commercial and farms.

The site is crossed by a number of power lines, which include the main 400KV line supported by metal pylons and by 33KV power distributor lines supported by dual wooden poles. The pylon that sits in the eastern part of the site, straddling the boundary between fields 4 and 5, represents a change in direction for the power line and offers a useful reference point when looking for the site in the general landscape.

Proposal

The intention is to establish a solar farm, which would include the associated infrastructure on a 34-hectare site. The solar farm would be in operation for a period of 40 years after which time the land would be cleared and returned to agricultural use.

The application is accompanied by a series of documents and reports that set out the details of the proposal and consider its impact on a range of topics. The main documents consist of the following:

- Planning Statement
- Landscape and Visual Impact Assessment
- Indicative Traffic Management Plan (Revised)
- Historic Environment: Desk Based Assessment (Revised)
- Flood Risk Assessment (Revised)
- Flood Risk Assessment (Revised appendix B only)
- Biodiversity Management Plan (Revised)
- Biodiversity Metric (Revised)
- Agricultural Land Classification Report
- Noise Impact Assessment (Revised) Glint and Glare Study (Revised)
- Tree report package

A new access would be formed off the Botley Road (B3035) at a point some 170m east of the existing farm access. This would see the removal of 55m of hedgerow with replanting of 40m (20m each side) on the flanks of the new access roadway behind the new sight line. Space is provided to allow a vehicle to wait off the highway whilst the gate is opened. The B3035 has a 60mph limit on this section. Visibility splays of 111m to the south and 138m to the north are proposed. A new section of 4m wide roadway approximately 280m long with a crushed stone surface is then proposed to run southeast through a field to the existing farmyard. Although not part of the application, a site compound is proposed in the

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

corner of the field before the new access links up with the farmyard. This compound would be formed using permitted development rights. Loads would be broken up at the compound before being moved onto the main site.

After crossing the yard, traffic would follow a further section of new roadway running down from the southwest corner of the farmyard through a field to a new bridge crossing the stream. Following concerns raised regarding the impact on the construction of this section of roadway and the new bridge on the root systems of trees that lie to the east, the alignment of the roadway and position of the bridge has been slightly adjusted. The application states that these actions avoid any impact on the root systems of the trees concerned.

Once on the south side of the stream, the access runs through a gate and feeds into a network of tracks that radiates out to serve the five fields that makes up the site which would accommodate the panels. It is proposed to form two fenced off areas that would contain the panels. Fields one, two and the western part of field three would form one area and fields four and five the other. The Eastern part of Field three would contain the public footpath (FP13), which would remain on its current alignment, together with a new wildflower meadow.

The enclosures would be formed using 2.1m tall deer fencing with 3m CCTV poles spaced at 50m. The panels are shown as installed in a fixed position facing south. They are secured on a frame that is supported above the ground by simple posts. There are no foundations. The maximum height of the panels is 3m. The plans show individual inverters (which change the Direct Current into Alternating Current) serving areas of panels. The main cluster of support infrastructure is to be located in the eastern field (no. five) where the grid connection is to be made to the 33Kv line. These structures are shown strung out down the eastern side of the field boundary. The tallest structure would be a 15m lattice tower. The other structures vary from 2.3m to 3.5m in height. They are to be constructed from metal or glass fibre. Two colour options are presented, these are light grey or moss green. The applicant indicates that the land beneath the panels is to be grazed using sheep.

As part of the proposal, the scheme includes an indicative landscaping masterplan. Excluding the loss of the hedgerow to form the new access and splays off the Botley Road and the small sections of hedgerow to open up space for the access tracks to run between the fields, the landscape plan shows the retention/reinforcement of the hedgerows and the introduction of areas of rough grassland and scrub. On the western side of the footpath as it cross the site, a new hedgerow would be planted and a wildflower meadow established on its eastern side up to the field boundary.

The following are some of the main points drawn from the applicant's supporting information:

- The scheme would generate a maximum of 18MW of Direct Current, which is then converted into a maximum of 12 MW of Alternating Current for connection to the grid.
- Estimated to be 53,333 panels.
- Panel colour is dark blue or black.
- The output would supply enough energy for 5,500 homes each year.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- The site is Agricultural Land Classification grade 3b.
- Site considered by the applicant to be good area for solar farm as not widely visible and not within or adjacent a designated area.
- Construction period around 30 weeks.
- New bridge to have 45 tonne load capacity.
- Max span bridge foundation to foundation is 13.54m
- River water level or flow not affected.
- Construction traffic route from J9 M27 avoiding Bishops Waltham and Waltham Chase.
- Deliveries restricted to 0900-1500hrs Monday to Saturday inclusive.
- Artic is largest vehicle proposed.
- Deliveries average at 23-30 per day.
- Wheel washer to be provided.
- Will survey last 100m of Botley Road before new entrance to assess for damage once construction over.
- Construction compound formed using permitted development rights. This used for parking, loading, unloading storage use and offices.
- Existing footpaths kept open during construction phase
- Signage installed during construction phase to warn users of footpath that runs through farmyard and across part of site.
- A permissive footpath to be established down the new access road from Botley Road to the farmyard. Use to commence once construction phase completed.
- Decommissioning anticipated being reversal of construction.
- Applicant considers scheme complies with government and Council policy.
- Applicant outlines factors that have influenced site selection and concludes there is no alternative to using agricultural land for solar farm.
- Applicant considers that any negative impacts outweighed by substantial benefits consisting of generation of renewable energy, biodiversity enhancements, socio economic benefits and economic opportunities.

Applicant indicates that they engaged with the local residents, the Parish Council and the local members prior to submission and that feedback did influence access arrangements and the provision of a new bridge over watercourse.

Relevant Planning History

Application site

20/00931/SCREEN

Request for an EIA Screening Opinion in relation to the proposed development of "solar farm and associated development"

Decision May 2020: EIA not considered to be required. The following reasons were outlined in the opinion letter:

- The LPA has given careful consideration to the size, scale, location and characteristics of the proposed development including the possible cumulative impacts of associated development as well as the location of the site.
- In the opinion of the LPA, the proposed development is unlikely to have any significant effects on the environment that cannot otherwise be considered and addressed through the planning application process.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Since the above screening opinion was made, the neighbouring property Locks Farmhouse has been formally listed at Grade II together with a Granary building that is located within the grounds of the Farmhouse. . The Council has revisited the screening process and re-consider the matter in the knowledge of the recently listed buildings.

Taking this into account, including the particulars of Schedule III of the Environmental Impact Assessment Regulations 2017 (as amended), the screening opinion decision remains unchanged and the development is not considered to require an Environmental Statement. A copy of this new screening opinion has been sent to the applicant and published.

Surrounding Area (Other Relevant Decisions)

(Site 900m to east)

15/00082/FUL

The installation of ground mounted photovoltaic solar panels, central inverter housings and perimeter fencing to create a 3 MW solar park, land at Forest Farm Winchester Road Bishops Waltham.

Decision Approved December 2015

15/00786/FUL

(Site on adjoining land to east)

Development of ground mounted solar photovoltaic panels and associated equipment including inverter / transformer buildings, DNO / substation building, control / storage building, customer switchgear buildings, security fencing, camera equipment, access tracks and associated landscaping (THIS APPLICATION MAY AFFECT THE SETTING OF A PUBLIC RIGHT OF WAY) Land off Winchester Road Bishops Waltham

Decision Approved August 2015

Consultations

This application was first advertised in July 2021. Following the receipt of revised details and plans that superseded some, but not all of the original documents, a further consultation exercise was undertaken in May/June 2022. The application description was amended to include the potential impact on the footpath network and to reflect the fact that in November 2021 Locks Farmhouse and the Granary building that stands in its grounds were listed grade 2. The re-consultation exercise was undertaken on the basis of this new description and the additional information provided.

On the basis some of the original documents continue to form part of the application now under consideration, the original comments made during the first consultation exercise remain relevant. Accordingly, both sets of comments are set out below. The terms “first consultation response” and “second consultation response” are used to differentiate between the two sets of comments. As a point of clarification, any comments received before the submission of the May 2022 revised documents such as those received in late 2021 on the new listed status of Locks Farmhouse and the Granary are recorded under the first consultation response heading. In response to a number of first consultation responses, the applicant did submit further details seeking to address the concerns raised. In these instances, the comment are distinguished by using the dates when comments were received.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

In September 2022 when the applicant withdrew the Battery Storage element of the scheme, an update letter was sent out to those parties who had commented on the application at either of the consultation events. As this change saw the removal of part of the scheme and the remaining parts were elements of the scheme that everyone had the opportunity to comment upon earlier, a further consultation period was not considered to be necessary. The parties were advised that excluding any specific comments on the Battery Energy Storage System (BESS), now deleted their earlier comments would form part of the decision making process. Accordingly, comments referring directly to the BESS are not reported below. Third parties were advised if they did wish to make further comments these should be submitted within 14 days of the date of the letter. Only one party has made additional comments in response to the update letter and these have been included under the second consultation response heading.

Bishops Waltham Parish Council:

First Consultation Response:

Objection

- Contrary to MTRA4 of LPP1 as it will harm character and landscape of area and create noise nuisance
- Contrary to CP13 of LPP1 as it would harm distinctive character of area
- Contrary to DM16 of LPP2 as scheme does not respond positively to character, appearance and variety of local environment in terms of design scale and layout.
- Council disappointed with lack of significant reports within application and lack of consultation with community especially immediate neighbours.

Second Consultation Response:

Support subject to conditions

- Supports application but request that any mitigating measures recommended within various reports are conditioned to lessen impact on immediate neighbours and surroundings.

Curdridge Parish Council:

First Consultation Response:

Do not object.

Second Consultation Response:

Do not object.

- Do not object subject to the footpath across land being uninterrupted.

Shedfield Parish Council:

First Consultation Response:

Objection

- Need to consider wider area, which has number of existing solar farms creating a Photovoltaic Heat Island Effect raising temperatures 3-4 c above local temperatures. This effect not referred to in application.
- Forty years of increased local temperatures not good for locality or world climate.
- More detailed analysis needed on effects on wildlife. Study on this runs counter to everything in the Bio statement in application.
- Little mention that source for River Hamble runs through site.
- Works associated with development will harm wildlife.
- No reference to noise pollution that will affect humans, wildlife and protected species.
- A full BS4142 noise assessment should be carried out with acknowledgement to effects night-time noise.
- No farm business plan submitted

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Two scientific reports published on heat island effect and effect of solar farms on wildlife.
- If approved conditions should be imposed that local councils are informed of any roadworks and that land is reinstated to agriculture after 40 years.

Second Consultation Response:

Objection

- Have grave concerns regarding loss of agricultural land.
- Envisage difficulties associated with firefighting and access for emergency service should need arise.
- Consider proposed new access in an unsuitable location.
- Wish to draw attention to webinar:
<https://www.youtube.com/watch?v=I6NaQu5cig&t=4401s> and ask officers and councillors to view relevant sections at following times:
 - 3.26 National food security and biodiversity
 - 18.32 Impact of solar farms on landscape and heritage setting
 - 38.00 The futility of the pursuit of solar on farmland
 - 48.00 BESS a major incident hazard
 - 1h.07 Q & A session

WCC Archaeology Officer

First Consultation Response:

Request for more information

(Comments dated 6 August 2021)

- This advice is confined to buried non designated heritage assets.
- Although no buried archaeological remains currently known within site, archaeological remains are known in surrounding area.
- Submitted assessment incomplete.
- Given history of finds in surrounding area, remains within application site cannot be ruled out.
- Advise that further information on potential archaeological resource within site obtained prior to determination of application.

(Comments dated 17 December 2021)

No objection subject to conditions

- Reviewed further details that have been submitted
- Although some lack of detail in DBA, this considered insufficient reason for refusal particularly in lights of geophysical survey results.
- Although site lies within former Deer Park existing field boundaries will be retained.
- Further archaeological investigation not considered to be justified at pre determination stage. However, programme of evaluation and trenching and further investigation and recording should be secured through conditions if permission granted.
- Recommendation, no objection subject to conditions. (Conditions 12, 13 & 14)

Second Consultation Response:

None received

WCC Ecology Officer:

First Consultation Response:

None received

Second Consultation Response:

No Objection Subject to Conditions

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Ecological information proved in form of Preliminary Ecological Appraisal (PEA) and Biodiversity Management Plan (BMP) and via liaison with applicant responding to queries including Ecology Note of 6 September 2022.
- Construction Controls C3 & C4 of BMP address loss of hedgerow and how impacts will be avoided. Ecological Clerk of Works required whenever work undertaken and to undertake pre work inspection as proposed in PEA.
- Applicants Ecological consultants discussed potential for impacts on River Hamble including impacts from installation of bridge and agreed that measures to prevent impacts will be included in Construction Environment Management Plan (CEMP) to be submitted to LPA for approval.
- Potential construction impacts can be dealt with via CEMP including to protect and safeguard against pollution, run off and spillages.
- CEMP shall also identify steps and procedures to be implemented to minimise creation and impacts of noise, vibration, dust and waste disposal resulting from site preparation, groundwork and construction phases and to manage heavy goods vehicle access to site. This to include measures to prevent egress of mud, water and other pollutants and detritus in to the surrounding habitats.
- CEMP should be adhered to at all times unless otherwise agreed.
- Note Environment Agency content with application and for details to be conditioned in relation to impacts on the river.
- Internal road route chosen to minimise loss of tree and hedgerow and retain ecological connectivity. CEMP to include details on how this will be achieved.
- Tree constraint plan will form part of this process and operational impacts assessed and mitigated as well as construction impacts.
- Proposed fence is at least 5m from vegetation to north and track is on other side. Fence to be installed first.
- Biodiversity Net Gain (BNG) calculated and achieved primarily through provision of wild flower meadow.
Details of management and monitoring in long term required. A Landscape and Ecology Management Plan (LEMP) proposed.
- Lighting plan needed before construction or preparatory work commences.
- Pre start badger re-survey may be required depending on time elapsed to commencement of work (conditions 07 & 20 and legal agreement).

WCC Environmental Protection:

First Consultation Response:

(Comment dated 30 June 2021)

Recommend Refusal

- Noise assessment should be submitted to address concerns regarding potential noise disturbance to neighbouring property.

(Comment dated 11 November 2021)

Further information required

- Have read submitted noise impact assessment
- Still require further information and clarification.
- Not satisfied that all plant noise has been adequately assessed.
- No data provided on sub station.
- Omission of noise from other solar farms in vicinity. Accumulated noise from current proposal and two adjacent applications must be calculated particularly as both noise reports identify same properties as receptor locations.
- Application needs to address the potential for noise in the 0500-0700 hrs period.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Until outstanding matters addresses not satisfied proposal will not have adverse impact on nearest noise sensitive receptors and therefore unable to comment further.

Second Consultation Response:

No Objection subject to Conditions

- Examined proposal in detail and considered all comments made by interested parties.
- No adverse comments to make.
- Wish to make following comments.
- Disappointing revised noise report does not accurately reflect amendments made to scheme when battery storage element removed.
- Noted Table 7 provides figures for solar plant only but unclear whether predictions made for early morning period (0500-0700hrs) are at first floor level, which is where noise sensitive receptors are most likely to be.
- Satisfied noise impact assessment identified all relevant receptors and that background noise readings taken over a sufficient duration and at appropriate locations to be considered representative.
- Effective noise control is most readily achieved by situating noise generating plant and equipment as far as possible from noise sensitive receptors. Not satisfied applicant achieved this in this instance. However, noise report demonstrated noise from proposed development will be within acceptable levels and therefore proposals are satisfactory in noise terms.
- Noise report has predicted operational noise levels at nearby noise sensitive receptors once development is complete. Predicted noise levels based on specific sound levels from identified plant (transformers/inverters), detailed in Sections 5.4 & 5.5. If alternative plant installed this will affect outcomes predicted in noise report. Therefore, important that noise levels from any plant installed is equal to or less than those specified.
- Recommend conditions on noise, lighting and to protect nearby residents during construction period. (Conditions 07, 18, 20 & 26)

WCC Glint and Glare Assessment:

(Undertaken by external consultations (Mabbetts) acting for WCC)

First Consultation Response:

N/A

(no glint and glare assessment was submitted as part of initial documentation)

Second Consultation Response:

No Concerns Raised

- Agree with overall methodology used in assessment including receptor selection process.
- Agree with assertion that solar reflections towards B3035 & B2177 screened out by intervening terrain, vegetation and buildings.
- Agree with assertion solar reflections towards modelled dwellings screened out by intervening terrain, vegetation and buildings.
- Agree no cumulative effects expected.
- Agree with assertion that low impact predicted on Upham Airfield.
- Agree at worst low impact predicted on pilots approach path and intervening vegetation and terrain between ATC and site would screen out any potential solar reflections.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Agree with assertion further modelling on Southampton Airport not required.
- Mabbetts did carry out additional modelling of potential impacts on Upham Airfield. Conclusion no impacts.

WCC Historic Environment

First Consultation Response:

None received.

Second Consultation Response:

No objection – public benefit balance required

Need to weigh and balance less than substantial harm against public interest

No objection to solar farm in principle on the wider site.

Proposal would cause less than substantial harm to setting of listed buildings, negatively impacting their significance by virtue of introducing alien features to the landscape which would have a negative impact to the rural traditional farmland setting of the listed buildings. Application therefore contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore, the less than substantial harm identified would need to be weighed and balanced with public benefits as set out in Section 16 of the NPPF 2021. Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017 runs alongside the national legislation and policy.

WCC Landscape Officer:

(First consultation response)

Recommend conditions

- Have read submitted landscape and visual impact assessment and agree with conclusion.
- This solar farm exploiting bottom of shallow valley and will be well screened in wider landscape due to amount of hedgerows, trees and woodlands in vicinity.
- Footpath retained and all intervening hedgerows retained.
- Whilst site in sensitive landscape type (Pasture on Clay) and suburbanisation and urban fringe encroachment are key issues in this landscape character area.
- No objection to proposal, Recommend landscaping condition.

Second Consultation Response:

No objection subject to condition

- No change to earlier comments
- Condition 11 included

WCC Sustainability Officer

First Consultation Response:

Support

- Declared Climate Emergency in June 2019 and committed to aim of making district carbon neutral by 2030.
- Requires carbon reduction intervention and actions.
- Proposal would provide renewable energy for equivalent of 5,500 homes in district annually. That is just under 2% of districts total energy consumption.
- Suitable sites for large scale solar difficult to find within the district.
- Carbon Neutrality Programme supports solar farm proposal.
- Recommend highest capacity modules installed to deliver optimal yields.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Second Consultation Response:

None Received

WCC Principal Tree Officer

Second Consultation Response:

Review undertaken and advice provided on veteran tree

Environment Agency:

First Consultation Response:

Objection

(Comment 14 June 2021)

- Application lacks an acceptable Flood Risk Assessment.

(Comment dated 13 September 2021)

Withdraw objection

- Following submission of Flood Risk Assessment and details of proposed bridge previous objection can be removed.
- Imperative that comments of lead local flood authority (HCC) taken into account.
- Permit required for any works within 8m of top of bank to R Hamble

Second Consultation Response:

None Received

Hampshire County Council (Flood Authority)

First Consultation Response:

No objection subject to conditions

- Surface water runoff to be managed through infiltration swales.
- Although infiltration testing not been carried out proposals acceptable in principle.
- Applicant should retain existing ground levels as much as possible to ensure no displacement of water.
- Information submitted addressed concerns regarding Surface Water Management and Local Flood Risk.
- Information on access track and construction compound excluded on submitted Flood Risk Assessment and not covered by our original comment. Applicant should submit full drainage strategy for entire application site and proposals.
- Aware of possible flood risk issues with proposed bridge and not EA objected on that basis. However, watercourse is designated main river making management of flood risk associated with it responsibility of the EA.

Second Consultation Response:

No objection recommend condition

- Principles of surface water management within site in line with those previously reviewed and agreed.
- Previous response still stands.
- (Condition 21)

Hampshire County Council (Highway Authority)

First Consultation Responses:

(Comment dated 9 September 2021)

Need further information before any recommendation

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- New access proposed onto B3035, this connected to site with new access track and bridge crossing R Hamble.
- Applicant undertaken speed survey and provided drawings of visibility splay.
- Survey shows 85th percentile speed of 47mph southbound and 42mph northbound. These used to calculate visibility splays of 4.5m by 110 to south and 4.5 by 133 to north.
- Highway Authority satisfied with speed survey and subsequent visibility splays acceptable.
- Highway boundary does need to be shown on plans to ensure both splays within highway limits or in control of applicant.
- Require tracking detail for HGV vehicles turning into new access to confirm safe arrangement.
- Applicant provided predicted trip generation figures for constriction phase but it needs clarifying if this includes construction workers movements.
- Applicant included short Construction Traffic Management Plan (CTMP). Proposed measures to reduce impact need to include additional actions relating to road cleaners, signage, delivery times and commitment to repair any damage to highway close to site.
- CTMP to be secured by condition.
- Proposed traffic routing needs to include detail on use of strategic road network and not just B3035

(Comment dated 22 October 2021)

Require further clarification

- Applicant now submitted plan showing highway boundary. Satisfied visibility splays within highway or in red lined application site.
- Access to be secured by condition and in place prior to commencement on site
- Applicant clarified figure of 30 two way vehicle movements over 30 week build period is worse case average for daily trips and includes construction workers.
- Applicant sets out average daily trip generation figures of 4 HGVs and 22 construction workers.
- Daily trip generation figures put forward by applicant appear low based on experiences from other similar developments in county.
- Some materials arrive in bulk batches rather than spread out over full 30 weeks.
- Applicant needs to provide more detail over methodology of trips to ensure assessment of impacts on local road network is robust.
- Construction route detail now extended back to M27 junction 9. Acceptable in principle subject to final trip detail.
- Applicant should note construction work on Botley Bypass Autumn, 2022-Summer 2024, which may impact on routing.
- Applicant updated CTMP. Updated plan acceptable subject to clarification on trip numbers.
- Still need further clarification on predicted trip generation for site and until it has been agreed cannot provide a positive recommendation

Second Consultation Response:

No objection subject to conditions

- This response should be read in conjunction with previous responses of 9 Sept and 22 October 2021.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Applicant confirmed site contractor will minimise amount of material stored on site and deliveries by HGVs will be managed on a just in time method so deliveries spread out in time.
- Highway Authority satisfied this will reduce impact on local highway network and temporary construction traffic will not result in severe impact.
- For clarity Highway Authority satisfied that the speed survey undertaken by independent survey company commissioned by applicant is robust and in line with national and HCC guidance.
- Visibility splays of 2.4m by 111m and 2.4m by 133m are therefore acceptable and should be secured by condition.
- Traffic Management Plan should also be secured by condition.
- Applicant will need to enter into S278 agreement with HCC to gain technical approval for access and delivery. (*WCC: where this affects the public highway*).
- (conditions 9,& 15)

Hampshire County Council (Public Rights Of Way):

First Consultation Response:

No objection

- Footpath 13 runs north-south through site and short section used for construction access.
- Planning Statement says all footpaths will remain open and available during construction with warning signage put in place.
- NPPF para 98 states existing rights of way should be protected and enhancement opportunities taken.
- Note FP13 to run through grassland meadow with hedgerow planted on side of FP as it crosses field.

Second Consultation Response:

No objection, request condition

- Note inclusion of signage to warn contractors and drivers of presence of walkers on footpath and requirement to give way.
- Ask signage installed through Locks Farmyard where potential for conflict most frequent.
- Request informatives. (condition 15 (d))

Historic England

Does not wish to comment

First Consultation Response:

(WCC point of clarification: this comment dated 3 February 2022, which is after listing of the two buildings)

- On basis of information available, do not wish to offer any comment.
- Suggest views sought from Council's own specialist conservation and archaeological advisers.
- Not necessary for us to be consulted again unless there are material changes to proposal.

Second Consultation Response:

None received

Hampshire and IoW Fire and Rescue Service

First Consultation Response:

- Access and facilities should be in accordance with Approved Document 5 of current Building Regulations and Hampshire Act 1983 Section 12.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Bridge installation will need to take at a minimum stated in Building Control Approved Document B (fire safety) volume 2
- Following are recommendations:
 - Bridge capacity max 26 tonnes.

Second Consultation Response:

- Access and facilities should be in accordance with Approved Document 5 of current Building Regulations and Hampshire Act 1983 Section 12.
- Bridge installation will need to take at a minimum stated in ADB Vol 12.
- Following are advisory recommendations:
 - Bridge should have be able to accommodate 26 tonne High reach appliance.
 - Where operation of High Reach appliance envisaged, road or hard surface standing 6m wide is required.
 - Road or hardstanding edge not less than 3m from face of building. (Condition 8)

National Grid Asset Protection

First Consultation Response:

Not consulted

Second Consultation Response:

No objection (Gas)

- No National Grid Gas assets affected
- Have copied consultation to Electricity colleagues.

Response from National Grid Electricity Transmission Team:

No objection

- No objection provided no panels placed underneath our lines (this looks like it has already been considered)
- Stand off of 15m required to tower no changes to levels or excavations in this zone
- Stand off of 30m to tower any conductive material within this zone adequately earthed.
- Informative note to applicant

Natural England:

First Consultation Response:

No objection

- Based on plans submitted, consider that proposed development will not have significant adverse impacts on designated sites.
- Offer following advice; site is close to designated landscape of the SDNP. The planning authority should use national and local policies together with local landscape expertise and information when determining application. This includes para 172 of NPPF and landscape policies within Councils own development plan as well as consulting the NP landscape/planning officer.

Second Consultation Response:

No response

Police Crime Prevention

First Consultation Response:

Not consulted

Second Consultation Response:

Consulted - no response

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Scottish and Southern Energy Power Distribution

First Consultation Response:

No response

Second Consultation Response:

No response

South Downs National Park

First Consultation Response:

Raise concern on the current submitted information

- These comments relate specifically to consideration of impact of proposal on SDNP.
- Draw attention to Section 62 of Environment Act 1995 and to section in NPPF relating to duty to conserve and enhance landscape and scenic beauty in National Parks.
- Site together with other open undeveloped land in area positively contributes to rural setting of SDNP and its scenic quality.
- Site also contributes to wider green infrastructure network and wildlife corridors. This important considering close proximity to boundary of National Park.
- Site approximately 700m from National Park boundary at its closest.
- Whilst site screen by intervening topography and vegetation from most immediate vantage points LVIA does not appear to address effects, relating to longer distance views within National Park.
- Of 6 viewpoints, only one located within National Park. Number of other viewpoints that should be assessed.
- However, Zone of Theoretical Visibility map suggests site is highly visible from areas to north and west of site, which corresponds with the National Park.
- Use of single vantage point insufficient to assess impact on National Park.
- Panels and associated developments to scheme including lighting would be detrimental to visual and perceptual qualities of area.
- Information provided does not demonstrate proposal would not have harmful impact on visual integrity and scenic quality of National Park.
- No consideration given to impact from key routes in area such as Monarchs Way and Wayfarer Way.
- Scheme does not consider full impact on FP13, which crosses site and is a gateway to Bishops Waltham that in turn is a gateway settlement to the National Park. Therefore, the experience of approaching the National Park would be affected.
- LVIA is deficient in terms of assessing impact on National Park.
- Consider that a solar farm of this size would erode setting of the National Park.
- An appropriate LVIA is needed that includes assessment of landscape (including perceptual impacts) visual impacts, any impact on views (day and night) to and from the National Park and impacts on National Park setting or confirming that no such views exist.

Second Consultation Response:

No further comment to make.

- Considered applicants response to our original comments.
- It is for WCC to be satisfied there are no adverse impacts on setting of National Park.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Southern Water

First Consultation Response:

Request conditions

- Exact position of public sewers must be determined by applicant before layout finalised.
- 3m clearance required either side of gravity sewer to protect it from construction works and to allow for future maintenance.
- No development or tree planting within 3m of edge of sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other water feature within 5m of sewer.
- Series of notes put forward that applicant needs to consider and adhere to so sewer protected.
- Existing infrastructure should be protected during construction.
- Possible another public sewer could cross the site and if any found during construction investigation needed to ascertain ownership.
- Informatives on SUDs for applicant.

Second Consultation Response:

Request conditions

- Investigation required to location sewer.
- Exact position of public sewers must be determined by applicant before layout finalised.
- 4m clearance required either side of gravity sewer to protect it from construction works and to allow for future maintenance.
- No development or tree planting within 4m of edge of sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other water feature within 5m of sewer.
- Series of notes put forward that applicant needs to consider and adhere to so sewer protected.
- Existing infrastructure should be protected during construction.
- Possible another public sewer could cross the site and if any found during construction investigation needed to ascertain ownership.
- Informatives on SUDs for applicant.
- (Condition 10)

Representations

Bishops Waltham Museum

(WCC clarification point: this body is a charitable organisation that runs the museum and is not part of English Heritage).

First Consultation Response:

Objection

- Application ill thought out and does not provide sufficient information for disturbance caused.
- Roman remains somewhere in vicinity of revised access road.
- Expect as minimum road works do not inadvertently damage Roman Site.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Concerns over impact from power hub on Locks Farmhouse. Questionable location and disrespectful to residents. Surely, there is an alternative location somewhere on the 34-hectare site.

Second Consultation Response:

Objection

- Locks Farmhouse and Granary now been listed grade 2. Their setting now material and important considerations.
- Despite listings, no change to plans to take account of potential harm.
- Farmhouse not screen from site despite applicant claiming it is.
- Proposal an industrial operation.
- Concerned plant still directly in front of Farmhouse albeit slightly farther away but on higher ground.
- Most other locations on site would make buildings less visible from both National Park and from Lug.
- Noise emissions will carry to farmhouse causing harm to setting.
- Trial trenching condition whole-heartedly endorsed.
- Not objected to other solar farms, however local impact is excessive.
- Revised arrangements do not take account of setting of listed buildings in historic agricultural landscape nor include any mitigation measures.

Bishops Waltham Society

First Consultation Response:

Objection

- Government prioritising industrial and commercial rooftops instead of use of countryside.
- Combined with existing solar farm on adjoining land will spread over 150 acres of countryside.
- Public footpath will be surrounded by panels for half mile of its route.
- Site surrounded by 2m fence with 62 CCTV cameras.
- Struck by consistency of the concerns and objections raised by other bodies with closer knowledge and understanding of potential impact of proposal. This level of objection (Bishops Waltham PC, Shedfield PC, BW Museum Trust, CPRE and SDNP Authority).
- This level of opposition in contrast to that made against other local schemes in past.
- Society notes CPRE comments on Landscape character.
- Society notes SDNP Authority comments that scheme would erode setting to National Park.
- Note in assessment of application for 16 acre solar farm (15/00082/FUL) the WCC assessment said no landscape concerns because it was relatively small scale and concealed from view. Neither of these statements applies to current application.
- When considering solar farm on adjacent land to this application WCC said site substantially screened from views by existing and proposed vegetation.
- Existing solar farm and proposal will represent very obvious change to landscape character.
- Object as site set in an attractive and distinctive open landscape.
- Utterly spoils intimate and attractive riverscape.
- Involves ancillary equipment in addition to panels that will detract from visual qualities on an area that borders National Park

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Makes an obvious and large-scale change to character of valued landscape.
- Believe application may affect Deer Park referred to as historic feature on para 4.2.17 of LPP2.
- This one of only 37 such parks mentioned in Domesday Book.
- In medieval times enclosed 1000 acres used as hunting ground
- Site sits in middle of deer park. Existing solar farm to east located to edge of Deer Park, with this site added to it will stretch westward and dominate southern area of parkland.
- Will seriously impact any sense of historic significance within this green open space.
- Impact on setting of Palace needs assessing.
- Concerned scheme will threaten countryside gap between Bishops Waltham and Waltham Chase.
- Scheme contrary to CP18 (Settlement Gaps)
- Disappointed on lack of consultation.
- Object most strongly to application and trust it will be refused.
- Any housing development that has impacted on Lug means even more care should be taken now.
- Locks Farm now listed welcome comment from WCC Historic Environment Team.

Second Consultation Response:

Objection

- At time of original letter Locks Farm and Granary were not listed. They are now. Believe application contrary to Section 66 (1) of 1990 Act, Section 16 of NPPF and policies DM29 & DM23 of LPP2.
- Assessment of less than substantial harm by Historic Environment Team does not mean harm is minor as suggested by developer.
- Believe multiple reasons why this application should be refused.
- Maintain concern over landscape impact.
- Agree with CCPRE Hampshire this is a valued landscape.
- See no reason to change views,
- Do not think scheme is exploiting valley bottom any longer to screen development.
- Believe SDNP comment requires “no” adverse effects, not limited or small.

CPRE Hampshire

First Consultation Response:

Objection

- Solar panels should be on brownfield sites or on roofs of large buildings rather than on agricultural land.
- If countryside location essential, needs to be in acceptable landscape area.
- This site adjoins to the north an area we consider an NPPF Section 170 Valued Landscape as it contains attributes that raise it above ordinary.
- Sixteen-page report submitted setting out case for classifying the area considered as Valued Landscape.
- New 4m roadway would harm NPPF Valued Landscape.
- Impact emphasised by removal of 135m of hedgerow.
- Located on south facing slope development open to view from FP13.
- New Girder Bridge over R Hamble would damage riverscape that is essential part of Valued Landscape.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Site visible along Kings Way (historic Pilgrims Way) and from FP13 where public enjoyment of Valued Landscape would be harmed by incongruous elements that form development.
- Existing solar farm to east well hidden. If remaining part of that scheme which adjoins this site built out and then this site approved will have over 150 acres covered in panels, which will have significant adverse impact on views from Valued Landscape.
- Introduces an industrial element into attractive and tranquil rural setting.
- Site within setting of SDNP and would be visible from Freehills area especially in winter.
- Impacts do not outweigh benefits of producing renewable energy.
- Contrary to policies in both LPP1 & LPP2

Second Consultation Response: (2 letters)

Continue to object

- Note revision to NPPF that retains wording to Section 170 so assume Government content with way it is being interpreted.
- Applicant not responded to our comments.
- Need to take account of impact on setting of a National Park given more weight in changes made to 2021 edition of NPPF.
- Note Secretary of State for Environment food and Rural Affairs made statement to Environment Audit Committee on 29 June 2022 that stated Best and Most Versatile Land includes grade 3B or above. Site is grade 3b so strong presumption against granting consent.
- Welcome the permissive footpath, increased noise mitigation reduced hedgerow removal and new planting. However, this does not address main concerns outlined in original letter.
- Agent not correct to say there is very limited if any harm to the SDNP in terms of views to and from the designation and on wider setting.
- Do not have resources to undertake full survey but there are views of site from National Park when panels would be visible.
- Also strongly disagree with assessment on impact on FPs and other routes.
- Interpret 6 July SDNP letter as requiring no adverse impact on setting of National Park.

Solar Campaign Alliance

Objection

(Second Consultation Response)

- Against unregulated inappropriate solar development on greenfield land across UK
- Government does not support solar at any cost.
- Need for renewable low carbon energy does not automatically override environmental concerns and those of local people.
- Statements by government ministers confirms this.
- Proposed scheme contrary to National Planning Policies.
- Country needs to protect agricultural land for growing food.
- Cumulative effects of multiple schemes in area not taken into consideration.
- Scheme will cause harm to context and setting of local heritage assets.
- Harms tranquillity and contrary to guidance regarding noise and tranquillity
- Application contrary to local planning policies that protect countryside.
- Damage context and setting of grade 2 listed buildings.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Site at centre of historic Deer Park reference to in WCC planning documents as important.
- Locks Farm scheme wholly inappropriate and should be refused.

Winchester Action on Climate Change

First Consultation Response:

Support

- Visited site, consider combination of contours and vegetation screen site surprisingly well.
- PRoW crossing site will be protected by newly planted hedge and meadow.
- Condition of FP thru to Curdridge Lane suggest low level of use.
- Consider Bishops Waltham Solar Farm example of how well a site can be screened.
- Existing overhead power lines dominate landscape.
- In context of existing power lines claim any glimpses of small sections of proposal solar farm will degrade landscape character is naïve.
- Feel Biodiversity Management Plan is strong feature of application and will contribute to City Councils own Biodiversity Action Plan 2021.
- Note site classified as 100% grade 3b agricultural land and scheme only temporary and reversible.
- Scheme will deliver output equating to 2% of districts electricity consumption.
- UK 6th Carbon Budget commits to full decarbonisation of electricity grid by 2035.
- Policy CP12 supports decarbonisation.
- City Councils Carbon Neutrality Action Plan envisages “large scale solar”.
- Suitable sites for large scale solar very difficult to find. Application explains in detail constraints that must be overcome and addressed limited potential for rooftop and brownfield developments.
- Request all parties work towards successful outcome.

Second Consultation Response:

Continue to support

- Reaffirm support and reasons set out in original letter.
- Happy to see upgraded reports that have addressed objections and suggestions.
- Need for immediate and exponential increase in solar power.
- New Energy Security Strategy envisages 5 fold increase in solar by 2035. Utility solar farms will make up majority of this increase.
- Approval would be decisive response to climate and energy crisis within power of City Council to deliver.

Letters of Objection from the Public

First Consultation Response:

37 submissions from 28 households submitted raising objections to the proposal.

(Main points summarised):

- Does not accord with government guidance on renewables or the NPPF
- Green field site not considered a priority by government to tackle climate change.
- Solar panels should be located on brownfield sites or on rooftops.
- Loss of good farmland.
- Adverse impacts unlikely to be made acceptable so in conflict with Government objectives for renewables.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Scheme conflicts with local plan policies MTRA4, CP13, CP16, CP20, CP12, DM10, DM16, DM17, DM22, DM23, DM26 & DM29.
- Question where and how panels made.
- Panels will only generate energy during daylight hours.
- Application lacks detail regarding impacts resulting from new access and construction compound.
- Question if this approved will other developments at farm follow.
- Believe better sites with less adverse impact exist.
- Council should adopt precautionary principles and refuse application.
- Red line cuts across front of 1 & 2 Locks Farm cottages
- With experience of road speeds seek independent traffic survey
- Location has great cultural significance.
- Saxon and Norman heritage imprinted on landscape.
- Significant impact on heritage assets and their setting
- Area part of ancient Deer Park and important to historic context of The Palace, encircling Park Lug and the settlement itself.
- Will have particular impact on Locks Farmhouse a 16th century ecclesiastical farm.
- Bishops Waltham solar farm developer recognised locational sensitivities by giving written undertaking not to advance westward.
- Damage to archaeology. Roman finds within site.
- Applicant not met requirements of NPPF in relation to historic environment.
- Proposal will create substantial harm to heritage assets.
- Harm will affect key element of the special interest of these heritage assets.
- Submitted HEA is inadequate to reach a lawful determination.
- Scale, proximity and industrial nature of proposal represents a substantial level of harm to setting of listed building of Locks Farmhouse and on its unique position in Deer Park and relationship with Bishops Waltham Palace.
- Granary also listed grade 2 at risk of damage or loss due to proximity of heavy traffic.
- Application should be refused on heritage grounds.
- Loss of biodiversity.
- Area rich in ecology, badgers, bats, occasional otter and bird life. Rare Little Owls nest adjacent site and Peregrine Falcon nesting site within red line above proposed new access.
- Scheme does not improve biodiversity of land north of river.
- No consideration of loss of hedgerows or impact on wet ditches.
- Limited information on bats.
- No consideration of impact of use of lights during construction.
- No indication of route for mammals through fenced off area.
- Concerned trees will be cut back to prevent shading of panels.
- Loss of amenity to residents and visitors.
- Adverse impact of noise on local residents.
- Marked cumulative impact of adding this development to the other two solar farms approved to south of town totally 150 acres.
- Three sites will represent largest area of solar panels in Hampshire.
- Potential pollution to River Hamble if main sewer damaged.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Site part of Durley Clayland Landscape Character area. Over looked from properties located to both north and south, from Allan King Way and from FP 13 that cuts through site.
- Site only partly screened in summer clearly visible in winter.
- Damage to setting of National Park.
- Impact receptors selectively chosen, more sensitive locations ignored.
- Locks Farmhouse has clear views of site but ignored.
- New roadway and bridge will pass immediately to west boundary of house.
- Proposed fence and CCTV cameras will extend across entire southern aspect of house and within 8m of garden.
- Applicant sited most industrial and intrusive elements (battery containers, sub station etc) 15m tower in direct line of sight.
- Loss of 135m of hedge on Botley Road will open site up to view.
- Will create industrial landscape.
- Applicant failed to consider tranquillity.
- Reflection and glare will be seen at distance.
- Will impact on surrounding parishes of Shedfield and Curdridge.
- No noise or pollution assessments.
- No construction dust management plan.
- Impact on privacy of occupants of Locks Farmhouse and of users of footpath by position of CCTV cameras.
- No assessment made of impact on dark skies.
- Large number of construction HGVs will pass our house on Botley Road close to bedroom window.
- Over two years record of five road accidents close to property on Botley Road.
- Botley Road not suitable for more traffic.
- Question reliability of traffic survey undertaken during lockdown when traffic levels reduced.
- Question results of traffic survey that says max speed recorded is 47mph and another 60mph.
- Believe length of visibility splay quoted in report is less than required based on average speeds on road.
- Visibility splays of 116m south and 139m north (255m in total) not possible due to bends in road.
- Believe actual total splay needed is 274m and this not possible to achieve.
- In 2019 application for commercial use at residential property on Botley Road refused due to inadequate access and they used 60mph in calculation.
- New access should be moved westward.
- Question why need new access if existing one capable of serving farm.
- Applicants statement that site is out of view from surrounding properties is incorrect.
- Believe scheme will have negative effect on climate due to heat island effect.
- Applicant's consultation with local residents and Parish Council very limited.

Second Consultation Response:

30 submissions from 11 households submitted raising objections to the proposal. A paper containing 11 paragraphs each addressing a specific topic associated with the development has been submitted on behalf of 9 households
(Main points from all above summarised below):

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Original objections remain as points not satisfactorily addressed in revised details.
- Council needs to be assured that company behind application has sufficient funds to deal with any pollution that may result.
- Scheme in conflict with national and local planning policy.
- Without modification proposal contrary to the Planning Act and WCC District Plan.
- May be contrary to WCC duty to the National Park
- Proposal represents a significant cumulative impact on highly sensitive landscape.
- NPPF guidance that supports green energy should not be at expense of environmental protections and concerns of local residents.
- Harm of unnecessary development in countryside is harm in itself.
- Other less sensitive sites exist
- Should be located on brownfield land.
- Scale, visibility and proximity to houses result in unreasonable impact on residents.
- Made previous objection about traffic survey and its reliability given it was undertaken during second lockdown when less traffic on roads.
- Traffic study unsafe and represents unreasonable risk on busy road.
- Application should be deferred until proper traffic survey undertaken.
- Times when vehicles and motor bikes travelling in excess of 90mph.
- Residents arranged their own traffic survey in November 2021 when traffic levels back to normal. This undertaken by independent specialist.
- Residents traffic survey results based on 85 percentile showed northbound average speed of 47.8mph and southbound 51mph.
- Survey also recorded 768 additional vehicles northbound and 402 southbound compared to applicants figures.
- Results of residents traffic data is scheme would require additional visibility splay +25m and +22m making total addition of 47m.
- Attended public meeting on 4 July 2022 and heard nothing from applicant that offered confidence that a safe access will be established. Therefore, object to proposal.
- Traffic concerns raise following questions:
 - Which evidence of traffic speeds will decision be based on
 - Is there not a concern that applicants traffic survey undertaken during lockdown.
 - Resident's traffic data shows a traffic safety issue will exist.
 - Who is responsible if serious injury occurs due to splat not being sufficient for true speed of road.
- Existing solar farm emits noise.
- Panels should be on rooftops
- Should consider whole carbon footprint back to manufacturing in China.
- Solar does not work at night and limited in winter. Over a year will only generate 11% of their installation capacity.
- Risk of river pollution.
- Will adversely affect character and landscape particularly when considered in combination with existing solar farm.
- Not appropriate development in Hampshire countryside.
- Will industrialise green agricultural land.
- Note emerging concerns over fire and fumes

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Application makes statement on noise mitigation. Existing solar farm made same claims but that facility generates noise. Question who will monitor and enforce measures being offered by developer during and post construction.
- Existing solar farm offered benefits but not implemented any of them.
- Fencing will stop movement of deer.
- Concerned biodiversity will be lost.
- Existing field act as natural reflector and bounces heat back.
- Fields home to all types of wildlife.
- WCC cannot discharge its duties under Wildlife and Countryside Act 1981 and the Conservation of Habitats & Species Regulations
- Solar Farms create microclimate that will affect wildlife. Scientists still collecting data to confirm damage.
- Some benefits from scheme but in applying planning balance and fairness these do not outweigh impacts.
- Applicant not aware of heritage assets in preparing application.
- If WCC considers benefits do outweigh loss, applicant should be encouraged to re-apply, reducing scale of proposal, reducing impacts on residents and SDNP and re-consulting. Simply moving BESS and then deleting it (temporarily) not sufficient to make application acceptable.
- Believe root protection areas of 3 veteran and ancient oak tree at risk from proposed access roadway and bridge structure.
- Note Natural England and Forestry Commission advice suggests buffer zone should be 15 times larger than diameter of tree or 5m from edge of canopy if that area larger than 15 times diameter.
- Impact on trees is material consideration.
- No tree survey undertaken to date.
- As proposed trees particularly one close to stream at significant risk.
- River crossing could be moved out of root protection area.
- Bridge will cause flooding around tree impacting on its condition.
- Appeal decisions show need for renewable energy does not automatically override environmental protections.
- Valued landscape objection does not need designation to be supported in local plan but can stand on its own. Have submitted briefing paper to support this position.

Letters in Support from the Public

First Consultation Response:

5 letters from 5 households received in support of the proposal. (Main points summarised):

- Prefer large installations on industrial units but as we are in climate emergency, Hampshire needs to play its part so support this scheme.
- Strongly support application. Solar is one way of switching to relatively cheap renewable source of electricity.
- Have walked through site, cannot see any objection on visual grounds.
- Site will be all but invisible from Botley Road and Curdrige Lane.
- Pleased to see PRoW safeguarded.
- Trebling of solar required by 2030 if we are to reach net zero target.
- Site is low quality land.
- Will increase biodiversity.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Will provide 2% of Winchester Districts demand.
- Scheme includes community benefit fund.
- This is a suitable site for solar farm.
- Energy produced will help service increased demand for electricity that homes and EVs will require.
- Scheme reversible so land will remain as agricultural.

Second Consultation Response:

In response to the re-consultation exercise, 40 letters received from 38 households in support. Main points summarised:

- Need all renewable energy that can be found to avoid use of fossil fuels and avoid temperature rise.
- Note comments from WINACC that we need 49 such farms in district.
- Solar is a mature technology, perhaps cleanest, least obtrusive and cheapest form of energy.
- Support scheme as part of transition away from fossil fuels.
- Land not polluted and can return to other use when panels no longer needed.
- Scheme will benefit wildlife.
- Requires six fold increase in solar to reach net zero.
- Winchester District should play its part in change.
- Rooftop locations can play a part but schemes on open land needed.
- Scheme supports Glasgow Climate Conference proposals.
- Scheme accords with CP12 and will provide 2% of districts energy needs.
- Site already overshadowed with high voltage overhead lines.
- Temporary use of 100% grade 3b land.
- Land will remain agricultural with sheep grazing.
- Impossible to completely hide scheme, all developments result in some degree of visual impact. Just have to accept some landscape changes.
- Pity planning system does not require compensation for those most affected.
- If panels raised off ground could include sheep grazing underneath.
- Solar farms quick to install so rapid response to climate change emergency.
- Can be removed if better technology to generate electricity emerges.
- Part of farm diversification.
- Benefits outweigh any disadvantages.
- Good location in valley where topography, vegetation means site to a very large extent hidden from view.
- Electricity demand increasing as EVs replace combustion engine vehicles and air source heat pumps installed.
- Nuclear has long build time.
- Will improve energy security.
- Impressed at idea of getting schools involved so they understand issues.
- Hampshire needs to increase its renewable energy capacity.
- With large part of district inside National Park, have to take opportunity of other sites when they arise.
- Note Energy Security Strategy envisages 5 fold increase in solar.
- No taxpayer support required.
- Support on understanding decommissioning after 40 years can be forced.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Biodiversity Management Plan & Biodiversity Net Gain (BNG) impressive. BNG exceeds the 10% level.
- Support, provided safeguards to Footpath and biodiversity improvements undertaken.

Letters neither Objecting nor Supporting from the Public

One letter received that neither objected or supported the application (main points summarised):

- Neither support nor object.
- Site behind our property.
- No problem with green energy but has downsides.
- Main concern is what will happen to trees as those around adjoining solar farm been butchered.
- If supported needs condition to control tree work.

All representations as received in full have been considered in the assessment of the application and topic areas addressing their considerations are covered in the main report assessment.

Key Government Planning Policy and Guidance

National Planning Policy Framework

- Section 2 Achieving Sustainable development
- Section 4 Decision Making
- Section 6 Building a Strong, Competitive Economy
- Section 14 Meeting the challenge of climate change, flooding and coastal change.
- Section 15 Conserving and enhancing the natural environment
- Section 16 Conserving and enhancing the historic environment
- Annex 2 Glossary

National Planning Practice Guidance

- Brownfield land register
- Climate Change
- Consultation and pre-decision matters
- Flood risk and coastal change
- Historic Environment
- Light Pollution
- Natural Environment
- Planning Obligations
- Renewable and local carbon energy
- Travel Plans, Transport Assessments and Statements
- Use of planning conditions

Relevant Local Development Plan Policies and Guidance

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

- DS1 Development Strategy and Principles

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- MTRA4 Development in the Countryside
- CP10 Transport
- CP12 Renewable and Decentralised Energy
- CP14 The Effective Use of Land
- CP15 Green Infrastructure
- CP16 Biodiversity
- CP17 Flooding Flood Risk and the Water Environment
- CP19 South Downs National Park
- CP20 Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

- DM1 Location of New Development
- DM15 Local Distinctiveness
- DM16 Site Design Criteria
- DM17 Site Development Principles
- DM18 Access and Parking
- DM19 Development and Pollution
- DM20 Development and Noise
- DM21 Contaminated Land
- DM23 Rural Character
- DM24 Special Trees, Important Hedgerows and Ancient Woodlands
- DM25 Historic Parks and Gardens
- DM26 Archaeology
- DM29 Heritage Assets
- DM31 Locally Listed Heritage Assets

Other relevant documents

Bishops Waltham Design Statement 2016

- Policy 2.1 The existing rural nature of all approaches to Bishops Waltham should be preserved where possible.
- Policy 7.2 New developments should incorporate appropriate planting with sufficient space for mature growth to respect the overall rural character.
- Climate Emergency Declaration carbon neutrality action plan 2020-2030
- Statement of Community Involvement 2018 and 2020
- Landscape Character Assessment March 2004 and emerging LCA December 2021
- Biodiversity Action Plan 2021
- Historic England Guidance
- Conservation Principles Policies and Guidance 2008
- Historic Environment Good Practice Advice in Planning: 4 Published 30 June 2020
- The Setting of Heritage Assets: Good Practice Advice Planning Note 3 (2nd Edition) December 2017

Planning Considerations

Principle of development

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

LPP1 policy DS1 (Development Strategy and Principles) sets an overview that all development should seek to comply with reflecting the fundamental principles of sustainability, positive engagement and a positive outcome. It is considered by officers that the application under consideration has the potential to achieve all of these objectives providing it complies with other more issue specific local plan policies.

The site lies within open countryside where LPP1 Policy MTRA4 states that development will be limited to a small number of categories. None of these categories explicitly refers to the provision of a solar farm, although the first category does refer to “development with an operational need for a countryside location, such as agriculture, horticulture or forestry”. The use of the words “such as” implies there are other activities beyond those listed that could be considered for a countryside location if they can present an operational need.

However, for the purposes of the statutory test, it is necessary to consider other policies of the Development Plan and determine whether the development does not accord with the Development Plan as a whole and, if there is a conflict with the plan as a whole, whether there are other material considerations which are such that planning permission should nonetheless be granted. Development proposals which are in accordance with policy MTRA4 should not cause harm to character and landscape of the area or neighbouring uses, or create inappropriate noise/light or traffic generation.

The application outlines the extent of the factors considered in the identification of a site and then the search criteria through which this site was brought forward. Solar farms by their very nature need an extensive area for the number of panels to be displayed. Alternatives such as installations on roofs or brown field land do not offer the applicant practical options. The extent of brown field land within the district is limited and under pressure for housing development. There is also the government proposal set out in the Energy Strategy to see a 5 fold increase in the amount of solar panels which must rely heavily on ground mounted provision. When considering the above, this solar farm is considered to have an operational need that justifies a countryside location under policy MTRA4 subject to the acceptability of the scheme in the context of further policies.

Policy CP12 (Renewable and Decentralised Energy) offers general support to the generation of renewable energy. Whilst the policy does not specifically refer to solar farms they are embraced within the policy under the generic term “development of large scale renewable energy developments”. Seven criteria are outlined that need to be considered when applying this policy. Those specifically relevant to this application are:

- impact on areas designated for their local, national or international importance, such as Gaps and the South Downs National Park, conservation areas and heritage assets, including their setting;
- contribution to national, regional & sub-regional renewable energy targets and CO2 savings;
- potential to integrate with new or existing development whilst avoiding harm to existing development and communities;
- benefits to host communities and opportunities for environmental enhancement;

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- proximity to biomass plants, fuel sources and transport links;
- connection to the electricity network;
- effect on the landscape and surrounding location.

All these criteria will be considered below.

Regarding national policy, the National Policy Statement (NPS) for Energy (EN-1) indicates that the Government is committed to meeting a legally binding target to cut greenhouse gas emissions by at least 80% by 2050, compared to 1990 levels. As a general statement of the Government's objective, this is considered material notwithstanding it is contained within an NPS. The Climate Change Act commits the UK government by law to reducing greenhouse gas emissions by at least 100% of 1990 levels (net zero) by 2050. Increasingly, the need for a move away from fossil fuel and towards renewable sources of energy production is supported for reasons of energy security and reduced greenhouse gas emissions. This position has only been strengthened by more recent government publications and guidance such as the Energy White Paper Powering our Net Zero Future and the Energy Security Strategy that refers to a fivefold increase in solar.

The NPPF contains sections that are considered as supportive of solar farm schemes and sections that indicate caution in terms of the need to consider the impacts on the natural and manmade environments. Chapters 6 (Building a Strong, competitive Economy), Chapter 14 (Meeting the Challenge of Climate Change, Flooding and Coastal Change), Chapter 25 (Conserving & Enhancing the Natural environment) and Chapter 16 (Conserving & Enhancing the Historic Environment) all contain relevant factors (for and against) to be taken into consideration. These competing factors were encapsulated in the 25 March 2015 statement from the then Secretary of State, which included the following section:

The National Planning Policy Framework includes strong protections for the natural and historic environment and is quite clear that local councils when considering development proposals should take into account the economic and other benefits of the best and most versatile agricultural land. Yet, some local communities have genuine concerns that when it comes to solar farms insufficient weight has been given to these protections and the benefits of high quality agricultural land. As the solar strategy noted, public acceptability for solar energy is being eroded by the public response to large-scale solar farms which have sometimes been sited insensitively.

Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment. When we published our new planning guidance in support of the Framework, we set out the particular factors relating to large scale ground mounted solar photovoltaic farms that a local council will need to consider. These include making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference to land of a higher quality.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

We are encouraged by the impact the guidance is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence. Of course, planning is a quasi-judicial process, and every application needs to be considered on its individual merits, with due process, in light of the relevant material considerations.

On the question of the agricultural land classification, best and most versatile land is defined in the glossary to the NPPF as land of grades 1, 2 and 3a. This application site is grade 3b. Some of the parties who have made representations on the application have drawn attention to a comment from the then minister at DEFRA (George Eustice) to the Environmental Audit Committee when he appeared to suggest that the protection also applied to grade 3b land. In a letter to the chair of that committee dated 6 September 2022 the Minister acknowledged that his statement was not correct and grade 3b does not currently fall within the definition of Best and Most Versatile. The current situation is that the NPPF definition as outlined above applies and until that definition is changed the LPA must apply the Best and Most Versatile definition accordingly.

Objectors have expressed a view that the site lies within the settlement gap between Bishops Waltham- Swanmore-Waltham Chase-Shedfield Shirrell Heath. Accordingly, they claim that the application is in conflict with LPP1 Policy CP18. However, the site is not within the Settlement Gap so the policy does not apply.

In conclusion, at both the national and local level, there is support for renewable energy proposals with no objection on the use of grade 3b land, but a recognition that this support is not unqualified and must take account of the wider impacts of any scheme on the local environment. Every application needs to be considered on its individual circumstances and merits, in light of the relevant development plan policies and other material considerations that apply.

The remaining sections in this assessment will consider the individual circumstances of this development and how these relate to the development plan and other policies, as well as all other material considerations to which the application gives rise.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule 1 of the 2017 Environmental Impact Assessment Regulations. The applicant did submit a screening request in May 2020, acknowledging that the scheme was for the production of energy on a site in excess of 0.5 hectares and therefore fell under Schedule 2 part 3(a). Having assessed the implications and potential impacts likely to arise from the development, an opinion was issued in June 2020 that an Environmental Impact Statement was not required as part of any submission.

The initial screening opinion was written reflecting the specific circumstances at the time. This predated the listing of Locks Farmhouse and the Granary. Officers have revisited the situation and considered whether the statutory listing of Locks Farmhouse and the Granary has changed the circumstances relevant to the original screening decision and whether the proposal does now give rise to likely significant effects on the environment such that an EIA is now required. Having regard to the likely impact on the listed buildings, officers
Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

are satisfied that it remains the case that the development would not give rise to likely significant effects on the environment. The opinion remains unchanged that no EIA is required.

Impact on character and appearance of area, including recreational effects on users of public rights of way.

LPP1 policy MTRA4 (Development in the Countryside) seeks to limit development outside the built up areas. Of the four types of development that are envisaged as potentially being acceptable in the countryside the only one that could apply to a solar farm is that they have an operational need for such a location based on the extent of the land take required. However that situation must still meet the other more general tests in terms of not causing harm to the character and landscape of the area or neighbouring uses, or create inappropriate noise/light and traffic generation.

Moreover, other development plan policies also need to be considered when addressing these impact. LPP2 policy DM23 (Rural Character) seeks to protect the rural character of the site, including on landscape character and the visual environment. This includes keeping visual intrusion to a minimum, maintaining tranquillity, not detracting from the enjoyment of the countryside from public rights of way and assessing the type and number of vehicles associated with any development. Given the proximity of the site to the National Park that lies to the east, an additional layer of protection needs to be applied in accordance with the terms set out by LPP1 policy CP19 (South Downs National Park). This relates to the potential impact on the setting of the National Park.

A Landscape and Visual Impact Assessment has been submitted. In response to the SDNP Authority's first comment, further analysis has been presented by the applicant. The following information has been taken from these documents:

- LVIA undertaken using standard methodology and guidelines.
- Used study area of 5km, which included section of SDNP that lies off to Northeast.
- Site not recognised as important or valued through any landscape relevant designation.
- SDNP boundary 725m away.
- Site lies within Durley Claylands landscape character area.
- Zone of theoretical visibility based on height of structures on site of 3m and a 5km area.
- Six viewpoints selected as representative of most exposed views from most sensitive receptors in all directions.
- Conclusion site not within a valued landscape.
- Limited direct effects on landscape elements and limited vegetation loss.
- Limited impact on wider landscape due to existing landscape character and proposed planting.
- Neutral impact during operation.
- Views from visual amenity receptors restricted by vegetation.
- Proposed planting will reinforce screening over time.
- Considered cumulative impact effect of this scheme and 3 other solar schemes in study area.
- Regular and strong field pattern screens wider cumulative influence of solar farms

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

on landscape character.

- Even when viewed in combination, addition of proposal difficult to ascertain.
- Proposal will not create a landscape dominated by solar farms.
- Undertaken visit to areas referred to in SDNP comment and produced 4 additional viewpoints from within NP.
- Conclusion is no views exist.
- As site located on other side of Bishops Waltham to the NP cannot accept view that site is gateway to NP.
- Do not think any noteworthy views of site exist from other routes in area such as Monarchs Way, Wayfares Walk, Allan King Way or Pilgrims Trial.
- Overall, consider very limited if any harm to SDNP in terms of views to and from designated area.
- Any harm clearly outweighed by benefits of proposal.

The site is presently open agricultural land lying within the low valley bottom of a tributary to the River Hamble. The strong hedgerow boundaries and the presence of mature trees adds a distinctive character to the area. The hedgerows also divide the site into distinct clearly defined fields. Within the Winchester Character Classification, it forms part of the Durley Clayland Landscape Character Area. The key characteristics of value and sensitivities for this area are identified as:

- Numerous ponds (including Fishers Pond), streams, springs, wells and associated wetland habitats and mills, particularly relating to the Hamble.
- Small irregular fields associated with informal and piecemeal enclosure cover much of the area.
- Strong hedgerow and woodland network dominated by oak, ash, hawthorn, hazel, and field maple. Woodland generally assarted.
- Long views from elevated positions across farmland, together with shorter views enclosed by woodland and strong hedgerows boundaries.
- Numerous ancient narrow winding lanes, some sunken and with a quiet, rural character.
- Traditional construction and building materials include timber frame with brick infill, red brick, vitrified brick, painted brick, and clay tiles.
- Tranquil in areas away from urban influences.

The key issues that are occurring in the area are identified as the following:

- Loss and poor management of hedgerows and woodlands. Ash dieback and the loss of mature trees within the landscape.
- Suburbanisation and urban fringe encroachment, and further pressure for urban fringe use related activities.
- Intrusive vertical elements such as communication masts, flues, pylons, and rigs associated with hydraulic fracturing ('fracking') which can be visible over long distances.
- Poly-tunnels and solar farms, which can be particularly noticeable due to their colour and reflective qualities.
- Ecological impact of golf courses.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Improvement of grass through fertiliser and herbicide use.
- Impact of pony paddock fencing on historic field patterns.
- Increased artificial light on tranquil rural quality.
- Intrusive agricultural and industrial buildings and untidy peripheral areas.
- Cumulative effects of sustainable energy and infrastructure developments
- Pollution and siltation of watercourses arising from intensive agricultural practices.

Views of the site from public vantage points are considered to be relatively limited. From the Botley Road only sections of the site can be seen from any one location. The ability to enjoy what views exist are restricted by the lack of a formal footway and the need to maintain a safe position as traffic passes. The new access off the Botley Road will open up a new position to view the site. These views will be reduced over time as the replacement hedgerow becomes established. Views will also be possible from the permissive footpath that the applicant is proposing to create, when walking south. These have to be weighed against the benefits of being on a safer route as opposed to staying on the Botley Road. Limited views will also exist from the footpath that runs off the Botley Road down to the farmyard. Given the topography, no views from this footpath result in any part of the site being seen on the skyline but against the background of trees. Any views are also limited and consequently no significant adverse impact to views from this path will result.

From the Clewers Hill area and Curdrige Lane, intermittent and fleeting views may exist where the height of hedges or field gates provide an opportunity to look northward. From this area, the angle of view means the dark area of panels will be seen in the context of the surrounding landscape. Given the topography, no views result in any part of the site being seen on the skyline but against the background of trees. No adverse impact will result from the development on views from this direction.

From Allan King Way footpath at Coppice Hill (NE of the site) at a distance of 675m from the site, only the eastern end of the site is visible and then from only a short section of the footpath. From the footpath that leads north off Curdrige Lane, the site is barely visibly as the approach on the footpath is a gentle slope if not level. From the footpath (FP13) that crosses the site, views will be limited to within that field (Field 3) by the strong field boundaries. As this path climbs northward up towards the farmyard the hedgerows limit views. Having visited another solar farm in the area it is considered that the deer fencing is a very transparent feature and does not create a solid enclosure but still allows views through and over the site. From none of these locations does the site stand out against the skyline but is always viewed in the context of the surrounding vegetation and the pylons and power lines, which are the most visible and dominant features in the landscape.

The character of the section of footpath that crosses the site will change as the open expanse of ground is confined by the new section of hedgerow on the western side. To the east will be the new area of wildflower meadow. It is proposed to maintain a small gap between the alignment of the footpath and the new hedgerow. The degree of

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

change to the enjoyment of the footpath is considered acceptable when considering the general character of the footpath and the landscape and biodiversity benefits that will result.

Whilst the site can be seen from vantage points on the local roads and on the Public Rights of Ways network, any views are limited in extent and duration. Accordingly, the overall impact is considered acceptable.

Policy DM23 (Rural Character) sets out 6 factors to consider when assessing the effect of any development on rural character. The sixth factor relates to domestic extension which does not apply in this instance. The following considers each factor in turn:

1. Visual intrusion and the effect on the setting of settlements, key features in landscape or on heritage assets should be minimised and cumulative impacts considered: The application site is located within a valley area and whilst not completely hidden its overall impact on the landscape is reduced accordingly. The consideration on the setting of heritage assets will be dealt with separately. The assessment has consider the combined impact with the existing solar farm to the east and no additional cumulative impact is found.
2. Physical impacts: Excluding the removal of some sections of hedgerow to form the new junction on the Botley Road and to allow access between the fields, the proposal retains the existing field pattern and ground levels. Given the proposed replanting at Botley Road, the physical impacts generally are considered to be limited and acceptable.
3. Tranquillity: This factor refers to the introduction of lighting or noise sources. No lighting is proposed for the development beyond limited lights that would be restricted to use only in emergencies. Noise is considered elsewhere but generally is considered acceptable. Tranquillity is also considered in the context of the enjoyment that a person would experience of walking through open and undeveloped countryside. It is acknowledged elsewhere in this report that the views of walkers using FP13 will change with the loss of the view across open ground to the west. However, the presence of the solar farm in that direction will be mitigated as the new hedgerow grows.
4. The Development should not detract from the enjoyment of the countryside: The existing footpath that crosses the site is retained and a new section of permissive footpath provided. It is not considered that the development will materially detract from the enjoyment of the countryside.
5. Traffic levels should not result in harm to rural character. The construction phase will see the largest number of traffic movements associated with the development. These will be restricted to an agreed route on the main roads avoiding narrow rural lanes. For the majority of the life of the site only occasional visits are anticipated. Traffic generation will be acceptable.

In conclusion, the site forms part of the Durley Claylands Landscape Character Area. The general components that form this character area are small to moderate sized fields bounded by mature vegetation. The proposal will see the retention of the existing field system. The gaps to enable the access network are considered to be acceptable when weighed against the landscape benefits that relate to the retention of existing features and the establishment of new planting (conditions 11 Landscape & LEMP in legal agreement).

Several of the bodies and individuals who have made representations on the application
Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

refer to this area as a valued landscape. Despite these references, the area does not carry any specific landscape designation that is promoted within any local planning policy or within the Bishops Waltham Design Statement. All countryside has character traits that need to be considered when making a decision. However in this instance the higher rating of a valued landscape is not considered to apply in this instance.

The Landscape officer accepts the conclusions from the applicant's landscape assessment and does not raise any objection to the application. A landscaping condition is requested and this is set out as no 11 at the end of this report. Despite the concerns raised by objectors it is not considered that the proposal will result in significant harm to landscape character. The relevant factors in policy DM23 have been applied to the proposal and no significant adverse impact will arise. Accordingly, the proposal complies with policy DM23 of the Local Plan part 2.

Development affecting the South Downs National Park

With a separation distance of 650m, the application site does not share any common boundary with the South Downs National Park (NP). After hugging the northern side of Bishops Waltham the NP boundary comes down the south eastern side of the town to follow the main road (B2177) before weaving eastward up Paradise Lane. This boundary alignment allows for the inclusion of The Moors area within the National Park. Generally, east and south of the B2177 the ground rises to a more elevated position.

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) updated 2021. The 2010 publication English National Parks and the Broads UK Government Vision and 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.

LPP1 Policy CP19 (South Downs National Park) seeks to ensure that new development should be in keeping with the context and setting of the National Park. Given the separation distance between the site and any part of the National Park, the consideration with regard to this development is on its impact on the setting of the National Park. When first consulted, the National Park Authority (NPA) raised concerns over the absence of information on the potential impact on the National Park. The applicant did present further detail to address these concerns. In their second comment, the NPA did not express any view on the adequacy of the additional information in terms of whether it addressed their original questions. Instead, the NPA made a clear decision to leave the final judgement up to the local planning authority. The guidance on the importance of protecting the NP is quite clear. However, it does not mean that no development can take place on a site close to a national park, contrary to the view expressed by some of the objectors. The existing solar farm that lies immediately to the east of this application site is one instance of such an approval.

Some parties have made reference to the potential impact on views from footpaths that run through the National Park. The Monarchs Way route lies over 4km to the north east and the Wayfarer Way 4.5km to the east. The applicant did respond to these general concerns and submitted 4 additional viewpoint photos. The applicant concluded that no

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

noteworthy views exist. Having reviewed the additional information submitted, when considering the distance, the degree of impact from these footpaths is considered to be limited and when looking towards the area of the solar farm any views that might exist would be set within the wider landscape and not stand out on the skyline.

Some objectors have referred to the potential impact on “dark skies”. This would only be an issue if the site were to be illuminated. The application does not propose to use any continuous lighting with the limited lights on site only triggered in the event of an emergency for an employee to be present outside of normal working hours. The precise lighting detail would be controlled by a planning condition (condition 20). Under these circumstances no adverse impact on dark skies will result.

Whilst some short views and longer distance views would exist, due to the distance and intervening features, a material adverse impact on the National Park and its statutory purposes is not considered by officers to arise.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development is considered to have a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation. The WCC Landscape officer has confirmed that his comment of “no objection” had regard to the presence of the NP.

In conclusion, officers consider that the development will not affect any land within the National Park nor will it adversely affect its setting and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949. The application therefore complies with policy CP19 of LPP1. Conditions 07, 11 & the LEMP including monitoring within the legal agreement secure the existing landscape features and the enhancement works. Condition 19 would secure the colour of the service buildings.

Historic Environment

Relevant Legislation and Policy

The preservation of the special architectural/historic interest of a listed building and its setting is addressed in section 66 P(LBCA) Act 1990; Policy DM29 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

The preservation of a non-designated heritage asset is addressed by policy DM31 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2021) Section 16.

Section 66 sets out the requirement on an LPA when considering an application that affects a listed building or its setting to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”. Section 16 of the NPPF notes amongst other matters that heritage assets are “irreplaceable assets” and that they should be “conserved in a manner appropriate to their significance”. The guidance also sets out the approach to considering potential impacts. The local plan policies also recognise the importance of protecting heritage assets.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The consideration and assessment of due regard is required in relation to the relevant legislation and guidance as outlined within the Historic Environment/Archaeology consultation response

As such due regard has been given to Section 66 of the Planning (Listed Buildings and Conservation Areas Act 1990) which confirms that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the Listed Building/Structure. Case law has established that where an authority finds that a development proposal would harm the setting of a listed building, it must give that harm “considerable importance and weight”. That weight should be proportionate to the nature of the heritage asset under consideration such that the more important the asset the greater the weight which should generally be attached to any harm.

The historic environment section of the Planning Practice Guidance further outlines the role of the Local Planning Authority in considering the effects of new development that are in the vicinity of or affect the setting of listing buildings and heritage assets. Paragraph 199 of the NPPF advises that great weight should be given to the conservation of a heritage asset in considering the impact of a proposal on its significance (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Policy CP20 of WDLPP1 and Policy DM29 of WDLPP2 ensure that development preserves and enhances heritage assets and their settings.

The applicant submitted a revised heritage assessment in response to the listing of Locks Farmhouse and The Granary. The following points are taken from this Historic Environment Desk Based Assessment:

- Document followed Historic England Good Practice Guide in production.
- Applied National legislation and guidance on protection of archaeological sites and historic buildings.
- Applied relevant planning act, NPPF, PPGs, local plan policies, HE Good Practice Advice Notes & standard guidance from Chartered Institute for Archaeologists.
- Used 1 and 2km study areas.
- Visited site October 2020.
- Sixty-one archaeological or heritage studies occurred in the study area, none within the site.
- Archaeological potential assessed as generally low to moderate.
- Possibility of Palaeolithic evidence identified and noted.
- Given agricultural use of site many medieval period remains likely to relate to that use.
- Proposal to have limited impact on any buried remains if present. Limited excavations to relatively shallow depth.
- Listed Farmhouse 90m from site. Granary 110m from site.
- Farmhouse 2 storey with 17th century origins added onto both sides by 19th and then 20th century extensions.
- Assessment consider 5 contributory factors to the significance of the listed building and considered each in turn.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Farmhouse remains at heart of historic farmstead and in visual terms extremely well screened from site by vegetation on northern site boundary.
- Conclusion is less than substantial harm found in respect of Farmhouse and by association, same for Granary.
- Harm found at lower end of scale and considered mitigated through generation of renewable energy.
- Unlikely any features relating to presence of deer park exist at site. Low to moderate potential,
- Heritage Landscape Character value considered low given historic remodelling of internal field boundaries and commonality of landform within wider region

The four step approach to proportionate decision taking set out in the Historic England Good Practice Advice in Planning Note No 3. (2nd edition) December 2017 is considered by officers to be an appropriate way of examining the impact on heritage assets. This approach recommends the following steps:

1. Identify the heritage asset that would be affected
2. Assess the value of setting
3. Assess the degree of impact
4. Explore ways to maximise enhancement and avoid or minimise harm

In the context of this application, regard has been taken by officers of all the above contributions and the stepped approach is adopted below.

1. Identifying the heritage assets that would be affected.

The site itself does not contain any listed buildings but it does lie in close proximity to Locks Farmhouse and the Granary building which lies within the garden to the Farmhouse and are both listed grade 2.

These designations were applied whilst the application was under consideration. One of the reasons the second consultation exercise was undertaken was in recognition of this particular change in circumstance.

These two buildings lie some 90m to the north of the main application site, but much closer to the new access route and the roadway that runs down from the farmyard to the new bridge. In this location the two listed building are only separated from the new access roadway by the garden boundary, the existing track from the farmyard down to the stream and the hedge/trees that form the eastern boundary to the field. Downslope of Locks Farmhouse to the stream, the ground is used as amenity space by the occupants. However, only the first section is recognised as domestic curtilage. This is defined on the ground by a post and rail fence. Trees lie on both banks to the stream. On the south side of the watercourse, the ground rises up into the application site.

There are other heritage assets within the locality, but given their separation distances from the application site, the intervening vegetation and changes in topography none are considered to be close enough to justify an assessment of the potential impact on their settings and their significance will not be harmed.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Objectors have expressed a view that the setting of Bishops Waltham Palace will be harmed by the proposals. If this were accepted then the Palace should form part of this assessment exercise. The Palace is an Ancient Scheduled Monument and the Palace House is listed grade II*. However, the Palace is located over 900m to the northeast of the application site (the boundary of the associated Scheduled Monument is over 740m away). There is no inter-visibility between the two sites. When considering the circumstances, it is not considered by officers that the proposed solar farm has any impact on the setting or the significance of Bishops Waltham Palace itself.

Accordingly the focus will be on Locks Farmhouse and the Granary Building.

The listing description for the Farmhouse includes the following principle reasons for the listing;

- architectural interest;
- historic interest and
- group value.

Concerning its architectural interest, the focus is on the substantial proportion of its 17th Century fabric and 19th Century historic fabric, survival of 17th Century good quality, well-crafted materials and features both external and internal. Regarding the historic interest, this refers to its location within the park of Bishops Waltham Palace and its role in the farming of the estate from the 17th Century. Concerning group value, there is reference to it possessing historic and functional group value with Bishops Waltham Palace, which is a scheduled monument.

The Granary is also cited for the following principle reasons:

- Architectural interest
- Group Value (with the adjacent Locks Farmhouse)

The architectural interest is focused on elements of the building itself whilst the group value is referenced to its relationship with the Farmhouse.

From the above it is evident that the potential impact on the three principle reasons for listing Locks Farmhouse needs to be considered. Regarding the Granary the two principle reasons quoted relate to the interaction with the Farmhouse more than the wider area.

2. Assessing Value of Setting

On the basis that the proposal does not physically impact on the listed buildings or encroach into the curtilage of either building, the main focus must be on their setting. The focus should be on the contribution the application site makes to their setting. The setting of a heritage asset is defined in the glossary of the NPPF as follows:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”.

The Historic England good practice note 3 The Setting of Heritage Assets provides guidance on understanding how the concept of setting should be considered. It notes that

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

whilst the extent and importance of setting is often expressed by reference to visual considerations, setting is also influenced by other environmental factors and by the understanding of the historic relationship between places. It also reminds readers that the contribution of setting is not dependent on their being any public right or ability to access or experience the setting. Accordingly, it is appropriate to consider it from locations on private land.

In terms of setting, Locks Farmhouse and the associated Granary stand within the confines of the Bishop Waltham Palace Park and it is known that the parkland was given over to agriculture around 1663. Locks Farm was at the centre of the agricultural infrastructure responsible for managing the land, a role it held until at least the mid-19th Century. Therefore on this basis the setting of the listing is considered by officers to include the surrounding farmland.

The application site is therefore within the setting of the two listed buildings (Farmhouse and the Granary). The Farmhouse possesses historical and functional group value with Bishops Waltham Palace.

The farmland surrounding the Farmhouse and Granary (which contains the application site) contributes positively to the setting of the listed buildings and contributes to the significance of the buildings because rural farmland is the original context related to the listed building's original function.

Locks Farmhouse has a clear historic association with the application site and through that an historic link to the Palace as part of the wider deer park. That association has evolved over time and no longer retains any degree of interdependency whether that was financial or on a resource supply basis (food from the land to the Palace) that may once have existed. Ownership has also evolved as the farm has become an independent operation no longer tied to the Palace. This break has move one further step as the ownership of the Farmhouse is no longer part of the holding.

It is, however, confirmed that the application site forms part of the setting of the listed buildings and that setting contributes positively to the significance of the listed buildings. The following is an assessment on the degree of this impact.

3. Assessing the Degree of Impact

When assessing the degree of impact it is first necessary to define what aspects of the listing designation may be impacted by the development under consideration and from that the relationship of the site to the significance of the heritage assets.

In terms of locations, the listed Locks Farmhouse and the Granary building lie just east of the proposed access route to the main site and 90 metres from the red lined application site itself. The application site lies in the south central part of what was the former Deer Park to Bishops Waltham Palace. The Palace lies some 900m to the north. The Park Lug, which was the boundary feature to the Deer Park, runs in a U shape east, south and west of the site. At its closest, it lies 490m to the west, 460m to the south and 624m to the east. The closest it does come is to the south east at 385m.

The elements of the proposal that lie in close proximity to Locks Farmhouse are the access track which sits to the west of the Farmhouse and Granary to the opposite side of a
Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

boundary wall, areas of panels within fields 4 & 5 and the supporting infrastructure that is positioned alongside the western hedgerow boundary to field no5. The tallest structure would be a 15m lattice tower. The other structures vary from 2.3m to 3.5m in height. They are to be constructed from metal or glass fibre. Two colour options are presented which are light grey or moss green. The layout plan shows a communications structure at the lower end of the field near the stream with a second communications structure, a switchgear building, a 33KV sub station and the 15m lattice communications tower located on the slope in front (north) of the distributor power line. The existing metal pylon which lies south of these structures is 248m south of the Farmhouse. An inverter building lies just south of the pylon.

In terms of direct impact on Locks Farmhouse, it is considered that there remains sufficient distance between the application site (including its access route) and the designated feature to prevent a direct impact through construction and operational impacts such as vibration, noise or physical harm.

Turning to the assessment on the setting of Locks Farmhouse, it is considered that its architectural interest is not affected in any way by the proposal. Its historic interest, in terms of its location within the park to Bishops Waltham Palace remains unchanged. Even without the leaves on the trees, the view of the site from Locks Farmhouse is fragmented by the intervening vegetation. The same level of inter-visibility applies when standing in the field looking back towards the Farmhouse. From the field the view also includes parts of the agricultural buildings behind the Farmhouse.

Equally, its historic role in farming the estate from the 17th Century will not be undermined by the proposal as that is an historic connection. In terms of how people view the association today, as the two features (the Palace and the Farmhouse) cannot be viewed together, the association must be one of how the historic landscape has been controlled and shaped in its current form.

As ownership has now been fragmented, the greater interest now must lie in the historic recorded association. Whilst the proposal will change the nature of the way the land is used, it does not represent a total disengagement with farming as at the end of the 40 years the site will be cleared and revert back to its former use. Nor is the use or physical presence of the new access road or the bridge considered to harm the setting or significance of the listed buildings when account is given to the separation distances, the presence and use of the existing track and the intervening screening. Any higher level of use of the new access is of a relatively short duration for the construction period and then again at decommissioning.

It must also be acknowledged that the surroundings to the Farmhouse have changed over time with the introduction of the functional agricultural buildings to the north and the electricity lines that dominate the northern ends of fields nos4 & 5.

For the Granary, consideration has been given to the potential impact of passing traffic on the Granary building. This structure is located approximately 11m away from the edge of the new access. It is not occupied but appears to be used for storage purposes. The Granary is elevated above ground level by a series of cast iron mushroom shaped staddle stones. The structure is showing signs of leaning at the present time.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

When considering the use of the access track for vehicle movements both in construction and operation, given the separation distance and that the consideration relates to passing vehicles it is not considered that there will be any impact on the structure or its use arising from issues such as fumes or vibration.

The even greater separation distance of approximately 40m between the access roadway and the Farmhouse means there is not considered to be an impact on that property either and as a result there is not considered to be any harm caused to the significance of the listed buildings as a result of the use of the access for passing traffic in construction and operation.

The architectural interest in the Granary Building is not considered to be affected by the proposals nor is its group value which the listing designation ties to the Farmhouse. That link remains unaltered by the proposal. The context to the Granary Building is confined to its immediate surroundings with no views of the fields or any reverse view.

Regarding setting, it is considered that a degree of impact on the setting of the listed buildings would occur. In reviewing the application, the Council's Historic Environment Officer does not raise an objection to the development on the wider site in principle as this would have limited impact on the setting of the listed buildings. However, their review confirms that the introduction of a non-rural/industrial function with an alien appearance to the fields within the setting of the listed buildings is going to cause 'less than substantial harm' to their setting and significance due to how the farmland relates to and contributes to the significance and setting of these buildings. This is due to the presence of the solar farm on the farmland including the supporting infrastructure that would be located almost due south of the Farmhouse. Reference is also made to the presence of the security fencing and presence of CCTV cameras.

This is considered to negatively impact the significance of the listed buildings by virtue of introducing alien features to the landscape which would have a negative impact to the rural traditional farmland setting of the listed buildings.

It has been considered by the Historic Environment Officer following assessment that a degree of harm to the significance of the listed building would result if the development took place due to the alterations as the installation would affect the rural setting of the buildings. Subsequent clarification with the Historic Environment Team has placed the level of harm as 'moderate' which is in the middle of the 'less than substantial' scale of harm which has been identified. This impact should, as a matter of law, be given great weight and importance in the planning balance against any other factors.

The guidance set out in paragraph 202 of the NPPF is engaged, which states:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

As it is important to ensure the balance and planning judgement for this application takes account of all relevant matters, the assessment based on this guidance is undertaken in the Planning Balance and Conclusions section of the report.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

4. Exploring Ways to Maximise Enhancement and avoid or minimise Harm

Whilst the third party representation still appear to object generally to the impact on the listed buildings of the whole development, one of the concerns by third parties has been the specific location of the supporting infrastructure in what is considered to be the direct line of sight south of Locks Farmhouse.

The applicant has provided information on the reason field no5 was chosen to locate the supporting infrastructure. The factors behind their approach are summarised as follows:

- Items are small structures located besides a large pylon which is acknowledged as a detracting feature in wider landscape,
- Point of connection to grid located northern end of field no5
- Ideally, substation located as close as possible to point of connection to minimise high voltage underground cable. This improves deliverability of proposals and their substantial benefits and reduces impacts as result of trenching work.
- In terms of alternative locations elsewhere within the site, footpath 13 and ditch system means whole site divided into two broad areas of fields nos1-3 and 4 & 5.
- Moving infrastructure west of ditch and footpath means more access by Scottish and Southern Energy to their new sub-station. Potential conflict as any roadway would need to cross footpath.
- Proposed site protects amenity of footpath corridor.
- Moving infrastructure south takes it closer to residential dwellings in that direction and into possibly more visible location when viewed from Locks Farmhouse.
- Noted vegetation screening on site boundary to north of field 5.
- Overall considered proposed location appropriate from deliverability and planning point of view including consideration of setting of heritage assets to north.

Based on consideration of the above factors, on balance it is considered by officers that there are sufficient technical, operational and broader environmental reasons for pursuing field no.5 for the location of the supporting infrastructure rather than using alternative parts of the site.

Part of the assessment has considered whether there is any way that the development might bring forward some positive enhancement of the interpretation of heritage assets in the area. This is particularly relevant as the associations tend to be through historic ties and mainly through records rather than by viewing the features in combination on the ground. The site sits roughly in the south centre of what was the Deer Park and neither the Lug nor the Palace complex can be seen from the site. It is therefore possible to walk through the site unaware of any associations to its historic past or its surroundings.

The installation of information boards for the duration of the development at the southern end of footpath 13 and a second board at the position where the permissive footpath joins the Botley Road would offer a benefit to the understanding of the historic context of the site in the wider area. The applicant has agreed to this action and this can be accomplished through a planning condition (condition 25 Heritage Information Boards). Such a proposal should be given some weight in the planning process.

A number of people have referred to the Deer Park associated with Bishops Waltham Palace and also the Park Lug in their comments. The Lug is the bank, ditch and hedge feature that bounded the extensive Deer Park. The Lug feature is still identifiable on the

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

ground particularly in certain locations in the wider area. Neither the area of land that was the Deer Park to the Palace or the Park Lug feature itself are recognised as specifically designated heritage assets. They are both considered non-designated heritage assets under paragraph 203 of the NPPF. This assessment of the historic environment must note that status and respond accordingly.

Regarding the consideration of any impact of the proposal on the non-designated Deer Park and the Park Lug feature, an assessment of any potential impact on their setting and character has been undertaken. The application site lies in the south central part of the former Deer Park. The area that was once the Deer Park no longer functions as such and any association is historic in nature. The area of land is divided up into agricultural fields. Excluding the Lug, the area does not exhibit any specific features that readily inform of its former use. In terms of any impact on the character of the former Deer Park it is evident that the character of that area has evolved through time reflecting farming practices. The one area which has seen the greatest amount of built encroachment is off to the south east where the private roads off Clewers Hill have enabled numerous buildings to become established. The proposal retains the existing field pattern and retains and reinforces the existing hedgerows and trees. Whilst the application site will see a large area of panels, it will remain open. This means the general character of the area would not be changed or harmed if at all. The degree of impact is therefore considered neutral on this non designated heritage asset

The Park Lug is the boundary feature to the Deer Park. It runs in a U shape east, south and west of the site. It lies 490m to the west, 460m to the south and 624m to the east. The closest it does come is to the south east at 385m. These distances represent a generous separation distance, which in all situations also include numerous intervening physical features within an agricultural landscape.

The separation distances means the proposal has no direct impact on the Lug. There is only one very short section on Allan King Way 175m south of the Botley Road on Coppice Hill when the Lug is to the side of the path and a limited view of the eastern part of the site is open. At that distance of 675m to the site, the impact on the setting or character of the Lug is considered to be negligible.

The conclusion is that the proposal will not have any adverse impact on non-designated heritage assets. The proposal is considered by officers to comply with policy DM31 of the LPP2.

Regarding archaeological matters, concerns were initially expressed by officers and by third parties over the level of detail submitted. However, the applicant has now provided sufficient details that offers a level of confidence that the scheme can proceed based on further investigation before any construction work begins. A number of third party comments have referred to the potential for historic assets to be present that in their opinion means the application should be refused or further investigative work required before any decision is made.

Having considered the specific situation, a proportionate approach has been adopted, allowing the development to proceed based on further investigation with the precise detail to be agreed in advance of any work on site.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

This approach is the one supported by the Archaeological officer in their comments on the scheme. On this basis, the proposal is considered to comply with policy DM26 of LPP2. Archaeological conditions 12, 13 & 14 will secure the pre commencement investigation work and its recording.

In conclusion, the listing of Locks Farmhouse and the Granary during the process of considering the application has necessitated a review of the implications of the development on those designations. The view from the Historic Environment Officer is that the development would result in less than substantial harm to the significance of the listed buildings due to an impact on their setting which contributes positively to their significance, at the moderate level within the less than substantial scale.

The implication of this assessment and this level of harm, is that the proposal does not wholly comply with policy CP20 (Heritage and Landscape Character) and policy DM29 (Heritage Assets).

This harm to the listed building's setting must be given great weight and importance as part of the planning assessment. It is also necessary to apply Government guidance concerning impact of development on the historic environment. Applying that guidance, given that the extent of harm resulting from this development is considered by officers to be less than substantial, the guidance in the NPPF is that this harm should be balanced against the public benefits of the proposal (NPPF para 202). As it is important to ensure the balance and planning judgement takes account of all relevant matters, this assessment is undertaken in the Planning Balance and Conclusions section of the report

The presence of several non-designated heritage assets in the form of the Deer Park to the Palace and the Park Lug feature have been noted. However, regarding these assets, a combination of factors means that a neutral/negligible impact on them will result if the development took place. Initial concerns over archaeological impact have been resolved and it is considered that the development could proceed subject to conditions. Accordingly, in so far as the non-designated heritage assets and archaeological matters are concerned the proposal is considered to be in accordance with policy DM26 of LPP2.

Neighbouring amenity

LPP2 policy DM17 (Site Development Principles) seeks to ensure that any development does not have an unacceptable adverse impact on adjoining properties by reason of overlooking, overshadowing or being over bearing. Policy DM20 (Development and Noise) seeks to protect residential amenity from noise that may result from a development.

Although in a rural location, the site is not far from residential properties, to the north and south. Locks Farmhouse is 90m from the site boundary and has windows facing towards the application site. This includes windows from a wraparound glazed extension on the west side and an outdoor patio area. With the general farm buildings located to the north of Locks Farmhouse one of the main aspects from the property is to the south. The new farmhouse is 117m from the site boundary and orientated to look east-west. A number of dwellings on the Botley Road have views towards the site. The separation distance of these to the site boundary ranges from 330m to 400m. To the south, the closest properties are those off the private road in Clewers Hill with the closest 90m from the site boundary. Other properties in that general area also aspect towards the site. Whilst the land from

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Locks Farmhouse down to the river is in the same ownership as the house, it is not considered that the entirety of this area is lawful residential curtilage. The residential garden extends approximately 45m down from the house and is separated from the ground beyond by a post and rail fence. Equally, the seating area that the owner has established on the side of the bank does not justify the same degree of protection from any impacts associated with the development as would be applied to the formal garden area

It is well established that the planning system does not protect private property interests. Accordingly, loss of view is not a material planning consideration. However, it is necessary to consider if the development may impinge unacceptably on the living conditions and environment of the occupants of any property close to the site.

As already acknowledged, views of sections of the site will be available from surrounding properties. That will change their outlook particularly from first floor windows from what are presently grassland fields to the dark blue uniformity of the areas of panels. Given the relatively low height of the features that make up the development and the separation distances that would exist, it means that the physical presence of the development is not considered to be likely to result in any adverse harm to the living environment of surrounding properties.

Concerning the issue of noise disturbance, the application is accompanied by a noise assessment. This was revised after the removal of the Battery Energy Storage System (BESS), which was originally seen as the point of potential greatest noise generation on site. A further version (Revision 4) dated 30 November 2022 was then submitted to address questions raised over the operation of the string inverters in the early hours of the morning.

The following points are taken from the submitted details:

- Noise impact assessment prepared by consultants.
- Undertook background noise surveys at receptors close to proposed scheme, used acoustic modelling to predict operational noise levels at nearby residential properties.
- Noise emissions variable, depending on power output of panels and cooling requirements of string inverters.
- Predictions made to the curtilage rather than property façade.
- Locks Farmhouse closest at 138m and the new farmhouse at 165m. Then several properties to south.
- Established background noise levels at receptor properties one to north and one to south. Used recordings to establish day and night time background noise levels.
- Potential noise generating aspects of proposal are 23 string inverters distributed through the site, 4 transformers at different locations and single 33Kv substation transformer.
- Proposed string inverter type Huawei 215KTL with stated sound power level of 76.9dBA. Noise from cooling system that will not run during night time.
- Transformers Huawei 62.2dBA
- Sub station Transformer assumed level of 61.6dBA.
- Comparison made of predicted noise levels and the measured background noise levels in accordance with BS4142: 2014+A1:2019.
- Assessment of solar plant only, shows no noise rating above background noise levels.
- Do not consider any cumulative assessment necessary.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Assessment indicated noise levels acceptable at all residential properties for daytime and night-time.
- Have undertaken separate assessment of noise impacts 0500-0700 hours.
- Assumed worst case with string inverter cooling fans operating at full duty at this time.
- Predicted noise levels still below background readings taken. All figures -6 and below.

The noise assessment acknowledges that the site does contain a number of items of equipment that have the potential to create noise. These are principally the string inverters, the separate inverter/transformer buildings and the substation. The separation distance from the closest string inverter to Locks Farmhouse would be 170m. The separation distance to the inverter building would be 140m. The sub station structure would be 200m from Locks Farmhouse. Regarding those properties to the south, the nearest string inverter would be 100-110m away.

Following a request from the Environmental Protection Officer, a further assessment was made of the potential noise impact if the string inverters operated between 0500-0700 hours. This reflected a concern that in the summer months the panels may begin operating at sunrise and that could occur before 0700hrs. The applicant's noise consultant's analysis indicates that none of the equipment would result in a noise level above the recorded background levels for day time or night time. This assessment was undertaken with regard to a range of residential properties around the application site.

The Environmental Protection Officer (EPO) has reviewed the submitted information. Whilst they consider that the submitted details could be presented in a more useable format, they do accept that there is sufficient detail on which to make a decision. The formal response of the EPO is that providing the scheme keeps to within the predicted noise levels then no objection can be raised. They recommend conditions covering noise, lighting and protecting neighbours during construction. These matters are secured in conditions 07 (CEMP), 18 (Working Hours), 20 (Permanent Lighting Scheme) & 26 (Noise).

Whilst third parties have raised concerns over the noise detail and then the assessment, having regard to the applicant's assessments and the views of the EPO, it is not considered that unacceptable impacts on residential amenity as a result of noise from the development would arise.

In conclusion, the applicant has presented sufficient information from which it is possible to make a suitable assessment of the potential noise impact from the development on nearby residential properties. The conclusion of that assessment is that the scheme is acceptable based on the situation presented by the applicant. Whilst noting the comment from the EPO that alternative locations for the equipment may offer higher confidence in protecting residential amenity, if the submitted scheme is acceptable, which it is considered to be in terms of noise impact, then there is no reason to raise any objection in this respect. On this basis, officers consider that the scheme complies with policy DM17 of LPP2. Conditions 07, 18, 20 & 26 are included.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Impact Resulting From Glint and Glare

LPP2 policies DM17 (Site Development Principles) and DM19 (Development & Pollution) contain criteria that seek to protect residents and quality of life generally from light intrusion or pollution.

Following a request by officers, the applicant has submitted a glint and glare assessment. That report was prepared by a consultant commissioned by the applicant and it addresses the question whether any reflection of sunlight will occur. For general information, glint is a momentary flash of bright light whilst glare is a continuous source of bright light. It is acknowledged that there is no formal published approach to the production of these reports as there is when preparing, for example, a landscape impact assessment with guidance on the format and detail provided by the Landscape Institute. However, there is a general approach within the industry that has developed through practice. The authors of the report are recognised for their work in the industry and produced guidelines that are followed by the industry.

The following points are taken from the applicant's submission:

- Report considers the potential impact on road safety and residential properties within 1km of the site.
- Also considers the potential impact on the activities at Lower Upham Airfield (3.7km to NW) and Southampton Airport (9km to west).
- Methodical approach is adopted which takes factors in a systematic way and by using geometrical calculations identifies potential receptors.
- Sections of the Botley Road and Winchester Road were identified together with 86 dwellings for study area.
- By considering if impacts are then blocked by natural features or buildings the situation is further refined.
- Thresholds are used to predict the effects on dwellings. These are whether the impact would last for more or less than 3 months per year and/or more or less than 60min per day.
- Regarding the airports, having considered the approaches to the runways, further technical modelling is not recommended.
- The report concludes that no impacts requiring mitigation are predicted relating to road safety, residential amenity or aviation activity at Upham Airfield and at Southampton Airport.

The Council has commissioned an external specialist consultancy to review the submitted document. In the instruction to the external specialist, they were asked to have regard to the points raised by a third party on the approach adopted and on the potential impact on the use of the Lower Upham Airfield that lies to the north. This consultant's response indicated that the methodology adopted in the applicant's submission is acceptable. The Council's consultant agrees with the conclusions that no adverse impacts on road users, dwellings or on either airfield is likely to occur. It also agrees that no cumulative effect is expected.

In conclusion, the review of the applicant's submitted report has accepted that the submitted information is sound. Under those circumstances it is considered that LPP2 policy

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

DM17 (Site Development Principles) and DM19 (Development & Pollution) have been complied with.

Sustainable Transport

Policy CP10 (Transport) and policy DM18 (Access and Parking) both seek to ensure that any development has a safe means of access off and onto the highway. Policy DM16 (Site Design Criteria) promotes improvements to connections within the public realm. The existing access track that serves Locks Farm has very limited visibility on entering the highway and is of limited width. To address these deficiencies a new access is proposed off the Botley Road with a new access roadway then leading down towards the main compound that will be located before the farmyard is reached. From the farmyard, a further section of new roadway drops down to the position for a new river crossing. This bridge would be capable of accepting an emergency vehicle. Once south of the river, a system of roadways radiates out giving access to the individual fields that makes up the site.

The application outlines that construction deliveries will follow a nominated route up from the M27. Construction vehicles will also return via that route. Traffic numbers have been presented that show an average of 46-60 vehicle movements per day. The new access offers visibility splays of 111m to the north and 138m to the south. These splays are slightly below the level set for a standard speed limit road such as the Botley Road. However, the application includes a traffic survey that seeks to justify the acceptance of this lower specification based on the vehicle numbers and road speeds recorded during the survey period. The traffic levels would be higher during the construction phase and would then drop during the operations phase when only a small van is expected to visit the site. For clarity, it is not proposed that this access is used by any farm related traffic, which would continue to utilise the existing access to the east.

Having raised concerns in the first consultation responses, the Highway Authority Engineer has now accepted the data and further details submitted and is recommending conditions. The Engineer's initial reservation and now acceptance of the scheme are set out above in the consultation responses. The revised details addressed the issues around HGV manoeuvres, construction worker movements and the routing of HGVs on the road network.

The access arrangements have generated concerns from third parties particularly on the question of the methodology of calculating the average speeds on the Botley Road and accepting the level of visibility splays put forward by the applicant. These concerns are set out in detail in the representations section of this report. Residents have commissioned their own traffic survey from a highway consultancy to support their concerns that the road speeds are higher than those presented by the applicant and consequently, that the visibility splays should be greater than proposed. The Highway Engineer who is the formal consultee on these matters has indicated that they accept the applicant's traffic survey results and on that basis sees no reason why the proposal should be rejected. This conclusion is agreed and accepted by the LPA officers. Given the circumstances as outlined above the proposal is considered to comply with the requirements of the local plan policies.

Part of the proposal is to offer a new permissive footpath down the new access roadway to the farmyard. This will enable those walkers emerging from the lane to the west and

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

wishing to head southward to avoid using a 400m section of the Botley Road. To avoid mixing walkers with construction traffic the use of the new roadway as a footpath will only commence when the construction phase is completed. As a permissive footpath the route would not become registered on the definitive map and would be extinguished at the end of the end of the life of the solar farm. Due to its “temporary” nature, the HCC Rights of Way Team have indicated that they do not wish to be involved in its establishment, Whilst noting this temporary life, the provision of this footpath link is considered to accord with the intentions of policy DM16 (ii). The permissive footpath would be secured through condition 24 (Permissive Footpath Link).

In conclusion, as the application has progressed, the applicant has provided further detail on highway related matters. This is reflected in the progression shown in the Highway Engineer’s comment to the point when he is proposing the imposition of conditions. The officer conclusion is that the new access can be formed with adequate visibility reflecting average speeds recorded on the road and that further measures such as the traffic routing plan and specified delivery hours will ensure the least amount of impact on the local road network and the local community. The proposals is not considered of a type that would give rise to any severe residual cumulative effects or to give rise to any unacceptable highway safety consequences. Accordingly, the requirements set out in the policies of the NPPF are met and it is considered that the proposal complies with LPP1 policy CP10 and policy DM18 of LPP2. Conditions 06 (Survey of Botley Road), 07 (CEMP), 08 (Junction Road and Bridge Detailed Design), 09 (Access Construction Provision), 15 (TMP), 16 (Restriction on use of Existing Access) & 17 (Restriction on Use of New Access) reflect the Highway Engineer’s requests and other matter identified by officers.

Ecology and Biodiversity

LPP1 policy CP16 (Biodiversity) seeks to ensure that any development maintains, protects and enhances biodiversity. The policy also looks for the delivery of a net gain.

The application is accompanied by three documents that address biodiversity. These are:

- Preliminary Ecological Assessment (PEA)
- Biodiversity Management Plan (BMP) and
- Biodiversity Net Gain (BNG) Metric.

The following points are taken from these documents:

- Phase 1 habitat survey undertaken following recommended methodology.
- Site not designated or adjacent any designated site.
- Site principally improved agricultural grasslands and contains range of habitats (broadleaved woodland, hedgerows watercourses and riparian area)
- Site suitable for highly mobile species such as bats, bird and badgers.
- Habitat and floral species on site common and widespread.
- Medium likelihood of bats, badgers, otter, dormouse and hedgehog presence on site.
- High likelihood of breeding birds on site.
- Most interesting area is around site boundaries.
- Installation of bridge poses minor risk of temporary disturbance to foraging/commuting of otters
- Forming openings in hedgerows for access may impact on bats and birds. Potential impact on hedgehogs if work carried out in hibernation season.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Measures during construction to protect habitat and species.
- Further surveys recommended at time of any work but no additional surveys needed now.
- Sufficient information for decision to be made.
- BMP proposes three strand approach of Construction controls, Biodiversity Enhancement and Management,
- 5m buffer around perimeter to be established.
- No work in nesting season or hibernation season unless feature first checked by Ecologist.
- 15 Biodiversity enhancements listed including planting up hedgerow gaps, new 270m hedgerow, new scrub area wetland planting and new pond, bird & bat boxes.
- Habitat and key biodiversity indicators monitored annually for first 5 years and then reviewed every 3 years to guide management of natural environment over life of solar farm.
- Biodiversity Net Gain calculation (using metric 3.0) is presented as 22% increase in habitat and 47% increase in hedgerow.

The construction phase will see the removal of a section of hedgerow on the Botley Road to form the new access and the removal of sections of hedge to improve the access within the site between the individual fields. New planting back on the visibility splay will, once established, compensate for all but the 10m gap where the new roadway will run into the field.

Concerns have been raised that the section of the roadway from the farmyard down to the stream and the construction of the bridge would affect the health of three trees that are located on the western boundary of the grounds to Locks Farmhouse. These trees are not in the control of the applicant. Of specific concern was that the root systems of these trees could be impacted by the construction and use of the roadway and bridge. LPP2 policy DM24 (Special Trees, Important hedgerows and Ancient Woodlands) seeks to protect these three categories from loss or deterioration. The NPPF (paragraph 180) also seeks to protect the loss or deterioration of irreplaceable habitats and includes within this definition ancient or veteran trees.

In response, the applicant has engaged a qualified arboriculturalist who has undertaken a survey and a strategy has come forward to address any concerns. The following points are taken from this assessment:

- Report written using BS5837
- Six arboricultural features within study area. Four oaks, and two groups.
- Trees are mature and over mature oaks.
- Report does not consider the trees to fall into the ancient category, as they are not old enough.
- Assessment considers that the two trees in southern part of field are veteran (T1 & T2) but other two (T3 & T4) on northern edge of field) do not qualify for this classification.
- Note planning policy background of DM24 and NPPF paragraphs 174 & 180.
- Adjustments made to the alignment of the roadway and the position of the bridge crossing.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Track upgrade will be a geotextile membrane with lightly compacted crushed stone on top. This means little excavation.
- Repositioning does mean loss of group near stream but trees making up this group considered of low value
- This adjustment displayed on the new plan which means that all the works lie outside the root protection areas (RPA) for the trees.
- The one exception is T3, the tree on the edge of the farmyard at the entrance gate to Locks Farmhouse.
- Small section of the RPA of this tree (T3) is overlapped by the proposed access route.
- Adjacent farmyard route will follow first part of an existing track.
- Proposal is to place ground protection boards in this small area that would spread the weight of any vehicle.
- Intention is to leave the boarding in place so its presence would also protect the PRA of the tree from general farm traffic movements.
- Second area of root protection near bridge.
- With the minor adjustment to the alignment of the roadway and bridge and other proposed measures, it is not considered that the development will have any adverse impact on the trees.
- With proposed measures no need to consider whether there are any exceptional reasons where public benefit outweighs deterioration of habitat and no compensation necessary.
- Removal of group 5 balanced against net gains and scheme still considered to offer positive benefits above 10% threshold.
- Any temporary pooling of water not considered to affect health of T3 which lies next to stream.
- Works can be secured by condition.
- Trees are not considered to be under threat from the development and will continue to contribute towards landscape and biodiversity of the wider area.

Officers concur with the findings and consider that appropriate mitigation measures are in place to prevent adverse harm to the surrounding trees or result in future pressures for pruning or felling.

It is acknowledged that a veteran tree within the southern part of the neighbouring site (Locks Farmhouse) contains a root protection area which includes the access track; this follows a request by the LPA to revise the root protection area.

As a veteran tree, Natural England and Forestry Commission guidance requires a buffer zone of at least 15 times larger than the diameter of the tree so as to prevent damage to the trunk and root system through compaction amongst other reasons. It is acknowledged that the access track for the development does enter into the outer reaches of the designated buffer zone.

In this instance, it is noted that mitigation measures in the form of compaction spreading boards will be utilised. It is also noted that an existing track used by heavy farm traffic would continue to sit between the tree and the access track. In addition, whilst the track itself would be a permanent feature, the intensive use of the track for construction purposes is short-term, following which the track would be used infrequently by small vehicles. The Construction Management Plan also provides further opportunities to ensure

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

compliance and the decommissioning plan will consider the impact of the trees at that stage.

As a result, whilst the guidance from Natural England and the Forest Commission is acknowledged and considered, it is considered by officers that due to the extent of the incursion, mitigation measures proposed and the type of usage proposed that there are insufficient grounds to justify refusal of the application. This assessment has taken account of paragraph 180 of the NPPF.

On the main site, the applicant has indicated that a total of 500m of new planting will take place to reinforce weaknesses or gaps in the existing hedgerows.

The requirement under the Environment Act 2022 for a scheme to deliver a BNG of at least 10% does not become law until November 2023. However, LPP1 policy CP16 (Biodiversity) does refer to enhancement work. The applicant has recognised the benefits of offering biodiversity enhancements as part of the overall scheme and the application does include 15 specific actions to achieve this. A figure of 22% increase in habitat and 47% increase in hedgerow is put forward by the applicant.

An outline of the long term monitoring and management of the natural assets of the site is proposed to maintain the enhancements proposed. The existing use of site is agricultural grassland and whilst this does have some value, opportunities do exist for other improvements to its biodiversity value. Some questions have been raised by third parties on the extent of the enhancements put forward. However, even that party does acknowledge that positive work will result. The applicant has reaffirmed the figures given.

A number of the third parties have questioned the level and detail of the ecological study undertaken by the applicant. The information provided as part of the application has been reinforced with additional details as the application has processed. The preliminary site study and the preparation of the resultant documents has been undertaken by a competent professional acting on behalf of the applicant. Following the latest submissions, the Council's in-house Ecology Officer has not questioned the level of detail and it is clear from his comments outlined above in the consultation section that he is content with the level and nature of the details submitted subject to the imposition of conditions to protect existing habitats and secure the enhancement work proposed. This includes the work on the fields and also the work associated with crossing the watercourse regarding its impact on that surrounding area and the stream itself.

In the consideration of the merits of seeking further detail at this stage of the application it is worth noting that the species concerned such as birds bats and dormice are relatively mobile regarding their use of the fields and specifically the perimeter vegetation. Consequently, information relating to the presence of any species in a further survey would be of limited value as that species may have relocated by the time any development takes place. However, and for the avoidance of doubt, the application site has been assessed on the basis that there is a medium likelihood of bats, badgers, otter, dormouse and hedgehog being present on the site.

Furthermore, the most interesting part of the site from a biodiversity perspective, are the field perimeters and they will be protected during the construction phase. This includes the area around the location of the new bridge. The use of protective conditions is accepted as an appropriate response to this situation. Measures to protect the existing

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

vegetation, the use of an Ecological Clerk of Works and other measures to protect the environment are included under the points set out in the condition 6 seeking a Construction Environment Management Plan, The enhancement actions will be secured through condition 27 which seeks a Landscape Ecological Management Plan. Of specific note is the intention to establish the standoff area from the surrounding vegetation by installing the deer fencing. This will establish the buffer areas around the perimeter of the site that will secure the most interesting area on the northern side.

With a life of 40 years, officers have given consideration to how the enhancements will be delivered maintained and monitored throughout the life of the solar farm. The applicant's proposal to review the work programme every three years is acceptable. Discussions have taken place with the applicant and an agreement reached that they will fund the reasonable cost of the Council monitoring the site throughout its life. This will be secured via a legal agreement. Given the unusual extent of monitoring which is required for this development, this contribution to the Council's costs associated with it are considered necessary and reasonable.

In conclusion, the additional information submitted has now provided the basis for the biodiversity implications of the scheme to be assessed appropriately. The outcome of that review is that the scheme is acceptable subject to the imposition of conditions. Therefore, the proposal complies with policy CP16 of the LPP1. Conditions 07 (CEMP), 08 (Junction Roadway and Bridge Detailed Design), 11 (Landscaping) & 27 (LEMP) will secure the existing and enhanced Biodiversity on site.

Water Management

LPP1 policy CP17 (Flooding, Flood Risk and the Water Environment) requires development to avoid flood risk to people and property by following four specific actions. The policy also requires that any development does not cause an unacceptable deterioration to water quality and again lists four actions to achieve this.

Water management responsibilities are split between the Environment Agency and the HCC Surface Water Management Team. The Environment Agency has responsibility for the watercourse that forms the northern boundary to the fields whilst the HCC SWMT are responsible for other matters.

In response to concerns regarding the lack of details recorded in the first consultation responses above, the applicant submitted a revised Flood Risk Assessment incorporating a Sustainable Drainage Plan. This considered the implications of the proposed development on the water system. The following are core matters taken from that document:

- Site composed of slowly permeable seasonally wet slightly acid but base rich loamy and clayey soils.
- Part site in area of medium risk from groundwater flooding but any vulnerable infrastructure raised above ground level.
- Low risk of surface water flooding
- Site flood zone 1 except for area on northern boundary in zone2/3 reflecting presence of watercourse.
- New bridge to sit clear of banks and raised 0.5m above top of bank.
- Bridge will require Environment Permit

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Rainwater to drip off lower edge of panels and expected to infiltrate into ground.
- Only small area of impermeable surfaces introduced. This steel piles to support tables. Calculated to be 94m² in total. Inverters and other infrastructure represent 400m² of impermeable surface. Total = 494m².
- Add safety factor of 20% working figure of 593m².
- This figure less than 0.02% of site.
- Using a 6hr duration for a 1 in 100 rain event arrive at runoff level of 33.8m³.
- Propose to create series of swales with total storage capacity of 131m³ well in excess of requirement above.
- Swales to hold runoff and promote infiltration.
- Swales installed prior to other construction work on site.
- Regular maintenance regime with inspections every 6-12 months and cleaned out as necessary.

The applicant has also confirmed an intention to manage any surface water runoff from the new access that might flow into the farmyard.

The nature of the proposed development as a solar farm means its operation will not result in the generation of any new wastewater. The construction workforce will be serviced by a series of portaloos located in the construction compound. That waste will be removed from the site for disposal.

Regarding surface water, the development will not result in any additional surface water being generated but consideration is required of whether any surface water may be concentrated and if so how it is disposed of. The proposal offers only a very small area of hard surface where the access will be formed off the Botley Road. The proposed conditions relating to the construction of that feature can control disposal of surface water to ensure it is not directed out onto the public highway. Whilst the applicant has indicated that the new roadway down from the new access point will be formed of crushed stone and therefore would absorb any surface water, it has to be acknowledged that the combination of that roadway being compacted by vehicle use and the slope down the field might result in surface water finding its way down the slope rather than soaking directly into the ground. This section of roadway leads into the farm yard and depending on the construction of the access road it might channel surface water into the farmyard. A concern has been raised by the occupant of Locks Farmhouse over surface water flowing from that roadway into the farm yard and from there into the garden of Locks Farmhouse or the property itself which is listed. The applicant has acknowledged that the construction of the new roadway needs to incorporate measures to prevent any additional surface water entering the farmyard. This would be addressed by the design of the roadway itself, by some means of intercepting the water or a combination of these. A condition to secure this outcome will be imposed in the event that planning permission is granted (condition 08).

Questions have been asked regarding surface water disposal from the proposed construction compound. The compound is to be delivered under permitted development rights and is not therefore within the current application site nor is it part of the development for which planning permission is sought through this application. However, the applicant has indicated that the measures to address surface water on and from the new roadway, which will be secured through condition 08, are expected to address any surface water impacts arising from the proposed compound. It is not considered that any further controls concerning the compound are appropriate or reasonable to be imposed at

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

this stage, given in particular it does not form part of the development for which planning permission is sought.

The proposal includes the provision of a new bridge that spans the watercourse. The applicant has submitted an indicative drawing showing the bridge sitting on plinths set back from the edges of the banks. Objectors have made the point that the watercourse does flood and questioned if the bridge would impede water flow. The Environment Agency (who is the specific body responsible for the management of the watercourse) has seen the application details and raised no objection. Whilst the precise bridge construction details are not part of the submitted scheme, the details when submitted would make allowance to maintain flow. (Condition 08(d)).

The fields to be occupied by the panels are currently down to grass. As noted, whilst the roadways are intended to have permeable surfaces the gradients may encourage water to flow down towards the river. Concerning surface water from the panels, it is not proposed to install any specific drainage scheme but allow rainwater to drip off the edges of the panels and soak into the ground. The applicant is proposing to install a number of swales that will hold surface water and allow it to infiltrate into the ground. This is considered to be acceptable in principle. The HCC Surface Water Management Team have asked for a surface water management Plan for the whole site and this can be addressed through a condition. (condition 21)

The eastern boundary to field no3 is a combined tree/hedgerow and a small ditch. This will need to be culverted with a suitably sized pipe as part of the roadway installation to ensure that the water flow is not interrupted. This detail can be secured by a condition (condition 08(e)).

In conclusion, despite a number of concerns raised by local residents, none of the statutory consultees have raised objections. They consider that with the imposition of suitable conditions, the application is acceptable and this is agreed by the LPA Officers. Accordingly, the scheme is considered to be in accordance with policy CP17 of LPP1. Condition 21 secures the surface water detail requirements.

Fire Safety

LPP2 policy DM18 (Access & Parking) seeks to ensure that the emergency services can gain access to and within a new development.

The withdrawal of the Battery Energy Storage System (BESS) compound has removed the main component of the proposal that was raising questions on the issue of fire safety. The removal of the BESS means that this aspect should not be part of any consideration of the remaining scheme. The removal of the BESS has resulted in the comments reported from the Fire and Rescue Service (F&RS) being reduced dramatically. The Fire & Rescue Service do not take any formal position and simply put their views forward without a clear recommendation.

There does continue to be a need for the site to be accessible to emergency vehicles and for them to be able to use the internal road network to reach any area of panels or any of the support structures. When the BESS was still part of the application, it was confirmed that the roads and the bridge could accommodate the weight of any emergency vehicle.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

None of these other elements has changed so there is no reason to believe the site is not accessible.

As the site is not occupied, the emergency services do need access to certain details in the event of an incident. This information includes matters such as the contact details for the operator and those of Scottish & Southern Electricity; precise details of what equipment and materials are on site together with their location and if there are any hazards on site. This can be addressed through the provision on site of a Premises Information Box (PIB) (Condition 22). The precise details including its location can be approved through a condition compliance submission. A recent email from the Fire and Rescue Service supports this approach.

With the limitation of the scheme to a solar farm, the existing details of the proposed access are considered to comply with the requirements of policy DM18 whilst the provision of a Premises Information Box will ensure there is an appropriate level of information is available to the emergency services to ensure they are best positioned to respond in the event of an incident. Under these circumstances it is considered that policy DM 18 of LPP2 is complied with.

The Effect on and Potential Loss of Agricultural Land

The applicant was accompanied by an Agricultural Land Classification report. This records that a desk top investigation was undertaken and then supplemented by a field survey that did include taking core samples. The National MAFF 1:250 000 map was also inspected which indicated that the site is Agricultural Land Classification Grade 4 with 3 nearby. The review of the soil value took account of the topography, climate and underlying geology and obviously the results from the field survey. The soil on site is a combination of soils with a topsoil of heavy silty clay loam or clay with a wetness class of IV and site Field Capacity Days of 173.1. The conclusion is that the site is all grade 3b because of its wetness.

Government guidance is to protect the Best and Most Versatile land which in the definition within the NPPF is set out as land containing soil grades 1, 2 and 3a. This is considered to be the most productive land for agricultural use. The application does refer to the use of sheep to keep the grass areas under control during the 40 year life of the solar farm. Whilst this does maintain a link to agricultural, the use of sheep is viewed by Planning Officers as a management tool to control grass growth on site and not part of any direct intention to maintain a mixed use (solar farm & agricultural use). Accordingly, no weight is given to the use of sheep. When considering the grade 3b status of the site it is not considered to conflict with national guidance on the protection of the best and most versatile land. Furthermore, the proposal will be for 40 years after which time it will be cleared and revert back to its former agricultural use. There is therefore, no objection to the loss of agricultural land in this instance.

Other Topics

Protection of the Sewer Pipe

Policy DM19 (Site Development Principles) seeks to ensure that no development causes a pollution incident. The land on the north side of the stream is crossed by a sewer pipe running approximately east-west. The new access roadway would cross this pipeline. The **Case No: 21/01391/FUL**

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

applicant is aware of the presence of the sewer pipe but does not know its precise location.

Southern Water have requested that the applicant verify the position of the sewer pipe and that the pipe is protected. There are technical methods through which the pipe can be protected during the construction, that it is successfully crossed by any roadway and protected when the roadway is in use, once its exact position is confirmed. The precise details will be covered by a planning condition. (Condition 10 Protection of Sewer Pipe).

Third party comments have suggested that internal monitoring of the pipeline is required. This level of detail has not been sought by the agency (Southern Water) responsible for the maintenance of the infrastructure and it is the view of officers that such a requirement is not necessary and cannot be supported. By adopting the approach of first locating the position of the pipeline and then designing a means of protecting its integrity from any road construction or pressure of passing vehicles, it is considered that the requirements of policy DM19 will be complied with.

Other matters not considered above.

A number of the consultees have not responded to the invitation to comment. Specifically, Police Crime Prevention and Scottish and Southern Energy Power Distribution (SSEPD). None of these are considered to be fundamental to the determination of the application. Experience indicates that the police tend to make general comments on site security. Regarding SSEPD, any response from them would likely be of a technical nature in terms of securing safe working around their assets and securing future access to those assets. The submitted plans show undeveloped corridors under power lines which indicates that the developer is aware of the issue. In the event planning permission is granted, any developer would need to liaise with SSEPD under general site safety requirements. Accordingly, there is no reason why a decision cannot be made even in the absence of comments from these bodies.

One of the third parties did raise a concern during the first consultation exercise that the red lined application site cut across the front gardens of 1& 2 Locks Cottages. After the applicant proposed a reduced visibility splay based on traffic speed and numbers the visibility splay is now confined to within the highway verge. Consequently, no third party land forms part of the application site.

Third parties have raised a number of issues which are noted in the representations section above but many of which fall outside the scope of consideration in the determination of this applications. These include where and how the panels are made and the financial health and situation of the applicant company. It has also been suggested that solar is not an effective way to generate power. The guidance does make it clear that the size of the contribution towards energy generation should not be challenged.

The positioning of the CCTV cameras has also been raised in terms of their potential impact on the privacy of adjoining properties or people using the footpath that crosses the site. The scheme does show the intention to mount CCTV cameras along the fence line for remote monitoring of the sites security. It is understood that the cameras will focus along the fence line. In the proximity to Locks Farmhouse the fence line is set approximately 5m out into the field and not on the site boundary. Locks Farmhouse itself is

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

90m to the north and the garden area to the house starts 45m away to the north. When considering the intended use of the cameras, the separation distances and the intervening vegetation, it is unlikely that they will pick up any activity in the house or its garden.

Regarding the cameras close to the footpath, with the proposed perimeter fence running in close proximity to the footpath, there is the potential for walkers to be caught in the recorded images. However, this is not an uncommon situation and when considering that the walkers will be in a public place rather than a private space the degree of privacy to be expected is commensurately reduced. Signage will be in place to alert walkers to the presence of the cameras. It is proposed to put forward a condition that ensures all CCTV cameras are focused on the fence line (Condition 23). Given the above circumstances, it is not considered that the application could be refused.

Third parties have also proposed that if the Council considers the scheme acceptable in principle that the applicant should be encouraged to reapply with what is termed an improved arrangement. As with all applications, the local planning authority must determine the scheme that is in front of them and reach a decision if that is acceptable or not.

Attention has been drawn by one third party objector to an appeal decision where an appeal against the refusal of a solar farm scheme was dismissed on the grounds that renewable energy or low carbon energy does not automatically override environmental protection. The Principle of Development section above acknowledges this very point and it is core to the balancing exercise that has been undertaken.

The proposal is also considered likely to result in some positive socio economic effects on the local area arising from additional spending by workers during the construction phase. However, the specialist nature of the equipment to be installed means it is unlikely to be sourced locally. Without specific details on the potential expenditure this aspect can only be afforded little weight. Discussions have taken place with the applicant and it is proposed to seek an Employment and Skills Plan through a condition (condition 5). This will seek to improve the benefits to the local economy resulting from the development.

The applicant has shown a site compound to be located in the southeast corner of the field crossed by the new roadway off the Botley Road. In the compound, loads will be broken down for transit by smaller vehicles to the main site. The site compound does not form part of the application. The applicant has indicated an intention to utilise the powers under the General Permitted Development Order (2015) Schedule 2 Part 4 Temporary buildings and uses Class A to establish this area. It lies outside the application site and is not currently in the ownership of the applicant. The Council has imposed restrictions on the operating hours of the use of the access and main site, this should help indirectly to protect the residential amenities of the nearby residential properties in terms of use of the compound. No further conditions concerning the compound are appropriate or reasonably imposed through the determination of this application.

The application has attracted a large number of objections and letters in support. The letters on both sides have rehearsed the issues that are considered in the assessment above and on which the decision on this application rests. All the concerns raised have been included in the assessment above. One particular point raised has been to query the competence of the submitted assessments on a number of the topic areas. Whilst a number of the statutory consultees did seek further details before they felt able to

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

comment, these omissions were rectified and no statutory consultee remains of the view that the application should be refused on the grounds of a lack of detail. The proposed conditions reflect the advice of many consultees.

The recommendation below reflects the overall assessment of the scheme and recommends that the application can be supported with detailed conditions. This would be subject to the completion of a legal agreement which covers the costs of formal site visits every 3 years to review the Landscape Environment Management Plan (LEMP) throughout the 40 year life of the development. The associated payment is required to be covered by a section 106 due to the scale and duration of the development and is considered by officers to meet the requirements of Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Equality

Due regard should be given to the Equality Act 2010: Public Sector Equality Duty. Public bodies need to consciously think about the three aims of the Equality Duty as part of the process of decision-making. The weight given to the Equality Duty, compared to the other factors, will depend on how much that function affects discrimination, equality of opportunity and good relations and the extent of any disadvantage that needs to be addressed. The Local Planning Authority has given due regard to this duty and the considerations do not outweigh any matters in the exercise of our duty.

Planning Balance and Conclusion

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2021) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In accordance with paragraph 47 of the NPPF (2021), the consideration of the local planning policy framework has shown that there is general support in principle for this type of renewable energy proposal subject to the consideration of other relevant planning policies. This position is also supported by the government targets relating to carbon reduction and the production of renewable energy.

The site does not lie within any landscape designated area and is some 700m from the boundary of the South Downs National Park. Whilst the development will change the appearance of the site and would be in view from some locations in the surrounding area, the degree of impact is considered low and within acceptable levels. There is not considered to be any impact on the setting of the National Park. The closest impact would fall on people using the footpath (FP13) that crosses the site. However, this would only be for a relatively short section and is limited in extent. Any impact would be mitigated through time as the new planting develops.

Although the application site is located within the countryside, there are scattered residential properties surrounding the application site. The closest is Locks Farmhouse, which is no longer part of the farm holding but in different ownership. The proposal has no tall structures or moving parts that could adversely overwhelm these properties. Accordingly, the nature of the proposal and the separation distances mean that there is no adverse impact on the living environment of the surrounding properties. The site does

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

contain equipment with the potential to generate noise that could result in disturbance to surrounding properties. The projection of noise levels based on existing background levels and those of the equipment to be installed, shows that an issue should not result.

A glint and glare analysis has been undertaken which concludes that no adverse impact will result from the development. This analysis has been reviewed for the Council by a consultant. The consultant's review considered the methodology and conclusion to be sufficient.

The general issues relating to transport have been considered within the report. In recognition of the existing poor farm access, the applicant is proposing a new access off the Botley Road. Having undertaken a traffic study, the applicant has justified the adoption of lower visibility splay than the general road conditions might seek to apply. Whilst this has been queried by objectors Hampshire County Council Highway Authority is content with the data and conclusions arising from the applicant's traffic study. A dedicated traffic route will keep construction traffic on the main roads in the area. A permissive footpath forms part of the application which will mean walkers avoiding the need to use a 400m section of the Botley Road. This route would exist for the life of the development (40years). That is viewed as a benefit to the general footpath network and improves accessibility in the countryside.

The application would result in the removal of a limited amount of hedgerow but would see the retention of the majority of existing boundary features. Part of the submission is the proposal to improve the biodiversity value of the site providing a 22% increase in habitat and 47% increase in hedgerows. If supported, conditions could be imposed to protect the existing habitat which include that around and along the watercourse. The proposal is considered by officers to be acceptable subject to the imposition of conditions.

The applicant has agreed to contribute to the resources needed to monitor the Landscape Environment Management Plan that would guide actions on site over the life of the development. This would be achieved through a legal agreement.

The development is not occupied so no foul water generation will arise. Nor will the site generate any additional clean wastewater flow from the site. Questions over water management in terms of ensuring the existing flow of the watercourse is not impeded by the installation of the proposed bridge and measures to regulate the flow of surface water off the site are included.

Concerns over fire safety were significantly reduced but not entirely removed as a result of the withdrawal of the battery storage compound. The proposed site access will be capable of accommodating an emergency vehicle and the provision of a Premises Information Box will provide essential information in the event of an incident.

The site has been assessed as grade 3b land. The definition of Best and Most Versatile land is set out in the NPPF as grades 1, 2 and 3a. The current definition remains as set out in the above document. Accordingly the site does not fall into the BMV category and so its removal from agriculture carries no weight in the planning decision.

Turning to heritage matters, concerns have been raised with regard to the potential impact on the heritage assets, specifically Locks Farmhouse and the Granary building which are both listed grade 2.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The officer's assessment of the heritage issue concluded that the non-designated assets of the Former Deer Park and The Park Lug would not be impacted whilst the archaeological issues could be addressed by condition.

The assessment of the potential impact on the significance of the listed buildings indicates a degree of harm that is less than substantial at the moderate level within this scale.

This is due to the impact on the setting of the listed building due to the introduction of alien features to the landscape which would have a negative impact on the rural traditional farmland setting. The setting is considered to positively contribute to the significance of the listed buildings.

In accordance with relevant legislation and policy, this must be given substantial weight and importance. The identified harm means the scheme does not wholly comply with the intentions of LPP1 policy CP20 (Heritage and Landscape Character) and LPP2 policy DM29 (Heritage Assets). This concern reflects the consultation response from the Historic Environment Officer.

The planning officer's assessment above concludes that the impact arises from effects on the setting of the listed buildings and has used Historic England guidance to examine the listed buildings, the value of their setting, the degree of impact and whether there are any measures to avoid that harm or to maximise enhancement.

It is accepted that a less than substantial degree of impact will result. At this level of impact NPPF paragraph 202 needs to be applied. This states:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"

The public benefits from the proposal are considered to be the contribution made towards renewable energy generation that would assist in reaching UK's Carbon reduction target and the Council's own zero carbon target of 2030, following the declaration of a Climate Emergency in June 2019. It would also reinforce home security of energy supply, secure a section of permissive footpath, landscape and biodiversity enhancements and public education of the site's history through information boards.

The goal of carbon reduction in energy generation is viewed as an important national and local target to prevent the negative impacts of climate change in society. This is considered to afford significant weight in support of the scheme. When the clear and substantial positive public benefits of the scheme are weighed against the heritage asset impact on the significance of the listed building, the balance is considered by officers to favour support for the application due to the carbon reductions/net zero target and the resulting public benefit and notwithstanding the consequent conflict with policies CP20 and DM29.

This assessment is reached having taken full account of Section 16 para 199 of the NPPF (2021), the statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Historic England guidance notes and Policy CP20 of WDLPP1 and DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The Planning and Compulsory Purchase Act 2004 Section 38(6) requires that a determination is made in accordance with the development plan unless material considerations indicate otherwise. The development complies with a number of development plan policies, as identified above. There is a conflict with policies CP20 and DM29 as a result of the impact of the listed buildings referred to above but, given the outcome of the assessment recommended in the NPPF, whilst this conflict has been considered it does not warrant refusal of the application in this instance. Accordingly, the application is considered to sufficiently accord with the Development Plan and policies when considered as a whole. Other material considerations, including the NPPF also support the grant of planning permission. As such the officer's recommendation is to grant planning permission.

Planning Obligations/Agreements/Conditions

In seeking the planning obligation(s) and/or financial contributions for the LEMP, the Local Planning Authority has had regard to the tests laid down in para 57 of the NPPF and CIL regulation 122 which requires the obligations to be necessary; relevant to planning; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

Regarding the use of conditions, the Local Planning Authority has had regard to the guidance on the use of conditions laid down in Section 70 (1) (a) of the Act, and the 6 tests set out in paragraph 56 of the NPPF. A number of the consultees have asked for conditions to be imposed if the application is granted. Officers have used these requests as a foundation to development the set of recommended condition set out below.

Recommendation: Approval subject to conditions and the completion of a legal agreement for the recovery of costs associated with the monitoring of the LEMP every three years, (after Establishment) over the 40 year life of the development.

Legal Agreement – Heads of Terms

1. Terms of Landscape Ecological Management Plan as set out in condition 27.
2. Recovery of costs associated with the monitoring of the Landscape Ecological Management Plan every three years, (after Establishment) over the 40 year life of the development.

Conditions

Time Limit

- 01 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Approved Plans

02. Unless otherwise agreed in writing by the local planning authority the development shall be carried out in accordance with the deposited plans and drawings as stated below:
- Intelligent Alternatives location plan revised dated 14 March 2022.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- Intelligent Alternatives drawing entitled Solar Farm layout (unnumbered drawing) revision F5 dated 27 February 2023.
- Intelligent Alternatives drawing entitled Switchgear Housing (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Substation Housing (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Storage/Comms/Switch Room (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Racking Detail (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Inverter/Transformer detail (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Fence Detail (unnumbered drawing) revision A3 dated 15 February 2023.
- Intelligent Alternatives drawing entitled CCTV Detail (unnumbered drawing) revision A1 dated 2 March 2021.
- Intelligent Alternatives drawing entitled Bridge Side View (unnumbered drawing) revision A2 dated 28 February 2023
- Intelligent Alternatives drawing entitled Typical Boundary Section (unnumbered drawing) revision A1 dated 08 February 2023.
- Intelligent Alternatives drawing entitled Typical Access Track Hedge Crossing (unnumbered drawing) revision A1 dated 08 February 2023.

- FLI structures drawing entitled 15m SLP2 Towner (C50-B50-B48) c/w anti climb, feeders, latchways, site: Bilsthorpe drawing number WPD-10238 Revision A dated 25 October 2012
- CB12 Bridge Detail (Mitchell Bridges document) received by the planning authority on 19 May 2021
- Amalgam Landscape Indicative Landscape Masterplan (LVIA Figure 10), Revision E, dated 23 September 22
- Michael Steed Natural Resource Consultant drawing entitled Tree Constraints Plan un-numbered dated 23 February

For the avoidance of any doubt, this permission excludes any Battery Energy Storage System, which was an element of the scheme deleted from the application by the applicant in an email dated 22 September 2022. Any residual reference to such a facility in any document or on any plan does not imply any consent.

Reason: For certainty and to ensure that the development is carried out in accordance with the approved plans and details.

Temporary Permission & Decommissioning

03. Within 1 month of the date of first export of electricity, confirmation shall be given in writing to the local planning authority of the date of first export to the Grid. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity. The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work (the Decommissioning Scheme), which will include a Transport Management Plan, to address transport routes, restoration of

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

access, reinstatement of the highway, a timetable for the closure of the permissive footpath before any decommissioning work commences, measures to remove any stiles/kissing gates/signage with reinstatement of affect ground and measures to address the environmental effects of decommissioning, and an Ecological Assessment Report, including the retention of landscape and ecological features on the site unless otherwise agreed thought this condition

The Decommissioning Scheme shall be submitted to and approved in writing no later than 39 years from the date of the first export of electricity, and subsequently implemented as approved.

Reason: To ensure that the site is restored in the long term interests of the visual character of the surrounding area to comply with policy DM23 of the Winchester District Local Plan Part 2 and that the effects of site decommissioning on the highway network is mitigated in the interests of highway safety in accordance with policy DM18 of the Winchester District Local Plan Part 2.

Cessation Before Fortieth Anniversary

04. In the event the site ceases to generate electricity for export to the grid for a continuous period of 12 months prior to the end of the 40 year period, and unless otherwise agreed in writing with the local planning authority, a scheme of decommissioning works (the Early Decommissioning Scheme) to include a Transport Management Plan and an Ecological Assessment Report, shall be submitted to the local planning authority and approved in writing no later than 3 months from the end of the 12 month period. The decommissioning shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure that the site is restored in the long term interests of the visual character of the surrounding area to comply with policy DM23 of the Winchester District Local Plan Part 2 and that the effects of site decommissioning on the highway network is mitigated in the interests of highway safety in accordance with policy DM18 of the Winchester District Local Plan Part 2.

Employment and Skills Plan

- 05 No phase of the authorised development may commence until an employment and skills plan in relation to the construction of the authorised development (which accords with the employment and skills template) <https://www.winchester.gov.uk/business/employment/employment-and-skills-plans?> has been submitted to and approved by the local planning authority. The employment and skills plan must identify opportunities for access to employment, apprenticeships, supply chain opportunities, engagement with educational institutions and community support and engagement in connection with the construction of the authorised development, and the means for publicising such opportunities. The approved employment and skills plan must be implemented as approved during the construction of the authorised development.

Reason: To maximise economic, employment and engagement opportunities for the population of the district and to comply with the intentions of policy CP8 of LPP1

Survey and Repair of Botley Road

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

- 06 Prior to the commencement of any development hereby permitted, a methodology for surveying the existing condition of the first 100m of the Botley Road in either direction from the proposed location of the new access shall be submitted to and approved by the local planning authority. The approved methodology shall then be used to form the basis of a road conditions survey before any development is commenced. The results of this survey shall be submitted to the local planning authority within 14 days. Within one month of the first export of any power to the grid, a further road condition survey shall be undertaken and this shall be submitted to the local planning authority together with any remedial actions proposed and a timetable for any work, to return the condition of the road to that recorded at the initial survey stage before the development commenced.

Reason: To ensure that the development has no adverse impact on the condition of the adopted highway.

Construction Environment Management Plan

- 07 Prior to the commencement of the development hereby approved, a Construction Environment Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP will address the following:
- a) The installation of the perimeter fencing (following the principles set out in the Intelligent Alternatives drawing entitled Typical Boundary Section revision A1 dated 8 February 2023) before any other activity within the main site south of the stream excluding the landfall of the bridge.
 - b) Details to achieve the exclusion of any activity within the buffer zone between the fencing and the surrounding vegetation.
 - c) Measures to protect those sections of hedgerow or trees that would lie within the perimeter fenced off areas and which would not be protected by the installation of the perimeter fencing.
 - d) Details of any proposed works to any tree or hedgerow that would facilitate the implementation of the development including their removal, cutting back or reduction, including the time of year when the work would be undertaken.
 - e) Details of the routing of any underground cables
 - f) Measures to be adopted to protection trees, hedgerows and other natural features to be retained.
 - g) Full details of the measures to protect nesting birds, hibernating hedgehogs, and dormice during any vegetation removal having regard to the time of year and relevant breeding, nesting or hibernation seasons.
 - h) Details of the use of an Ecological Clerk of Works.
 - i) The measures to be adopted to minimise any potential impact on the watercourse and its habitat including the protection of adjoining vegetation and any root systems during the bridge construction.
 - j) Measures to prevent pollution of any watercourses during construction.
 - k) Dust suppression, mitigation and avoidance measures.
 - l) A public communications strategy including a complaints procedure.
 - m) Noise reduction measures to be applied to construction activity.
 - n) Waste collection and disposal.
 - o) Any lighting to be used during the construction phase including the avoidance of light spillage and glare.
 - p) Any actions required in respect of badger activity or presence on site or within the immediate vicinity
 - q) Development contacts, roles and responsibilities

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

The works shall be implemented in accordance with the approved details.

Reason: To ensure that all construction work in relation to the application does not cause materially harmful effects on nearby land, properties and businesses.

Junction Roadway & Bridge Detailed Design Approval

08 No development of any of the following sections of the access route into and within the site shall commence until full construction details of the section of the access route are submitted to and approved in writing by the local planning authority:

- a) The new junction off the Botley Road, including a s278 agreement with the Highway Authority.
- b) The new roadway from the new junction to the farmyard.
- c) The new roadway from the farmyard to the proposed bridge.
- d) The bridge design details including its carry capacity, the parapet support details, how the design will maintain water flows and the methodology for protecting the watercourse habitat and the adjacent banks from any impact during its construction.
- e) The roadway network from the bridge into the main site south of stream, including details of any culverts when crossing field boundaries.

The construction details shall include the construction method, existing and proposed ground levels, the foundation and surface materials together with drainage measures to be included in the design to ensure that surface water does not flow onto the public highway or into the farmyard. Measures to avoid any harm to the root protection area of any nearby tree shall also be included with regard to the submission of detail in respect of items c) and d) having regard to the details on the approved plans, the Michael Steed Arboricultural Assessment dated 24 February 2023 and the applicants Note on Trees dated 1 March 2023.

The relevant sections shall then be constructed in accordance with the approved details.

Reason: In the interests of highway safety, to comply with the intentions of policy DM18 and DM23 of the Winchester District Local Plan Part 2 and to ensure that the development does not adversely harm the character of the area.

Access Construction Provision

09 Before any work on items b to e (inclusive) listed within condition 8 above is commenced, the access, including the verge crossing shall be constructed and lines of sight of 2.4 metres by 111 metres and 133 meters provided in accordance with the approved plans. The lines of sight splays shown on the approved plans shall be kept free of any obstruction exceeding 1 metre in height above the adjacent carriageway and shall be subsequently maintained so during the construction, operation and decommissioning phases.

Reason: To provide a satisfactory access in the interests of highway safety and to comply with the intentions of policy DM18 of the Winchester District Local Plan Part 2.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Protection of Sewer Pipe

- 10 Concurrent with the submission of the details of the section of the roadway from the farmyard to the bridge under condition 08 item (c) the applicant shall submit the results of a survey and or investigations that has located the specific position and depth of the public sewer and the method to be adopted to construct the roadway over the sewer and the protection measures to be followed during the work to ensure the integrity of the sewer is not harmed. This will include any intended access to the stream bank via the land alongside the intended roadway approach to the proposed bridge. The approved details shall then be followed during any work.

Reason. To protect the integrity of the public sewer, avoid any pollution incident, protect the water quality of the adjacent watercourse and comply with the intentions of policy DM19 Of LPP2.

Landscape Condition

- 11 A detailed scheme for landscaping, tree and/or shrub planting including understorey planting, building on the details within the Biodiversity Management Plan and those shown on the landscape master plan (Revision E dated 23 September 2022) shall be submitted to and approved in writing by the Local Planning Authority before development commences.

The scheme shall specify native species, density, planting, size and layout. The scheme shall also specify the timescale within which the planting shall be carried out.

If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the local planning authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the local planning authority gives its written consent to any variation.

Reason: To ensure that the landscape character of the site and its contribution to the wider area is maintained and to comply with the intentions of policy DM23 of the Winchester District Local Plan Part 2.

Archaeology

- 12 No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological assessment (comprising trial trenching) in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing.

Reason: To assess the extent, nature and date of any archaeological deposits that might be present and the impact of the development upon these heritage assets. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy

Archaeology

- 13 No development or any works of site preparation shall take place until the applicant or their agents or successors in title have implemented a programme of archaeological mitigation works, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation that has been submitted to and approved by the local planning authority in writing. No development or site

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

preparation shall take place other than in accordance with the Written Scheme of Investigation approved by the LPA. The Written Scheme of Investigation shall include:

- The programme and methodology of site investigation and recording
- Provision for post investigation assessment, reporting and dissemination
- Provision to be made for deposition of the analysis and records of the site investigation (archive)
- Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

Reason: To mitigate the effect of the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for future generations. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Joint Core Strategy.

Archaeology

- 14 Following completion of all archaeological fieldwork, within 9 months (unless otherwise agreed in writing) a report will be produced in accordance with an approved programme including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the local authority.

Reason: To ensure that evidence from the historic environment contributing to our knowledge and understanding of our past is captured and made publicly available. Policy DM26 Winchester District Local Plan Part 2; Policy CP20 of the Winchester District Local Plan Part 1 Joint Core Strategy.

Traffic Management Plan

- 15 The measures outlined within the Indicative Traffic Management Plan C dated 30 November 2022 shall be implemented in full during the construction, operational and decommissioning phases of the development.

Further details shall be submitted to and approved in writing with the local planning authority with regard to the following matters:

- a) The details of the wheel washing facility and its location on site.
- b) The methodology for informing all construction traffic of the proposed routing strategy when travelling to the site and on leaving the site.
- c) Full details of the signage to warn users of the footpaths and to alert construction traffic of the potential presence of walkers with priority to be given to walkers.
- d) Details of control of the accesses and crossing points of public rights of way or where construction traffic interacts with people using the right of way through the farmyard and within the fields that make up the main application site.
- e) Details for the protection of the public rights of way during the construction phase.
- f) Measures to be adopted to ensure no vehicles, machinery, equipment, materials, scaffolding or anything associated with the works should be left on or near any footpath so as to obstruct, hinder or provide a hazard to users.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Where further details are approved, those details shall be implemented in accordance with any approval.

Reason: To manage construction traffic in the interests of highway safety and in accordance with policy DM18 of the Winchester District Local Plan Part 2.

Restriction on Use of Existing Access

- 16 Excluding the initial use by construction traffic to get to the south side of the Botley Road hedge, all traffic associated with any phase (construction, operation & decommissioning) of the development hereby permitted, shall use the new access off the Botley Road.

Reason: In the interests of highway safety and to comply with the intentions of policy DM18 of the Winchester District Local Plan Part 2.

Restriction on Use of New Access

- 17 The use of the new access shall be restricted to traffic associated with the solar farm only.

Reason: In the interests of highway safety and to comply with the intentions of policy DM18 of the Winchester District Local Plan Part 2.

Working Hours

- 18 All work relating to the construction of the development hereby approved, shall only take place between the hours of 0800 hours to 1800 hours Monday to Saturdays and at no time on Sundays, Bank Holidays or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the general rural character of the area, the amenities of surrounding residential properties and to comply with the intentions of policy DM23 of the Winchester District Local Plan Part 2

Colour of Structures & Site Levels

- 19 Before any of the service buildings/transformers shown on the Indicative Landscape Master Plan Rev E dated 23 September 2022 or the frames to support the photovoltaic panels are first brought or assembled onto the site, their intended finished colour shall be submitted to and approved in writing with the local planning authority. Notwithstanding the two colour options referred to within the application details the applicant will approach this condition compliance submission without any preconceived preferences. Concurrent with the submission of the details regarding the service buildings/transformer information regarding existing and proposed ground level regarding the proposed position of the structure shall also be submitted for approval.

The finished colour of the structures shall comply with the approved details and shall be retained in that colour hereafter. Any changes to the levels of the proposed position of the structures shall also comply with the relevant approved details.

Reason: To ensure a satisfactory visual relationship between the new development and the surrounding area to comply with the intentions of policy DM23 of the Winchester District Local Plan Part 2.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Permanent Lighting Scheme

- 20 Before any lighting is installed on site, details of the individual light unit, its technical specification including its location, height above ground, measures to avoid light spillage, its powers and the circumstances when it would be used shall be submitted to and approved in writing by the local planning authority. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed.

Reason: To protect the character and appearance of the countryside; to ensure that the ecological value of the site is not adversely impacted upon by the development and to comply with the intentions of policy DM 17 of LPP2

Surface Water

- 21 The drainage system shall be constructed in accordance with the Flood Risk Assessment Incorporating Sustainable Drainage System ref: J-13798 Any changes to the approved documentation must be submitted to and approved in writing by Local Planning Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations. The drainage measures shall be retained and maintained hereafter so long as the solar farm is operational.

Reason: To ensure that surface water run-off is released in a controlled way and to comply with the intentions of policy CP17 of LPP1.

Provision of Information for Emergency Services

- 22 Prior to the first export of any electricity generated by the site, a Premises Information Box (PIB) shall be installed within the site. The contents of the PIB together with its location on the site shall be submitted to and approved in writing with the local planning authority. The submitted information shall include a plan of the site identifying the structures that are located within it and the point of connection to the grid, contact details for parties, details of any inflammable substances or hazardous substances on site.

The approved information shall be contained within the PIB that will be placed in the approved location before any electricity is exported from the site. The PIB shall be retained so long as electricity is generated by the site and reviewed and updated as appropriate every three years.

Reason: To ensure that Emergency Services has adequate access and information of the layout of the site and its contents before entering the facility and to comply with the intentions of policy DM18 of LLP2.

CCTV Cameras

- 23 Before any of the CCTV Cameras are installed on the site perimeter fence line in the positions in accordance with the approved plan, details of the field of view that each camera will capture shall be submitted to and approved in writing with the local planning authority. The installation of the camera shall take place in accordance with the approved specification and no change to the field of view shall take place hereafter.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Reason: To reduce the impact of the presence of the camera system on the privacy of the occupants of any nearby residential property or on those of the users of the public footpath that crosses the site.

Permissive Footpath Link

- 24 Before the solar farm hereby permitted first exports any power to the grid, details of the scheme to permit a public access link along that section of the new access road between the Botley Road and the farmyard at Locks Farm, shall be submitted to and approved in writing by the local planning authority. The scheme shall include details of the route, the installation of stiles or kissing gates at either end of the link and the installation of suitable signage to inform the public of the availability of the permissive footpath link. The approved scheme shall be implemented within a timetable that will also be submitted as part of the details. Unobstructed public use of the stiles/kissing gates (as appropriate) and the route together with their retention and maintenance in a useable condition for walkers together with any signage shall be provided throughout the life of the solar farm which is set out in condition 3 above. As part of the decommissioning of the site any stiles or kissing gates and any directional signal installed shall be removed.

Reason. To secure the offer of providing the public with an alternative route to walking on a section of the Botley Road and to comply with the requirements of policy CP10 (Transport) of LPP1

Heritage Information Boards

- 25 Before the solar farm hereby permitted first exports any power to the grid, details of the provision of two heritage information boards will be submitted to and approved by the local planning authority. The boards will contain plans and text setting out the historic context and relationship between Bishops Waltham Palace, the Deer Park, The Park Lug and Locks Farmhouse. One board is to be located at the southern end of the application site where footpath 13 exits the site and the second board is to be located where the permissive footpath starts off the Botley Road. The boards will be installed in accordance with the approved details within a timetable that will also be submitted as part of the details. The boards shall be retained throughout the life of the solar farm in a legible condition. As part of the decommissioning of the site, the boards shall be removed and any disturbed ground made good.

Reason: To enhance the understanding of the context of Locks Farmhouse within the historical framework of the heritage assets within the wider area and to comply with policy DM209 (Heritage Assets) of LPP2.

Noise Conditions

- 26 All plant/equipment installed shall always achieve sound power levels equal to or less than those specified in Sections 5.4, 5.5 and 5.9 of the noise impact assessment Ref R9180-1 Rev 4 (dated 30 November 2022).

Reason: To ensure acceptable noise levels within noise sensitive premises are maintained and to comply with policy DM20 of LPP2

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Landscape and Ecological Management Plan

27 Prior to the commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP), building on the details in the Preliminary Ecological Assessment, the Biodiversity Management Plan and the Landscape Master Plan shall be submitted to and approved in writing by the local planning authority. The LEMP will address the immediate and long-term commitments to manage the existing vegetation and new planting together with the protection of existing habitats and enhancement of biodiversity within the application site. The content of the LEMP shall include the following:

- a) Description and evaluation of existing and proposed features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Purpose and conservation objectives for the proposed enhancement measures;
- g) Long term planting considerations beyond the initial work resulting from the actions taken under condition 17 (landscaping).
- h) Preparation of an annual work schedule for the implementation of management actions.
- i) Details of the body or organisation responsible for implementation of the plan.
- j) Details of the timetable for monitoring and review of management actions, that will then influence successive management action and the role of the local planning authority within that process.

The LEMP shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP will be implemented in accordance with the approved details.

Reason: To deliver the landscape enhancements and the biodiversity net gain promoted as part of the scheme and to comply with policy DM23 of the Winchester DM26 Winchester District Local Plan Part 2 and policy CP16 of the Winchester District Local Plan Part 1 Joint Core Strategy.

Informatives:

1. In accordance with paragraphs 186 and 187 of the NPPF, Winchester City Council (WCC) takes a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:
 - offer a pre-application advice service and,
 - update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

2. In this instance pre application discussions took place, numerous meetings have been held with the agent to clarify matters and discuss whether objections to the scheme could be overcome. The proposed conditions have also been discussed with the applicant. The Local Planning Authority has taken account of the following development plan policies and proposals:

Winchester Local Plan Part 1 – Joint Core Strategy (LPP1).

- DS1 Development Strategy and Principles
- MTRA4 Development in the Countryside
- CP10 Transport
- CP12 Renewable and Decentralised Energy
- CP14 The Effective Use of Land
- CP15 Green Infrastructure
- CP16 Biodiversity
- CP17 Flooding Flood Risk and the Water Environment
- CP19 South Downs National Park
- CP20 Heritage and Landscape Character

Winchester District Local Plan Part 2 – Development Management and Site Allocations

- DM1 Location of New Development
- DM15 Local Distinctiveness
- DM16 Site Design Criteria
- DM17 Site Development Principles
- DM18 Access and Parking
- DM19 Development and Pollution
- DM20 Development and Noise
- DM21 Contaminated Land
- DM23 Rural Character
- DM24 Special Trees, Important Hedgerows and Ancient Woodlands
- DM25 Historic Parks and Gardens
- DM26 Archaeology
- DM29 Heritage Assets
- DM31 Locally Listed Heritage Assets

3. This permission is granted for the following reasons:

As assessment has been undertaken having regard to Policies and Proposals of the Development Plan set out above including the NPPF and other material considerations do not have sufficient weight to justify a refusal of the application. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, planning permission should therefore be granted.

4. The local planning authority notes the intention of the applicant to exercise rights under the General Permitted Development Order (2015) Schedule 2 Part 4 Temporary buildings and uses Class A to form a construction compound to use in the implementation of this permission. The attention of the application is drawn to the qualifying criteria under which these permitted development right can be exercised. Specifically, when the operations have been carried out:

(a) any building, structure, works, plant or machinery permitted by Class A is removed,
and

Case No: Z1/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

(b) any adjoining land on which development permitted by Class A has been carried out is, as soon as reasonably practicable, reinstated to its condition before that development was carried out.

5. Hampshire County Council Surface Water Management Team recommend that the applicant is directed to their website

<http://www3.hants.gov.uk/flooding/hampshirerflooding/drainagesystems.htm>

for further information on recommended surface water drainage techniques.

6. Where allegations of noise from works are substantiated by the Environmental Protection Team, a Notice limiting the hours of operation under The Control of Pollution Act may be served.

7. During Construction, no materials should be burnt on site. Where allegations of statutory nuisance are substantiated by the Environmental Protection Team, an Abatement Notice may be served under The Environmental Protection Act 1990. The applicant is reminded that the emission of dark smoke through the burning of materials is a direct offence under The Clean Air Act 1993.

8. Please be respectful to your neighbours and the environment when carrying out your development. Ensure that the site is well organised, clean and tidy and that facilities, stored materials, vehicles and plant are located to minimise disruption. Please consider the impact on your neighbours by informing them of the works and minimising air, light and noise pollution and minimising the impact of deliveries, parking and working on public or private roads. Any damage to these areas should be remediated as soon as is practically possible.

For further advice, please refer to the Construction Code of Practice

<http://www.ccscheme.org.uk/index.php/ccs-ltd/what-is-the-ccs/code-of-consideratepractice>

9. Flood Risk Activity Permit

Please note that this development and the associated works on the site will require a permit under the Environmental Permitting (England and Wales) Regulations 2016 from us for any proposed works or structures, in, under, over or within 8 metres of the top of the bank of the River Hamble/The Lakes, designated as a main river. This type of permit is called a 'Flood Risk Activity Permit'.

Further details about Flood Risk Activity Permits can be found on the gov.uk website using the following link –

<https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

The Applicant should note that a permit is separate to and in addition to any planning permission granted. The granting of planning permission does not necessarily lead to the granting of a permit.

To enquire about the permit application process, the Applicant should contact our National Customer Contact Centre on **03708 506 506** (Monday to Friday 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk. We would advise the Applicant to contact us at the earliest opportunity

Case No: 21/01391/FUL

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

10. The gravity sewer requires a clearance of 4 metres on either side of the gravity sewer to protect it from construction works and to allow for future maintenance access.

- No development or tree planting should be carried out within 4 metres of the external edge of the public gravity sewer without consent from Southern Water.

- No soakaway, swales, ponds, watercourses or any other surface water retaining or conveying features should be located within 5 metres of a public sewer.

All existing infrastructure should be protected during the course of construction works.
Please refer to: southernwater.co.uk/media/3011/stand-off-distances.pdf

11. Further information and guidance for developers on construction good practice can be found on the Winchester City Council website:
<http://www.winchester.gov.uk/environment/pollution/construction-sites/>

12. Your attention is drawn to the comments and attachments from National Grid Electricity Transmission which have been published on the WCC application web site ref 22/00447/FUL.