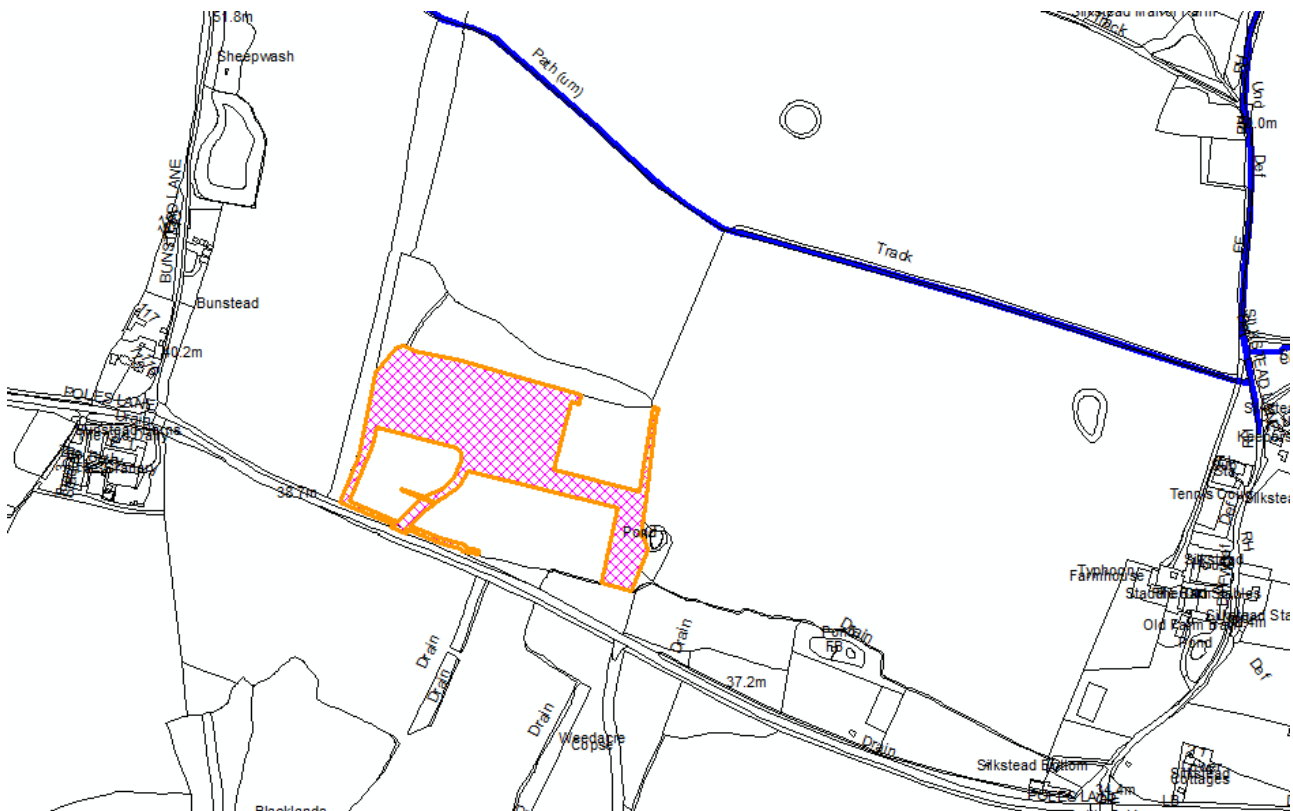


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Case No:	24/01007/FUL
Proposal Description:	Construction and operation of a battery energy storage system (BESS) facility, associated infrastructure, access provision and ecological enhancement for a temporary period of 30 years.
Address:	Land At Silkstead Farm Poles Lane Hursley Hampshire
Parish, or Ward if within Winchester City:	Hursley
Applicants Name:	Mr Rob Newberry
Case Officer:	Mrs Megan Osborn
Date Valid:	5 June 2024
Recommendation:	Permit
Pre Application Advice	Yes

Link to Planning Documents

Link to page – enter in reference number 24/01007/FUL
<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



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Reasons for Recommendation

The development is recommended for permission as the proposal results in the introduction of an important renewable energy development and it complies with the development plan and no adverse harm is raised from other matters including protection of

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heritage assets, residential amenity, highways, assessment of glint & glare, biodiversity and drainage considerations amongst others.

Other material considerations, including the NPPF, support the grant of planning permission and material planning considerations do not indicate that an alternative approach should be taken.

General Comments

The application is reported to Committee due to the number of objections received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

Amended plans were submitted on the 11th November 2024 to address concerns raised by officers in various consultations. These included:

- A revised landscape strategy showing additional tree planting along the northern, eastern and southern boundaries in direct response to the landscape comments. The landscape strategy also includes changes to remove all combustible vegetation from within 10m of the battery storage units, all surfacing within 10m of the battery storage units is now hardstanding and the attenuation basin has been reshaped to provide a gravel surface within the 10m buffer zone in accordance with the fire and rescue guidance.
- A revised ecological impact assessment, BNG calculation, habitat conditions assessment and biodiversity enhancement plan.
- Revised site layout and boundary to include a secondary vehicular access point and access track as requested by the Hampshire and Isle of Wight Fire and rescue service (FRS). Further plans show a swept path analysis and a cross section drawing of the FRS emergency access track. Further changes to the layout include the spacing between the Battery units of a minimum of 3m.

Further amended plans to the layout and the gate were submitted in January 2025 following landscaping comments on the revisions.

The plans have been readvertised to the neighbours and all the previous contributors of the application for 21 days.

Site Description

The application site is located within an agricultural field to the north of Poles Lane. The field is located in between Hursley and Otterbourne. It is within the parish of Hursley.

There is a public right of way to the north of the site approximately 285m away. To the west of the site is a small cluster of buildings in Bunstead. There is also a small cluster of housing in Silkstead, located to the east of the site.

The site is bound to the north and west by dense woodland. The southern boundary, with the road is a low hedge. To the eastern boundary there is a small amount of vegetation.

There is a small area of ancient woodland that runs along the south eastern corner of the
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site.

The land slopes up a small amount from the road to the north of the site.

Proposal

50MW battery energy storage system (BESS) on Land at Silkstead Farm, Poles Lane, Hursley, Winchester.

The proposal includes:

- 34no. battery containers on concrete plinths
- 17no. inverter substation on concrete plinths
- 1no. Point of Supply (PoS) substation
- 1no. spaces and comms block
- 1no. aux supply room
- 1no. client switchgear
- 2.4m Paladin Perimeter fence
- 4no CCTV Security cameras
- 3no. Parking space
- Internal Access road
- DNO access road
- Designated passing points

The development will include landscaping and ecological enhancement.

The Point of Connection (PoC) is located within 2km of the site at the Kilovolt Substation. The site will be connected to the National Grid via underground cables.

The proposed battery will store surplus grid energy within the batteries and would be able to release or absorb energy from the power network.

Relevant Planning History

None relevant

Consultations

Service Lead – Built Environment (Archaeology) -

- No objection - The site has low potential for archaeological remains.

Service Lead – Built Environment (Historic Environment) –

- No objections, recommendation of additional planting

Service Lead – Engineering (Drainage) -

- No objection

Service Lead – Sustainability and Natural Environment (Ecology) –

- Comments received 27th July 2024 – objection and more information needed

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- Comments received 29th November 2024 – further information has been received and no objections raised, subject to conditions 8, 9 and 18.

Service Lead – Sustainability and Natural Environment (Landscape) –

- Comments received 25th June 2024 – Concerns raised in relation to impact on the surrounding rural landscape.
- Comments made 14th November – whilst some improvements have been made, this is not enough to overcome the previous concerns.
- Comments made 3rd February – Landscape officers consider the latest amendments to the plan acceptable and, have no further comments.

Service Lead – Sustainability and Natural Environment (Trees) –

- Objection raised to the potential impact of the drainage route to the south eastern corner of the site on the area of ancient woodland to the south.

Service Lead – Public Protection (Environmental Health) –

- Comments received 8th July 2024 – concerns in relation to the noise levels, especially at night, when traffic noise is quieter. Further information is required in relation to the fan units on the battery as well.
- Comments received on the 22nd November 2024 – Further information has been provided and the concerns have been addresses – no objection raised.

Service Lead – Public protection (Contamination) –

- No objections

Hampshire County Council (Rights of Way) –

- No objections

Hampshire County Council (Flood Authority) –

- No objections, subject to conditions 10 and 11.

Hampshire County Council (Highway Authority) –

- Comments received 18th July 2024 – further information is needed.
- Further comment received on the 3rd December 2024, after additional information was submitted – No objections, subject to condition 6 and 13.

Environment Agency -

- No objection - Concerns were raised in relation to the fire water runoff in the event of a battery fire. The applicant proposes a lined swale, which will be isolated from the surface water by a penstock. Therefore, there should be no discharges from fire water to ground surface waters and no objection is raised.

Natural England -

- No objections

Hampshire and the Isle of Wight Fire and rescue service (HIWFRS) -

- Comment first received on the 9th August 2024 – Insufficient information has been provided to demonstrate the suitability of the proposals in terms of fire safety and firefighter access.

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- Comments received on the 18th December after more information was provided – no objections raised, subject to condition 12.

WinAcc (Winchester Action on the Climate Crisis -

- Support

NatureSpace

- The development falls within the amber impact risk zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely presence. In the amber impact zone, there is suitable habitat and a high likelihood of great crested newt presence.
- Given the evidence of the two adjacent waterbodies being dry, it is unlikely that great crested newts will be present and impacted by the proposed works.
- An informative is recommended.

Southern Water – No comment

Representations:

Compton and Shawford Parish Council -

Compton and Shawford Parish Council object on the grounds of pollution (DM19) and noise pollution (DM20), plus visual intrusion and reduction of tranquillity in a rural area (DM23). The impact on this area will also be increased by the need to provide a link with the substation and the length of underground provision needed across existing land.

There is also an objection to the change of use from agricultural to industrial. This sets a precedent for this area, being close to the existing Four Dells complex and could lead to further incremental development. The field proposed is in the middle of agricultural land with its connected impact on the rural nature of the area.

Existing trees will be impacted and the root area affected. There is much mature vegetation with an existing ecology which will be unfavourably impacted.

An access is to be created onto Poles Lane with sight line implications and adverse effect on traffic.

Otterbourne Parish Council –

Otterbourne Parish Council (OPC) is concerned at the lack of formal notification of another commercial planning application in the Poles Lane vicinity and the very short notice that has resulted.

OPC opposes this application. Although the location proposed lies outside our parish boundary the proposed development would result in a significant increase in traffic movements on Poles Lanes during the 6-month construction phase, impacting residents living next to the road and raising road safety concerns at the point where the road enters the village. HGV traffic volumes are already high with large high-sided vehicles moving to and from the nearby waste management site and speeds of vehicles often exceeding 30 mph as they enter the village on this road.

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Apart from the negative impact of increased vehicle movements we believe the site location is inappropriate for the proposed use. We disagree with the proposition to change the use of land from Grade 3 agricultural land to industrial use. In view of other recent change of use applications at the nearby Four Dells Farm complex we view this as another case of "industrial creep" in this open countryside setting.

The site is located some distance away from the proposed Point of Connection (POC) substation at Oliver's Battery. Apart from the obvious harm to the countryside of digging such a long trench to make the connection, it is not a sustainable solution in view of the large amount of cable required and power loss that would be experienced over this distance. We acknowledge there is a need for such energy storage systems nationally, however their location should be based on an appreciation of proximity to existing substations within the planning area that are deemed suitable, not the other way round as has been the case in this application, i.e. looking for a suitable POC for a particular plot of agricultural land where ever that might be. There must surely be other more appropriate (ideally brown field) sites located near suitable POCs in Hampshire e.g. the area surrounding the POC at Oliver's Battery or the approved site for a new solar farm at Sarum Road (sponsored by Hursley PC) where a grid connection will have already been determined, assuming of course the local landowners involved are in agreement!

22 Objecting Representations received from different addresses citing the following material planning reasons:

- Location not acceptable
- Loss of agricultural land
- Contrary to policy
- Concerns regarding noise
- Increase in traffic
- Too far from the electricity substation.
- Not in line with the NPPF
- Access through ancient hedging
- Fence and gates not appropriate
- The site is prone to flooding
- There are alternative brownfield sites
- Concerns regarding archaeology
- Concerns regarding fire
- There needs to be investigation from alternative sites
- This site is close to the approved main water pipe and will impact on Poles Lane
- Impact on neighbouring sites, especially historical buildings.

A further consultation to neighbours and contributors on the 23rd January 2025 in relation to the submitted amended plans. This was carried out for 21 days. 8 people commented on the application. The comments were the same objections as above along with the below comment:

- The amendments don't address the concerns raised.

1 Supporting Representations received from different addresses citing the following material planning reasons:

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- This is an important addition to the local energy infrastructure.

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

- Section 2 Achieving Sustainable development
- Section 4 Decision Making
- Section 6 Building a Strong, Competitive Economy
- Section 9 Promoting Sustainable Transport
- 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

National Policy Statements

National Policy Statement: Overarching NPS for Energy (EN-1) (January 2024)

National Policy Statement: Renewable Energy Infrastructure EN-3 (January 2024)

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
- 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

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- 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

Winchester District Local Plan 2020-2040: Regulation 19
Policy CN7 – Energy Storage

Other Relevant Documents

- 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

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 48 of the National Planning Policy Framework (NPPF, 2024) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Policy DS1 of the LPP1 is consistent with the NPPF which states in paragraph 11 that decisions should apply a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up to date development plan without delay.

The Regulation 19 Local Plan, as now agreed by Full Council, can be given appropriate and increasing weight in the assessment of development proposals in advance of Examination and Adoption as set out in paragraph 49 of the NPPF.

LPP1 Policy DS1 sets out the overarching Development Strategy for the district. Amongst various other requirements this policy states that development proposals will be expected to make efficient use of land within existing settlements, and prioritise the use of previously developed land in accessible locations in accordance with the development strategies set out in Policies WT1, SH1 and MTRA1.

This strategy is continued within the LPP2 by Policy DM1 which states that development that accords with the Development Plan will be permitted within the defined boundaries of the settlements it refers to. It states that outside of these areas, countryside policies will apply and only development appropriate to a countryside location will be permitted.

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In this case the proposed development falls within open countryside and would therefore fall to be assessed primarily against LPP1 Policy MTRA4. This policy seeks to limit development to that which has an operational need for a countryside location or proposals which would involve:

- The reuse of an existing building or;
- The expansion or redevelopment of existing buildings to facilitate the expansion on-site of established businesses or to meet an operational need or;
- Small scale sites for low key tourist accommodation.

None of these categories explicitly refers to the provision of a Battery energy storage system (BESS), although the first category does refer to “development with an operational need for a countryside location”.

In order to demonstrate that the development has an operational need for a countryside location, the applicant has analysed whether alternative sites are available within the settlement boundary, or located on existing developed land.

There is a number of criteria for the BESS:

- The site must be within 3km of the PoC
- The site must be at least 1ha and be of a shape able to accommodate the proposed development
- The site must not be immediately adjacent to residential development
- The site must be located in flood zone 1
- The site must be clear of any trees , unless these can be cleared easily
- The site must be accessible by HGV
- The site must be relatively flat, or have the ability to be made flat
- The site must not lie on top of existing services
- The site must not be allocated in the local plan for development that would conflict with this proposal
- The land value must accommodate the proposed development type
- The site must not be subject to local or national designations
- The site must be able to accommodate built development without significant adverse impact on designated heritage sites
- The site must be able to accommodate development without significant loss of natural flora that would result in a net loss to on site biodiversity
- The site should avoid Grade 1, 2, and 3a agricultural land
- The site must be available to the developer.

The applicant has carried out a thorough search of alternative sites that are previously developed land within the same catchment on the Point of Connection (PoC). It was concluded that there are no vacant sites available within the settlement boundary suitable to accommodate this development.

The PoC is approximately 2.2km away from the site. The PoC has been agreed by the distribution network operators (DNO). To connect to the grid, the applicant must go through several steps with the DNO and National Grid. In the UK available grid capacity is severely limited and so reduces the viable connection points available. Therefore, the BESS development must be located in the appropriate area with capacity for import and

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export of electricity. This means that the PoC site selection is grid led and then it is the applicants responsibility to choose the most appropriate site within the site search area.

The National Policy Statement EN-1 urges LPA's to be flexible when considering the location of BESS sites, as it is a very restricted process finding a grid connection. LPA's should consider these applications in a positive and flexible manor in recognition of finding a suitable connection and the lack of planning policy framework for them in local plans.

After dismissing land inside the settlement boundary, the search for sites for the BESS was carried out by the applicant on previously developed land outside the settlement boundary. This concluded that there was no land that would be suitable for development and that is large enough to accommodate this development.

In order for the development to proceed, and connect to the PoC, a location was therefore needed outside the settlement boundary.

Therefore, in relation to MTRA4, there is a justified operational reason why this location in the countryside is required.

As noted above, planning authorities should adopt a flexible approach to planning for standby/energy storage facilities on the basis that the potential to develop or not develop is grid connection led.

In making this decision, weight is also given to the ability to connect to the distribution power system and the observations of the sustainability officer who expresses a view that there are severe limitations on the ability to make connections over the next 10 years. This means that where such opportunities exist, then they need detailed consideration.

Policy CP12 (Renewable and Decentralised Energy) offers general support to the generation of renewable energy. Whilst the policy does not specifically refer to battery storage, 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:

- contributions to national, regional & sub-regional renewable energy targets and CO2 savings;
- 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;
- 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;
- 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 in the assessment immediately below and in following paragraphs.

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In addition, Policy CN7 of the emerging plan is supportive of Development proposals that involve energy storage.

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.

EN-1 also states that wind and solar are likely to be the main contributors to achieving a secure, reliable affordable & net zero electricity system by 2050. 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.

In addition, section 4.2 of EN-1 'The critical national priority for low carbon infrastructure' highlights the importance of all onshore and off shore electricity generation that does not involve fossil fuels, and these are identified as a 'critical national priority' (CNP). CNP infrastructure benefits from a policy presumption that its urgent need should generally outweigh its residual adverse impacts. The government strongly supports the delivery of CNP infrastructure and it should be progressed as quickly as possible.

The National Policy Statement for Renewable energy infrastructure (EN-3) goes on to say 'electricity storage is essential for a net zero energy system, it stores electricity when it is abundant for periods when it is scarce, as well as providing a range of service to help maintain the resilience and stability of the grid' and 'the need for electricity storage is rising as we increase the volume of variable renewables and increase peak demand through the electrification of heat and transport. It will be critical to maintaining energy security as we shift away from gas over the 2020's-2030's'.

The NPPF contains sections that are considered as supportive of renewable energy schemes, such as this, 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 15 (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 are set out in Planning Policy Guidance (PPG) on Renewable and Low Carbon Energy paragraph 013 (March 2015) and in the 25 March 2015 statement from the then Secretary of State. When referring to the provision of renewables, the PPG sets out 9 matters for consideration. These are:

- encouraging the effective use of land by focussing on previously developed and non agricultural land, provided that it is not of high environmental value;
- where a proposal involves greenfield land, whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around the development.

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- that battery storage is normally temporary structures and planning conditions can be used to ensure that the installations are removed when no longer in use and the land is restored to its previous use;
- the proposal's visual impact, and on neighbouring uses and aircraft safety;
- the need for, and impact of, security measures such as lights and fencing;
- great care should be taken to ensure heritage assets are conserved in a manner appropriate to their significance, including the impact of proposals on views important to their setting. As the significance of a heritage asset derives not only from its physical presence, but also from its setting, careful consideration should be given to the impact of development of renewable energy proposals on such assets. Depending on their scale, design and prominence, a large scale development within the setting of a heritage asset may cause substantial harm to the significance of the asset;
- the potential to mitigate landscape and visual impacts through, for example, screening with native hedges;

In conclusion, given the national and local policy context and the acceptance that there is an operational need for this facility in the countryside, the principle of this development is considered to be acceptable. However, the proposals must then meet the remaining criteria of both policy CP12 and the PPG on Renewable and Low Carbon Energy paragraph 013 (listed above) and other material planning considerations to take account of the wider impacts of any scheme on the local environment.

The remaining sections in this assessment will consider the individual circumstances of this development and how these considerations.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I of the 2017 Environmental Impact Assessment Regulations. The development falls within Schedule II of the regulations and the applicant did submit a screening request in December 2023 (24/00048/SCREEN). Having assessed the implications and potential impacts likely to arise from the development, an opinion was issued in February 2024 that an Environmental Impact Statement was not required as part of any submission.

Impact on character and appearance of area

LPP1 policy MTRA4 (Development in the Countryside) seeks to limit development outside 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 this development is that they have an operational need for such a location based on the extent of the land take required and the lack of previously developed land (PDL). 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.

Moreover, other development plan policies also need to be considered when addressing these impacts. LPP2 policy DM23 (Rural Character) seeks to protect the rural character of the site, when considering its contribution to landscape character and the visual environment. This includes keeping visual intrusion to a minimum, maintaining tranquillity,

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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.

The site has the following landscape features:

- PRoW Hursley 2 Monarchs Way 240m to the north
- Ancient Woodland on the south boundary (Windmill/Strowdens Copes)
- Bunstead Hills West SINC on the opposite side of Poles Lane to the south
- Source Protection Zone 3

This is in the Hursley Scarplands Landscape Character Area. The key characteristics of this are:

- Strong rural character
- Strong landscape structure provided by numerous small area of ancient woodland, plantation woodland, tree belts, hangers and hedgerows.

Key issues include:

- Cumulative effects of sustainable energy and infrastructure developments.

Landscaping strategies include:

- Ensure that new infrastructure such as solar farms, poly tunnels, wind farms, communication masts, flues, pylons and 'fracking' rigs are carefully situated to minimise visual intrusion.

The proposed battery and equipment is located at the top end of the field away from Poles Lane. The location of the development in this field was a conscious decision as it was located away from the road and screened by the trees to the north to protect any views from the PRoW. The development is located 15m away from any woodland planting to avoid impact. There is further existing screening along all other boundaries to this field.

A new vehicular access to the proposed development is proposed off Poles Lane leading directly to the battery storage. Another track is proposed off this first track to provide a secondary access to the site for fire safety reasons.

The applicant has submitted a Landscape Visual Impact Assessment (LVIA), which included a number of desk studies and field studies. It is not possible to view the entire development from any location outside the site itself which means that effects on views of the development can be limited. The nearest accessible locations include Poles Lane and Monarchs Way and from these locations in close proximity views are restricted.

Views from the north were shown in the LVIA to be limited as this view would be well screened by trees and then landform. Therefore, this would have a neutral impact during the construction and operational periods.

Views from the east are restricted by sloping landform and vegetation along the field boundary. The additional planting proposed along this section would minimise any long term views of the site, there would be a moderate to minor effect for about 1 year whilst the vegetation is growing.

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The views from the south are very limited by the undulating landform and existing tree cover. Ancient woodland in the south eastern corner restricts views from a southerly direction. The vast majority of receptors south of the site would experience no change (neutral) effects on their views.

The views from the west of the site were also assessed in the LVIA. The views are restricted by the dense vegetation along the western boundary of the site. Views are potentially possible from the dwellings on Bunstead Lane, however they would be very limited and dominated by well established native hedgerow along the northern side of the Poles Lane.

A Landscape Strategy Plan (376.006.ENZ.XX.00.DR.L.00.013 PL03) has been submitted and revised a number of times to address the landscape officers concerns in relation to the proposed development. Comments were made in relation to the screening along the southern boundary, with the road, the width and location of the access track to the battery storage, the shape of the drainage pond proposed and the type of gates proposed to Poles Lane.

The developer added some more planting, where possible and where needed to the southern boundary with the road, which address their concerns regarding the glimpsed views from Poles Lane. Further planting was added to the north eastern and eastern boundaries with the site, which screens the site further from these boundaries.

Following from the landscape officers comments, the gates on the access of the site from Poles Lane have been amended to provide a more rural feel to the site when viewed from the road in this countryside location.

Overall, it is considered that although the proposed development is situated on countryside land, the location and layout have been carefully considered by the applicant to reduce the impact as much as possible from sensitive views. Therefore, it is considered that the development would not result in any significant harm on the character of the surrounding area. This therefore complies with policy DM23 of the LPP2.

Development affecting the South Downs National Park

The application site is located 3.2 km from the South Downs National Park

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 2023. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 182 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.

Due to the distance and intervening features, an adverse impact on the National Park and its statutory purposes is not identified.

In conclusion therefore the development will not affect any land within the National Park

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and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

The proposed site is located within the setting of a group of 7 Grade II listed buildings at Silkstead Farm on Silkstead Lane.

The following legislation and policies are taken into account in the assessment and determination of this planning and listed building application.

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; Policy DM29 & DM30 of the Winchester District Local Plan Part 2 Adopted 2017; Policy CP20 Winchester District Joint Core Strategy; NPPF (2023) Section 16.

Guidance

Where dealing with listed buildings, decision makers are required to have due regard to the “desirability of preserving the Listed building or its setting or any features of special architectural or historic interest which it possesses.” under Section 16/66 of the Planning (Listed Buildings and Conservation Areas Act 1990). 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”.

Due regard has been given to these requirements, as set out in the Historic Environment consultation response and assessment within this report.

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 212 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 213 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.

Silkstead has been an agricultural settlement since at least the 16th century, with Upper Silkstead Farmhouse being one of the oldest buildings in the settlement. Silkstead House and one of its barns, which are buildings considered as part of this application, date to the 17th century and additional associated barns and granaries were added throughout the 18th and 19th century.

Silkstead House and its associated farm buildings have group value, due to their former functional connection and their arrangement has remained largely unchanged since at

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least the late 19th century. All buildings, except the Cartshed at Silkstead Farm are visible on the 1867-1893 OS map. The Cartshed had been constructed by 1898.

In addition to their group value, all the buildings, individually, have architectural interest for their vernacular building style and surviving historic fabric, including timber framed structures. The buildings also hold historic interest by forming an integral part of the agricultural history of the settlement.

The Heritage Statement (Heritage Archaeology, 2024) stated that the site was once in shared ownership with Silkstead Farm and therefore shares a historical, functional relationship with it.

The site forms part of the wider agricultural surroundings of the listed buildings and shares some intervisibility with them. Glimpsed views can be caught of the group of buildings from within the site and the site is appreciable in the return views, although the terrain slightly descends gently towards the site.

It is considered that this agricultural setting, including the site, makes a strong positive contribution to the significance of the historic farm buildings by forming the agricultural context to the listed buildings' former use.

The design of the proposed development has taken the geographical sensitivity to the listed buildings into consideration by positioning the storage units and associated infrastructure to the northwest corner of the site. This allows for an additional green buffer to be provided, which extends the distance between the installation and the listed buildings.

The tallest elements of the development will be the 6 metres tall CCTV poles on the corners of the site. The battery storage units will each be just under 4 metres in height and will be visible above the 2.4 metres perimeter fencing. Despite the relative distance between the site and the listed buildings, there currently is intervisibility and it is therefore likely that elements of the proposed development will be visible from the listed buildings, which would result in a change to the buildings' wider setting.

The proposed development would introduce an industrial element into the wider setting of the listed buildings, which is uncharacteristic for the existing agricultural/rural character. However, it is considered that due to the relative distance and low level of visibility, the magnitude of change would not be strong enough to result in harm to the buildings' significance.

The Landscape Strategy Plan, which accompanies the application, notes that the existing hedgerow on the eastern boundary will be improved and enhanced. The proposed hedge mix includes various tall shrub/small tree varieties, and it is recommended that these should be allowed to mature into trees rather than being managed as a hedgerow. This would provide additional green screening over time, which would further reduce some of the visual impacts.

Therefore, it is considered that the proposals will preserve the significance of the listed buildings. The proposals would accord with the requirements of Section 16 para 205 of the NPPF (2023), Policy CP20 of WDLPP1 and DM29 of WDLPP2 and the historic environment section of the Planning Practice Guidance.

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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 overbearing.

The character of this area is one of scattered residential properties within the landscape. The nearest neighbours are 116 and 119 Bunstead Lane. They are located approximately 350m west of the proposed development. There are other dwellings located on Silkstead Lane to the east approximately 500m away.

It is well established that the loss of a 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 or impact on the more general amenities of an adjoining land use.

Glimpses of sections of the site will be available from the surrounding properties to the east on Silkstead Lane through the existing vegetation and further landscaping is proposed along this boundary. It is therefore considered that due to the distance of over 500m between these dwellings and the site and the existing and proposed vegetation along this boundary the development would not result in any material planning harm to the amenities of these dwellings.

There is dense vegetation on the western boundary of the site, which will block the views of the development from the dwellings on Bunstead Lane. Therefore, this development would not result in any material planning harm on the residential amenities of the dwellings along this lane.

Policy DM20 (Development and Noise) seeks to protect residential amenity from noise that may result from a development.

Consideration was taking in relation to the potential noise impact from the proposed development. The Noise Impact Assessment (Enzygo, 2024) was first submitted in relation to the predicted noise levels and further information was requested in relation to further tests to be undertaken outside peak traffic hours, such as evenings. The information was submitted by the applicant and it was found to be acceptable in terms of noise levels in relation to the neighbouring amenities.

In conclusion, the applicant has presented sufficient information from which it is possible to make a suitable assessment of the potential impact from the development on nearby residential properties. The conclusion of that assessment is that the scheme is acceptable. The separation distances to the nearest noise sensitive receptors will ensure no adverse impact from noise. On this basis, officers consider that the scheme complies with policy DM17 of LPP2.

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.

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The development will result in an increase in traffic during the construction phase of this development, however once this has been built, there will be very little traffic movements to and from the site due to the nature of this development. Therefore, this would not result in any material amount of traffic.

The site will be accessed from Poles Lane, and a new access is proposed onto the site.

The applicant has reviewed accident data from the Hampshire Constabulary data for Poles Lane. The data has not identified any accident clusters along the corridor which would be exacerbated by the proposed development.

The Highway Authority previously requested confirmation as to where the speed surveys were undertaken to calculate the visibility splays for the site access. This has been shown to the west of the site access on Poles Lane to the east of the junction with Bunstead Lane. The visibility splays are now shown to a setback of 4.5m and to two 'y' distance scenarios of 160m and 215m. As per HCC TG3 guidance, splays should be based on recorded speeds for the road. Officers are satisfied that sufficient visibility is available on Poles Lane and the splays sit either within the highway boundary or the applicant's redline boundary.

An emergency access route has been provided in an amended site layout plan. The route does not impact on the Section 278 works but will provide an alternative access route should the access road be obstructed.

Therefore, the proposal complies with policy CP10 of the LPP1 and DM18 of the LPP2.

Ecology and Biodiversity

An ecological Impact Assessment has been submitted with this application and further information following comments from the consultee. This included information in relation to dormice, Great crested newts, bats, the ancient woodland and BNG. This was submitted by the applicant, in the form of a letter, that provided further information in relation to each of the concerns. Officers are satisfied that sufficient information has been submitted that addresses previous concerns. The mitigation and enhancement measures set out in the report submitted are considered satisfactory and are therefore conditioned (condition 18).

Biodiversity Net Gain (BNG)

The applicant has addressed BNG and added further grassland margins within the baseline assessment and filled in the water course metric. The landscape plan shows the planting of native trees. At present, the scheme will be achieving a 10.05% net gain in habitat units, 62.3% in linear units and 139.15% in water course units. It is therefore considered that these BNG measures are significant therefore they will need to be secured appropriately and as part of the discharge of the biodiversity condition a Habitat Management and Monitoring Plan will be required alongside the Biodiversity Gain Plan (Conditions 8 and 9).

Therefore, the proposal complies with policy CP16 of the LPP1.

Fire safety

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The Hampshire and Isle of Wight fire and rescue service (HIWFRS) were consulted on this application due to the fire safety needed for a development such as this. It was first concluded that insufficient information was provided to demonstrate the suitability of the proposals in terms of both fire safety and firefighter access.

A secondary access was the proposed by the developer, which provided an emergency access track to the BESS compound. Further changes were made, moving the landscape mitigation away from the battery by 10mm, further details on the fire hydrant on site, and clarification on the testing of the BESS units (in line with standard guidance).

The HIWFRS were consulted again and reviewed the information provided, and raise no objection to the proposed works, subject to condition 12.

The effect on the potential loss of agricultural land

On the question of the agricultural land classification and food production, best and most versatile (BMV) land is defined in the glossary to the NPPF as land of grades 1, 2 and 3a.

The applicant has submitted a report on the Agricultural Land Classification of the site. The report states that 100% of the site is Grade 3b 'moderate quality agricultural land'.

In conclusion, it is therefore considered that the proposals comply with the provisions of the NPPF in terms of the protection of the best most versatile agricultural land. There is therefore, no objection to the temporary loss of agricultural land in this instance. Condition 7 (Soil Management Plan) will ensure that the soil remains in good health and is capable of reverting back to agricultural use after the scheme is decommissioned.

Sustainable Drainage

The site is within flood zone 1, and most of the site is at very low risk of flooding from surface water. The southern part of the site is more at risk of flooding from surface water. The development is proposed to be located in the area at the lowest risk of flooding.

Surface water runoff would be directed to the drainage system through drainage gullies located around the perimeter of the units and through contouring of the site, which is considered acceptable.

Calculations have been submitted showing that an attenuation basin can accommodate runoff from the site for the design storm event.

Therefore, subject to the conditions proposed relating to a surface water drainage scheme and the long term management details, the proposal complies with policy CP17 of the LPP1 (conditions 10 and 11).

Trees

Policy DM24 of the LPP2 allows development which does not result in the loss or deterioration of ancient woodlands, important hedgerows, special trees, ground flora and the space required to support them in the long term.

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The application does propose a drainage ditch in the south eastern corner of the site linking in with the existing drainage ditch that runs along Poles Lane. The tree officer is concerned about the potential impact this would have on the area of ancient woodland to the south of the site. Development within the 15m buffer zone of the ancient woodland is contrary to the standing advice from Natural England on Ancient Woodland, ancient trees and veteran trees and contrary to paragraph 186c of the National Planning Policy Framework. However, Natural England have been consulted on this application and, whilst this legislation was highlighted within their comments, there was no objection raised to this proposal.

This issue has also been assessed in the Arboricultural Impact Assessment provided which contains a tree protection plan along a large section of the southern boundary and through further discussions with the applicant.

The applicant has looked at alternative routes for the drainage ditch, however there would need to be significant level raises within the site due to the levels on the site. The applicant therefore explored construction options in terms of a discharge in the south east corner of the site to address the concerns of the tree officer. The proposed option is to undertake hand digging only of the swale within the 15m buffer zone of the Ancient Woodland to minimise and mitigate any potential impact of the drainage connection to the existing ditch upon the woodland.

The proposed works would include:

- The swale outfall is to convert to a shallower, 150mm deep swale with 1:3 side slopes where it meets the ancient woodland buffer in order to minimise disruption to the roots. The flow restriction from the proposed site is 2l/s so the swale will have adequate capacity to convey this flow.
- Swale to be constructed using hand digging techniques in order to minimise disruption to existing tree roots. This would need a tree officer to witness and/or inspect the works and advise on a preferable location and best practice.
- The tree officer would need to agree to the swale crossing the Ancient Woodland buffer area and the methodology, including the use of using hand dug swales.
- The outfall construction could be addressed by an appropriately worded planning condition (Condition 26).

Whilst the tree officer still objects to the proposed works within 15m of the ancient woodland, the government advice states that, you should only approve sustainable drainage schemes if:

- they do not affect root protection areas
- any change to the water table does not negatively affect ancient woodland or ancient and veteran trees

This has been assessed further by the applicant and officers and it is considered that, given the management measures being carried out by the applicant, the harm to the ancient woodland would be mitigated, and with a suitably worded condition is therefore acceptable. Furthermore, as noted, there are no objections raised by Natural England in relation to this proposal.

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In relation to the rest of the site, the submitted tree report records four woodland areas, two trees and two hedges, the majority of which are native and of high to moderate value. There is no requirement for the removal of any trees and a small section of hedge will be removed to provide the access onto Poles Lane.

Overall, it is considered that the proposed development is acceptable in relation to trees and the proposal will therefore comply with policy DM24.

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 48 of the National Planning Policy Framework (NPPF, 2024) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In accordance with paragraph 48 of the NPPF 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 Impact on character of the area has been assessed in this report and it would found that although this on land classified as countryside, it is classified as Grade 3b 'moderate quality agricultural land'. In addition the site is well screened and the development is purposely located in an area that results in the least amount of impact on the surrounding landscape due to the amount of vegetation existing and proposed.

Although the application site is located within the countryside, there are scattered residential properties in the surrounding area. Accordingly, the nature of the proposal and the separation distances mean that there is no adverse impact on the living environment of these properties. The site does contain equipment with the potential to generate noise but the separation distances mean this will not occur with regard to any noise sensitive receptor.

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 and secure significant biodiversity enhancements.

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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 fact that this is located on classified countryside land, the balance is considered by officers to favour support for the application due to the carbon reductions/net zero target and the resulting public benefits, notwithstanding the consequent conflict with policies CP20 and DM23.

Recommendation

Permit subject to the following conditions:

Conditions

1. 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).

2. 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:

- Boundary plan – CRM.376.006.D.002
- Side elevation plan – CRM.376.006.D.004
- CCTV detail plan – CRM.376.006.D.005
- Security fence detail plan – CRM.376.006.D.008
- Aux Transformer detail plan – CRM.376.006.D.009
- Inverter Station unit detail plan – CRM.376.006.D.010
- Battery Storage unit detail plan - CRM.376.006.D.011
- Spares Container detail plan – CRM.376.006.D.012
- SSE 33KV detail plan – CRM.376.006.D.014
- Emergency FRS access track – CRM.376.006.ENZ.XX.XX.DR.T.001 P01
- Proposed emergency access route – SK22368-004
- Landscape strategy plan – 376.600.ENZ.XX.00.DR.L.00.0013.PL03
- Surface water drainage strategy – CRM.376.006.ENZ.XX.XX.DR.0001.P05
- Site location plan – CRM.376.006.ENZ.XX.XX.DR.Z.0001
- Biodiversity enhancement plan – CMR.376.006.ENZ.XX.XX.DR.Z.001
- Proposed site layout – CRM.376.006.ENZ.XX.XX.DR.Z.003.P03
- Amended gate – CRM.376.006.ENZ.XX.XX.DR.Z.0002

For the avoidance of any doubt, any residual presence of any superseded plan in any document does not imply any consent for the detail shown on that plan.

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

3. 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.

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The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work (the Decommissioning Scheme),
The decommissioning scheme shall include:

- the removal of the structures and associated above ground works approved under this permission.
- the management and timing of any works.
- a traffic management plan to address likely traffic impact issues during the decommissioning period.
- an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats and to identify any elements of planting/habitat to be retained.
- details of site restoration.
- an implementation timetable.

The Decommissioning Scheme shall be submitted to and approved in writing no later than 39 years and 6 months 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.

4. In the event the site ceases to operate 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) shall be submitted to and approved by the Local Planning authority no later than 3 months from the end of the 12 month period.

The scheme shall include:

- the removal of the battery storage and associated above ground works approved under this permission excluding the two substations.
- the management and timing of any works.
- a traffic management plan to address likely traffic impact issues during the decommissioning period.
- an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife and habitats and to identify any elements of planting/habitat to be retained.
- details of site restoration.
- an implementation timetable.

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

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mitigated in the interests of highway safety in accordance with policy DM18 of the Winchester District Local Plan Part 2.

5. 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) 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.

6. Prior to work commencing on the site a Construction Management Plan shall be submitted to and approved in writing by the local planning authority. The Construction Management Plan shall include the following details:

- Development contacts, roles and responsibilities
- Public communication strategy, including a complaints procedure
- Dust suppression, mitigation and avoidance measures
- Noise reduction measures, including use of acoustic screens and enclosures, the type of equipment to be used and their hours of operation
- Use of fences and barriers to protect adjacent land, footpaths and highways
- Details construction traffic management measures including construction traffic routes and their management and control, the provisions to be made for the parking and turning on site of operative and construction and adequate provision for addressing any abnormal wear and tear to the highway vehicles during the period of development
- Details of measures to be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway
- Avoidance of light spill and glare from any floodlighting and security lighting installed.
- Pest Control
- Waste collection and disposal

Works shall be undertaken in accordance with the approved details.

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

7. No development or other operations (including site preparation and any groundworks) shall commence until a Soils Management Plan has been submitted to and been approved in writing by the Local Planning Authority.

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Reason: To ensure that the condition of the retained soil is, maintained and enhanced through the various phases life of the development and into its restoration at the cessation of the use.

8. Development may not be begun on site unless:

- (i) a biodiversity gain plan has been submitted to the planning authority; and
- (ii) The planning authority has approved the plan.

In making an application to discharge the biodiversity gain condition the following information shall be provided:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development; and
- (f) any such other matters as the Secretary of State may by regulations specify.

Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework (2024).

9. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan under Condition 8 has been submitted to and approved in writing by the Local Planning Authority (LPA). The HMMP shall include the following details:

- (a) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (b) any necessary legal mechanism or covenant for securing the monitoring over the relevant period;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- (e) a proposed definition of 'completion of development' in respect of the development hereby approved.

The approved habitat creation and enhancement works shall be implemented in full within six months of the date of their written approval. Notice in writing shall be given to the LPA once the habitat creation and enhancement works as set out in the HMMP have been completed.

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Reason: To ensure an appropriate setting to the development and to secure a net gain in biodiversity in accordance with the statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 and paragraph 193 of the National Planning Policy Framework (2024)

10. No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the drainage strategy has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:
- a. A technical summary highlighting any changes to the design from that within the drainage strategy.
 - b. Winter groundwater monitoring and infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed
 - c. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations.
 - d. Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change.
 - e. Confirmation that sufficient water quality measures have been included to satisfy the methodology in the Ciria SuDS Manual C753.
 - f. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

Reason: To ensure satisfactory provision of foul and surface water drainage.

11. Details for the long term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the site. The submitted details shall include;
- a. Maintenance schedules for each drainage feature type and ownership
 - b. Details of protection measures.

Reason: To ensure satisfactory provision of foul and surface water drainage.

12. Development of the battery storage compound shall not commence until details relating to the fire safety arrangements of battery systems are submitted to and approved in writing by the Local Planning Authority. The Local Planning Authority must consult with the Hampshire & Isle of Wight Fire and Rescue Service before approving the proposals. The proposals must be implemented as approved.

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.

13. Prior to commencement of development to enter into a Highways agreement for the site access works shown in principle in drawing number SK22368-006. To implement the works to the satisfaction of the Highway Authority prior to occupation of the development.

Reason: In the interest of highway safety

14. Before the temporary compound is established, details of its construction with regard to existing and proposed ground levels, the separation and storage of any soil or sub soil

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and the methodology to be adopted to protect ground water from the risk of pollution shall be submitted to and approved in writing with the local planning authority. The submitted details shall also include the timeframe for the decommissioning of the compound once the development has been implemented and the export of power has commenced. The construction, operation and decommissioning of the compound shall be undertaken in accordance with the approved details.

Reason: To protect the surrounding area during the temporary use of the land in accordance with policy DM29 of the Winchester District Local Plan Part 2.

15. The landscaping enhancement proposals as set out on the Landscape strategy plan 376.006.ENZ.XX.00.DR.L.00.013 PL03 dated August 2024 shall be implemented within the first planting season following the first export of power from the site. Planting of the new trees shall take place during the planting season between November and February. The precise size, species, location or period of time will be agreed in writing with the council.

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.

16. All work relating to the construction of the development hereby approved, shall only take place between the hours of 0700 hours to 1900 hours Monday to Friday and 0800 hours to 1600 hours on 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.

17. Before any permanent 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.

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

18. The development shall be carried out in accordance with the measures set out within the ecological impact assessment carried out by Enzygo dated 23rd October 2024 (ref CRM.376.006,EC.R.001 Rev A). Thereafter, the compensation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To provide adequate mitigation and enhancement for protected species.

19. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Assessment and Arboricultural Method Statement ref:- 376.006.ENZ.XX.00.RP.AR.45.103 PL02 August 2024 written by Enzygo and submitted to
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the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

20. The Arboricultural Officer shall be informed once protective measures have been installed so that the Construction Exclusion Zone (CEZ) can be inspected and deemed appropriate and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 376.006.ENZ.XX.00.RP.AR.45.103 PL02 August 2024 and Tree Protection Plan, 376.006.ENZ.XX.00.DR.AR.102 Telephone – Tree Officer. 01962 848360

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

21. The Arboricultural Officer shall be informed prior to the commencement of construction of specialist foundations under tree canopies so that a pre commencement site visit can be carried out. Telephone 01962 8484360

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

22. No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Implications Assessment and Method Statement Ref:- 376.006.ENZ.XX.00.RP.AR.45.103 PL02 August 2024

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

23. Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Implications Assessment Appraisal and Method Statement Ref:- 376.006.ENZ.XX.00.RP.AR.45.103 PL02 August 2024: shall be agreed in writing to the Local Planning Authority.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

24. No development, or site preparation prior to operations which has any effect on compacting, disturbing or altering the levels of the site, shall take place until a person suitably qualified in arboriculture, and approved as suitable by the Local Planning Authority, has been appointed to supervise construction activity occurring on the site. The arboricultural supervisor will be responsible for the implementation of protective measures, special surfacing and all works deemed necessary by the approved arboricultural method statement. Where ground measures are deemed necessary to protect root protection areas, the arboricultural supervisor shall ensure that these are installed prior to any vehicle movement, earth moving or construction activity occurring on the site and that all such measures to protect trees are inspected by the Local Planning Authority Arboricultural Officer prior to commencement of development work.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

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25. If, within a period of 2 years from the date of planting, the trees (or any other trees planted in replacement for them) are removed, uprooted, destroyed or die, new trees of the same size and species shall be planted at the same place, or in accordance with any variation for which the local planning authority give their written consent.

Reason - To maintain the tree cover and the contribution that trees make to the character and amenity of the area.

26. The section of swale/ditch as shown in the number CRM.376.006.ENZ-XX-XX-DR-001 P06 shall be hand dug only. The following methods shall be carried out:

- The swale outfall is to convert to a shallower, 150mm deep swale with 1:3 side slopes where it meets the ancient woodland buffer in order to minimise disruption to the roots.
- Swale to be constructed using hand digging techniques in order to minimise disruption to existing tree roots. A tree officer should be present to witness and/or inspect the works and advise on a preferable location and best practice.

Reason: to ensure protection and long term viability of retained trees and to minimise impact of construction activity.

Informatives:

1. In accordance with paragraph 38 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.

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.

2. 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
- CP20 Heritage and Landscape Character

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

- DM1 Location of New Development
- DM15 Local Distinctiveness

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- 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:

An assessment has been undertaken having regard to Policies and Proposals of the Development Plan set out above including the NPPF and other material considerations. The conclusion of that assessment is that there is insufficient 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. 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.

5. 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.

6. Please be respectful to your neighbours 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>

7. 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/>

8. Assistance in formulating the response to the Employment and Skills Plan condition may be found on the following WCC website:

<https://www.winchester.gov.uk/business/employment/employment-and-skills-plans?>

9. Where Public Rights of Way are close to application sites or are used for access to the development site, they must be shown on the submitted plans with details of how they will

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be accommodated within the proposals. Government guidance requires that applications should not be validated unless such information has been submitted.

Nothing connected with the development, or its future use, shall have an adverse effect on the Public Rights of Way, which must always remain available for safe public use at all times.

No vehicles (including builder's and contractor's), machinery, equipment, materials, spoil, scaffolding, or anything else associated with the works, use, or occupation of the development, shall be left on or near to a Public Right of Way as to cause obstruction, hindrance, or a hazard to the legitimate users. The public retain the right to use the PROW at all times.

The grant of planning permission does not entitle developers to obstruct a public right of way. The diversion or stopping up of footpaths, bridleways and restricted byways is a separate process, which must be carried out before the paths are affected by the development. It cannot be assumed that because planning permission has been granted that an Order under section 257 of the TCPA (1990) will invariably be made or confirmed. Development, in so far as it affects a PROW, must not be started and the PROW should be kept open for public use, unless or until the necessary order has come into effect.

All vehicles that would be legitimately accessing the site via a Public Right of Way should give way to public users, which could include horse-riders and cyclists, at all times. In cases with legitimate vehicular access a Construction Traffic Management Plan (CTMP) should be submitted to, and approved by, Hampshire Countryside Service as Highways Authority prior to any approval by the Planning Authority, and prior to commencement, to ensure the protection of public safety. Caution: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

There must be no surface alterations to a Public Right of Way without the consent of Hampshire County Council as Highways Authority. Planning permission under the Town and Country Planning Act (1990) does not provide this and separate consent is required. To carry out any such works without this permission would constitute an offence under Section 131 of the Highways Act (1980).

No works to the surface of the Public Right of Way shall be carried out without prior approval of the HCS Area Countryside Access Manager. Any damage caused to the surface of the Public Right of Way by construction traffic will be required to be restored to the satisfaction of the Area Countryside Access Manager on the completion of the build.

10. Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 states that planning permission is deemed to have been granted subject to the "biodiversity gain condition" which means development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

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The planning authority, for the purposes of determining whether to approve the Biodiversity Gain Plan, would be Winchester City Council

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

11. Replacement of trees is enforceable in law and failure to comply with the condition could result in the issue of a tree replacement notice and prosecution if the local planning authority believes that the criteria of the condition has not been met.

12. Trees make an important contribution to the character of the landscape, creating a green environment which we all enjoy. Winchester City Council encourages the planting of new trees to replace any that are felled in order to maintain the positive benefits that trees provide.