

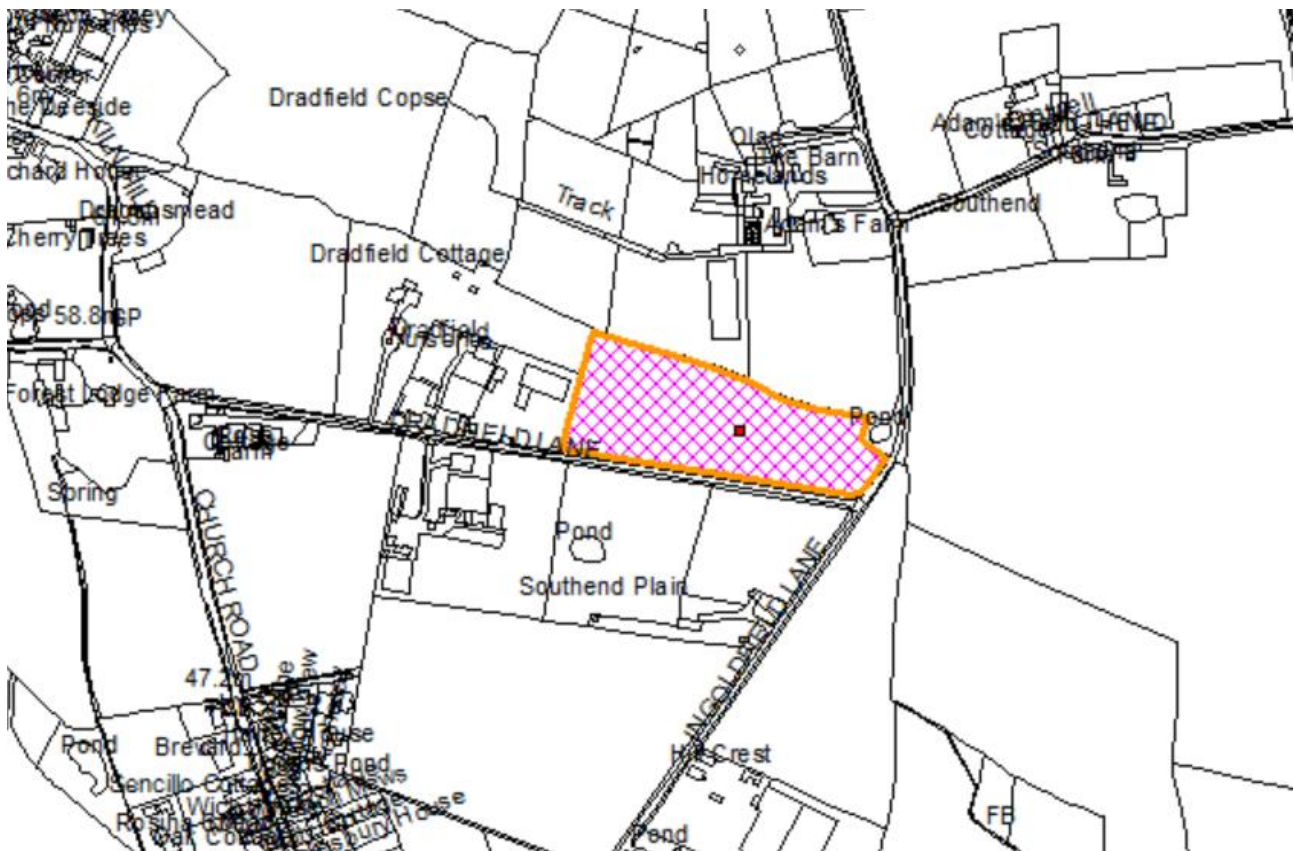
WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Case No: 24/00881/FUL
Proposal Description: Retrospective planning application for an agricultural polytunnel and solar battery and animal feed store (resubmission of application 21/01858/FUL).
Address: Emlyns Dradfield Lane Soberton Southampton Hampshire
Parish: Soberton Parish Council
Applicants Name: Mr Nick Butler
Case Officer: Rose Chapman
Date Valid: 5 July 2024
Recommendation: Approve
Pre Application Advice Yes

Link to Planning Documents

Link to page – enter in reference number 24/00881/FUL

<https://planningapps.winchester.gov.uk/online-applications/search.do?action=simple>



© Crown Copyright and database rights Winchester City Council Licence 100019531

Reasons for Recommendation

The development is recommended for permission as it is considered that it will not have a harmful impact on the character of the area in accordance with Policies DM23 and DM16 of the LLP2 and would not harm neighbouring residential amenity in accordance with policy DM17 of the LPP2.

Case No: 24/00881/FUL

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

Additional drainage plans have been submitted for clarification. These show the existing drainage ditches and how they meet up with the external drainage systems in the area.

Site Description

The application site is located in a rural area measuring approximately 1.7ha in size. The site is largely flat and is in use as a small holding. The site is bounded by mature trees and hedges on all sides.

Proposal

The application is for the retention of the poly tunnel and a feed storage building. The poly tunnel is located to the western end of the site and is being used to grow vegetables. The feed storage building is located along the northern boundary and includes solar panels and battery storage.

The application is partially retrospective as the structures are in place and in use however the feed storage building has not yet been clad.

Relevant Planning History

20/01508/FUL - Retrospective planning permission for an improved site access with new 2.05m high timber entrance gates, 1.8m high close boarded support and associated hardstanding and works. – refused 11.09.2020 appeal dismissed

21/01858/FUL - Improved farm access (retrospective), with the erection of 1.75m high oak access gates and polytunnel. – refused 21.03.2022 appeal dismissed

Consultations

Service Lead – Engineering (Drainage) -

- No objection

Service Lead – Sustainability and Natural Environment (Ecology) –

- No objection

Service Lead – Sustainability and Natural Environment (Landscape) –

- No objection

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

Representations:

Soberton Parish Council:

Soberton Parish Council object to all elements of this retrospective planning application for the following reasons:

Loss of native hedgerow and replacement in a different location. The replacement hedge should as far as possible follow the alignment of the section of hedge removed.

We note that the act of removing the existing native hedge was carried out without approval.

The gates, prior to the erection of the current gate which is out of character locally was a simple field gate.

Replacement gates should reflect the local agricultural character that of a simple 'field' gate either in timber or galvanised steel.

The overall width of the replacement hedge and gates should minimise the width of the gateway and allow normal 'farm' access, excessive concreted areas should be removed.

The polytunnel, we have previously sought clarification as to the status of this structure i.e. seasonal or permanent? If the structure is to be permanent, we object on visual and landscape grounds and feel that such an application requires to be supported by a Landscape and Visual Assessment (LVIA). It is clear that the area of visual impact is wide and includes both footpaths, roads and impact on the amenity those who live in the area.

Kind regards

Brendan Gibbs

Clerk to Soberton Parish Council

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

- previous appeal decision
- retrospective application
- visual impact of the polytunnel
- outdated information submitted
- would set a precedent
- impact on hedgerow
- flooding
- nitrates

Relevant Government Planning Policy and Guidance

National Planning Policy Framework (December 2024)

- 2. Achieving sustainable development
- 4. Decision-making
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

National Planning Practice Guidance

- Biodiversity net gain
- Climate change
- Consultation and pre-decision matters
- Effective use of land
- Enforcement and post-permission matters
- Flood risk and coastal change
- Light pollution
- Natural environment
- Use of planning conditions
- Water supply, wastewater and water quality

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

- DS1 – Development strategy and Principles
- MTRA1 – Development Strategy Market Towns and Rural Area
- MTRA3 – Other Settlements in the Market Towns and Rural Area
- MTRA4 – Development in the Countryside
- CP12 – Renewable and Decentralised Energy
- CP13 – High Quality Design
- 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
- DM23 – Rural Character
- DM24 – Special trees, Important Hedgerows and Ancient Woodlands

Supplementary Planning Document

National Design Guide 2019

High Quality Places 2015

Air Quality Supplementary Planning Document 2021

Soberton Village Design Statement

Other relevant documents

Climate Emergency Declaration, Carbon Neutrality Action Plan 2020-2023.

Nature Emergency Declaration.

Statement of Community Involvement 2018 and 2020

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, 2021) require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Regulation 19 Local Plan has now agreed by Full Council can be given appropriate and increasing weight in the assessment of development proposals in advance of Examination and Adoption.

The site is located outside of a settlement boundary and therefore is in the countryside for the purposes of planning policy. Policy MTRA3 allows for limited development within settlements that have no settlement boundary such as Soberton. The proposal would not meet the requirements of this policy as it would not result in development within a continuously developed road frontage.

Policy MTRA4 restricts development within the countryside that does not meet with MTRA3 to that which has an operational need for a countryside location such as agriculture. The application is for the retention of a poly tunnel and a feed storage building for the use of the small holding. Therefore, the proposal is considered to be related to agriculture and would meet with the requirements of policy MTRA4.

Assessment under 2017 EIA Regulations.

The development does not fall under Schedule I or Schedule II of the 2017 Environmental Impact Assessment Regulations; therefore an Environmental Impact Assessment is not required.

Impact on character and appearance of area

The proposal would see the retention of the polytunnel and feed storage building. The poly tunnel was considered under the previous application and appeal. The structure is approximately 25m long by 4m high and approximately 11m wide at the base. The building is covered with flexible plastic attached to a wooden frame and is located close to the entrance of the site close to the existing cluster of buildings. It is noted that there are other structures within the compound which have been considered as part of ongoing

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

monitoring and assessment of the site and prior appeals and are therefore not part of this planning application.

It is noted that the polytunnel can be seen in wider, long distance views and concerns have been raised in relation to this. However, as the structure is for the purposes of agriculture, on an agricultural site and is of an agricultural design this is not considered to be out of keeping with the character of the area. This view is supported within the previous appeal decision (21/01858/FUL).

The feed store building is a modest building at approximately 2.1m in height and 3m by 3m in size. currently the building is not finished and no information regarding finishing materials have been submitted, as such a condition asking for details of finishing materials has been suggested (condition 2).

Neither building is readily visible in the street scene.

The proposal is therefore considered to be acceptable in this respect in accordance with Local Plan policy.

Development affecting the South Downs National Park

The application site is located 0.4 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.

Concerns have been raised in regard to the views from the National Park. It is considered that the structures are for the purposes of agriculture, on an agricultural site and are of an agricultural design this is not considered to be out of keeping with the character of the area and will not adversely impact the setting of the national park.

In conclusion the development will not affect any land within the National Park and is in accordance with Section 11a of the National Parks and Access to the Countryside Act 1949.

Historic Environment

No Impact, the works do not affect a statutory Listed building or structure including setting; Conservation Areas, Archaeology or Non-designated Heritage Assets including setting.

Neighbouring amenity

Dradfield Cottage is located to the north west of the site and Adam's Farm is located to the north. Both these neighbours houses are located over 100m from the boundary with the

Case No: 24/00881/FUL

application site. As such it is not considered that the proposal would result in overbearing, overlooking or loss of light to neighbouring properties.

Therefore, the proposal complies with policy DM16 and DM17.

Sustainable Transport

The proposal will have no impact on highway safety/amenity/traffic generation/air quality/sustainable travel/parking ratio/standards due to the modest nature of the development. It is not considered that the proposal would result in additional traffic movements above the existing.

Therefore the proposal complies with policy CP10 and DM18.

Ecology and Biodiversity

Dradfield Copse SINC is located approximate 100m to the north west of the site, Due to the distance from the SINC it is not considered that the proposal would have a detrimental impact on the protected habitat or species within the SINC.

The site is home to the brown hairstreak butterfly which is rare. The proposal has not resulted in a loss of hedging and therefore the proposal would not result in harm to the protected species.

It is noted that previous applications have considered the loss of hedging. This has been resolved and management plans for the protected habitat have been submitted and are being assessed by officers.

Therefore, the proposal complies with policy CP16.

Concerns have been raised in regard to nutrient neutrality. The proposal would not result in additional overnight accommodation and therefore the need for nutrient mitigation is not required for this application.

Sustainable Drainage

Previously concerns have been raised in relation to the cumulative impact of surface water run off from the site. A revised drainage layout has been submitted demonstrating the drainage ditches that have been implemented. These hold and distribute the surface water generated on the site in a sustainable manner preventing the cumulative impacts of flooding off the site.

The drainage on site would store up to 49 cubic metres of water and will discharge at a rate of 2ltrs per second which is considered acceptable. The previous application raised concerns regarding the water run off relating to the poly tunnel, the current submission documents clearly show that there is sufficient space on the site to retain and distribute water without causing issue off site. With the poly tunnel generating 11 cubic metres of water which can be held on site and distributed at an acceptable rate.

The feed store is modest and would generate a minimal amount of surface water. It is considered that the drainage works on site have capacity to accommodate the additional built form without causing harm.

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

It is considered that while the information submitted in regard to the drainage is acceptable information regarding the maintenance is required to prevent the drainage becoming blocked and incurring flooding on the site. This is secured under condition (3)

Therefore the proposal complies with policy CP15, CP17 and DM15.

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.

The site is bounded by mature trees and hedging.

Due to the distances involved it is not considered that there will be an adverse impact on the trees during the long term use of the development.

The proposal will therefore comply with policy DM24.

Other Topics

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

The application is for the retention of the poly tunnel and a feed store with solar panels. The poly tunnel and store are considered to be agricultural and would be of a design and size that would be expected within a countryside location. Therefore, would not result in harm to the character of the area.

The structures are located away from shared boundaries with residential neighbours and therefore do not result in harm via overlooking, overbearing or loss of light.

The proposal would not result in harm to biodiversity, trees or hedges.

The application is supported by accurate drainage information that demonstrates that the implemented drainage would be sufficient to prevent flooding in and around the site.

The application is therefore in accordance with the Development Plan.

Recommendation Permit subject to the following conditions:

Conditions

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

1. The development hereby approved shall be constructed in accordance with the following plans:

Document ref: 25012 – letter from Aqua Callidus dated 10th February 2025

Drawing Number: 001 – location plan

Drawing Number: 002 – Proposed site plan

Drawing Number: 003 – Proposed elevations Poly tunnel, battery and feed store

Drawing number: 004 – Proposed floor plan – poly tunnel, battery and feed store

Drawing number: 8504/01 – topographic survey

Reason: For the avoidance of doubt, to ensure that the proposed development is carried out in accordance with the plans and documents from which the permission relates to comply with Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place above the damp proof course until details and samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the development presents a satisfactory appearance in the interests of the amenities of the area.

3. Within 3 months of the date of this permission a drainage maintenance plan shall be submitted to the Local Planning Authority for approval. The drainage Plan shall include:

- How the on and off site drainage ditches shall be kept clear
- How often clearance works will take place

The drainage maintenance plan approved will be implemented immediately upon approval and all ditches shall be maintained in accordance with the approved plan in perpetuity.

Reason: To ensure satisfactory provision of surface water drainage in a sustainable way.

Informatives:

1. This permission is granted for the following reasons:

The development is in accordance with the Policies and Proposals of the Development Plan set out below, 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.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 Joint Core Strategy: DS1, MTRA3, MTRA4, CP15, CP16

Local Plan Part 2: DM1, DM15, DM16, DM17, DM24

WINCHESTER CITY COUNCIL
PLANNING COMMITTEE

3. In accordance with paragraph 38 of the NPPF Winchester City Council (WCC) take a positive and proactive approach to development proposals focused on solutions. WCC work with applicants/agents in a positive and proactive manner by;
- offering a pre-application advice service and,
 - updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.