

**WINCHESTER CITY COUNCIL
PLANNING COMMITTEE**

Case No: SDNP/22/04058/FUL
Proposal Description: (AMENDED DESCRIPTION) Conversion of existing facilities building to one bedroom holiday let and Replacement of three yurts with one three-bedroom and one two-bedroom holiday let; retention of 2 no: yurts for ancillary purposes; and associated works
Address: The Sanctuary
Manor Farm Green
Twyford
Hampshire
SO21 1RA
Parish: Twyford Parish
Applicants Name: Miss Ellie Strange
Case Officer: Lisa Booth
Date Valid: 31.08.2022
Recommendation: Application Approved
Pre Application Advice: No

Link to Planning Documents

[SDNP/22/04058/FUL | \(AMENDED DESCRIPTION\) Conversion of existing facilities building to one bedroom holiday let and Replacement of three yurts with one three-bedroom and one two-bedroom holiday let; retention of 2 no: yurts for ancillary purposes; and associated works | The Sanctuary Manor Farm Green Twyford Hampshire SO21 1RA](#)



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The development is recommended for approval, as the proposal is considered to be in accordance with Development Plan Policies of the South Downs Local Plan (2014-33).

General Comments

The application is reported to Committee because of the number of Objections, received contrary to the Officer's recommendation.

Amendments to Plans Negotiated

The layout plan was amended after a detailed site visit with the Landscape Officer to move 'Lodge 1' further from the boundary hedge and to provide additional dense planting mix to provide all year round cover, to get a better buffer and to reduce the urbanising impact of the windows facing towards the footpath.

Site Description

The site relates to a sloping site on the south-western edge of Twyford outside the settlement policy boundary. The current lawful use of the land is for seasonal tourist accommodation from 1 April to 31 October in the form of yurts, and an amenity building to the east of the entrance.

The site is bounded to the east by the B3335 and to the south-west by a public right of way with open countryside and the water meadows beyond. The north-eastern edge of the site is defined by the gardens of properties on Manor Farm Green, which fall within the Twyford Conservation Area. The northern boundary of the site is formed by a farm track with vehicular access into the site. The boundaries are largely formed of hedgerow. The site has a pond in the north and contains a small wooden structure with a seating terrace. Footpath Twyford 8 runs along the rear of the south-western boundary hedge.

Proposal

(AMENDED DESCRIPTION) Conversion of existing facilities building to one bedroom holiday let and Replacement of three yurts with one three-bedroom and one two-bedroom holiday let; retention of 2 no: yurts for ancillary purposes; and associated works for seasonal tourist accommodation from 1 April to 31 October

Relevant Planning History

SDNP/16/04648/FUL Retrospective planning application to regularise; the front enclosure of the Facilities Building. The provision of two Velux type windows in the rear roof. The provision of a flue. The construction of a sunken barbecue and a levelled hard access area. Provision of a log store with ancillary locked secure cupboard and consumer unit. Allowed on appeal for non-determination (ref APP/L1765/W/16/3168084)

SDNP/12/03049/DCOND Proposed Siting of 5(No.) Yurts for Holiday Letting and change

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of use of existing field shelter to ancillary toilet/shower/washing facilities. Approved
05.07.2013

11/00925/SFUL Siting of 5 No. Yurts for Holiday Letting and change of use of existing field shelter to ancillary toilet/shower/washing facilities. Allowed on appeal 30/07/2012 (Refs APP/Y9507/A/12/2168351 and APP/Y9507/C/12/2170687).

ConsultationsHampshire County Council (Highway Authority) –

- No objections, no conditions

Service Lead – Sustainability and Natural England (Landscape) –

- Further information received – no objection subject to condition (14)

Service Lead – Sustainability and Natural England (Ecology) –

- No objection subject to conditions (9 and 12)
- An Ecological Appraisal (Hampshire Ecological Services, August 2022) was submitted with the application. This states that the facilities building has negligible potential for roosting bats. An eDNA survey was undertaken on the pond which was negative for great crested newt. All trees and hedgerows will be retained as part of the proposed development.
- Reptile surveys were not considered necessary in the report, however there are areas of long grassland which may be impacted by the proposal. As such I recommend that a Precautionary Method Statement for reptiles is included within a Construction Method Statement, which can be conditioned. I also recommend that the outlined enhancement measures in section 5.6 of the report, external lighting and a Biodiversity Enhancement Plan also be conditioned.

Service Lead – Sustainability and Natural Environment (Trees) –

- No objection subject to condition (7)

Natural England –

- No objection – nitrate/phosphate neutral

Representations:**Twyford Parish Council**

Comments:
Preliminary

Twyford Parish Council (TPC) is aware that each planning application must be considered on its merits; however in this case the “merits” include the status of the land and the use to which it has been put up to now. In view of the past breaches, TPC will also urge the Planning Authority to ensure that, if consent is granted, the conditions

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secure both compliance and a framework for controlling further development, as this application appears a stepping stone to further building and uses, and is only for holiday lodges.

TPC also notes the objectors suspicions that the application is not what it seems and that the intentions of the applicant are different from what is applied for. TPC understands this widespread view and the reasons for it.

TPC notes the following:

- Only two of the five yurts have ever been erected
- The site does not appear to operate as a holiday site
- Booking is obscure
- The shower facilities block is fitted out and appears to be used as a dwelling

Consequently, one of the main reasons for the grant of consent ...namely the holiday/recreational use has not happened. The applicants have however claimed that their consent has been kept alive even though not made use of. They have not explained their reasons. The whole justification for SDLP Policy xx and TNP ST1 for granting consent outside the settlement boundary is to meet the needs of visitors to the national park. The same arguments are used in support of this application.

On the Policy front TPC has recently completed the Twyford neighbourhood plan; during this process the council discussed its policy for holiday accommodation outside the settlement boundary in detail add notes the inspectors the independent examiners careful re phrasing of its original wording add LH lowan

Taking all of this into account TPC's approach is as follows:

- 1 to query the current planning status of the land
- 2 to examine the policy.
- 3 to look at the details of the application

The appearance of the land

This triangular parcel of land was acquired by the applicant's father about 20 years ago was originally part of the fields to the South. Since then the land has been progressively developed and various plantings have taken place, new hedging to the South, a pond in the western corner a "log store" now fitted out and apparently used as a dwelling with paved terrace, two concrete bases for yurts, with yurts erected, a small gravelled parking area for three or so cars, and various plantings and mowed areas. The area to the north is largely long grass or wildflower mix; it has some fruit trees and mowed paths. The whole area has the appearance of amenity land. The land is not in agricultural use. The land does not appear to be in regular use apart from the log store/shower block, which appears to be lived in by Mr Strange. The facilities block as seen by three members of the Parish Council on 3rd October, was not fitted out as a facility building but as a home and to be in use.

The Planning status of the Land

The planning status of the land was set by the decisions of the planning inspector in 2012 in which he quashed an enforcement notice for the one yurt and granted planning

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consent for 5 yurts (which included the one yurt.) This was subject to number of conditions, - eight for the deemed application (Annex 1 of the decision letter) and ten for the planning consent (Annex 2)

TPC have not been able to find out whether these conditions have been complied with, - either what plans were submitted or when the planning authority might have given its consent or any evidence of the requirements of the conditions being complied with. The importance here is that these details (landscaping, fencing, lighting etc) should provide the basis for any further. One example is Condition 3 of Annex 1 and Condition 5 of annex 2) require fencing to the pond and to the boundaries. There is no fencing to the pond or any fencing to separate the yurt site from the residue of the land. Perhaps even more fundamental is that three of the conditions in Annex one and four in Annex 2 are “conditions precedent” i.e. they have to be complied with before any of the yurts or the building is occupied. As has been mentioned TPC can see no sign of the conditions having been complied with, the consequence being that neither of the appeal consents including the conversion of the log store to ancillary shower and washing facilities are now valid. The site therefore does not have the benefit of planning consent for the uses claimed in the supporting planning statement. Clearly, if the applicant is able to show that the conditions have been properly complied with, this aspect of TPC’s comments falls away.

If however, the Conditions precedent have not been complied with, there is no valid consent. The issue to be decided by the Planning Authority is then “what are the lawful uses and structures on the site?” As this question has to be answered on the basis of fact and law and not on the Development Plan policies, it requires a separate approach from that presented in the current application.

Normally such a determination might be straightforward after such a long period assuming the use consented in 2012 had been implemented and therefore become established. However, in this case, the applicant has failed to erect three of the yurts in the 10-year period since the grant of consent. Moreover, the Sanctuary does not appear to be being used as a holiday site. Residents and neighbours see none of the comings and goings associated with active holiday site. It is not clear that this has ever been a bona fides holiday site providing holiday accommodation. For instance, currently, the renting of a yurt is not available by any of the normal ways of booking. It is doubtful that the holiday use ever been commenced.

To conclude on this aspect of the current application, all these matches are important in their own right. If the appeal decisions conditions precedent have not being complied with, the original consent is become null and void. The use of the site will have to be determined on the basis of fact and law. As this planning application for making permanent the temporary holidays structures are based in a large part on the validity of the current use and its establishment as a holiday site, much of the supporting argument for the granting of consent is falls away.

TPC requests that these issues are clarified before the current application is considered

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any further.

Officer Comment: All conditions were discharged 05.07.2013 under discharge of condition application ref: SDNP/12/03049/DCOND for planning application ref: 11/00925/SFUL which was allowed on appeal for 5 no: yurts.

See also Appendix 1 for full representation.

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

- Enforcement History – creep – no evidence of holiday use
- Another step towards residential use of the site
- Contrary to Twyford Neighbourhood Plan
- Impact on Greater Crested Newts
- Impact on privacy
- View through hedge on footpath/impact on landscape
- Height will be seen through hedge
- Outside lighting impacts bats
- New PTP – pollutants in River Itchen
- More traffic/obstructions as access used by farm vehicles/highway safety
- Sets a precedent for further development/others to do the same
- No marketing of business
- Don't need more holiday cottages

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

- Sympathetic to surroundings
- Quality, attractive, well thought out proposal
- Well screened from sight and sound
- Ecologically influenced scheme/good for nature of the site/well landscaped design
- Well maintained
- Future proof for tourism
- Need for small holiday lets in the village
- Will support local businesses

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

- Proposal is in fact in accordance with policy ST1 of the Twyford Neighbourhood Plan
- However, architecture of the scheme does not respect locality.

Relevant Government Planning Policy and Guidance

Relevant Government Planning Policy and Guidance

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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 December 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.

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

The following policies of the **South Downs Local Plan** are relevant to this application:

- Core Policy SD1 - Sustainable Development
- Core Policy SD2 - Ecosystems Services
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD5 - Design
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Development Management Policy SD11 - Trees, Woodland and Hedgerows
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD22 - Parking Provision
- Strategic Policy SD23 – Sustainable Tourism
- Strategic Policy SD25 - Development Strategy

Partnership Management Plan

The Environment Act 1995 requires National Parks to produce a Management Plan setting out strategic management objectives to deliver the National Park Purposes and Duty. National Planning Policy Guidance (NPPG) states that Management Plans "contribute to setting the strategic context for development" and "are material considerations in making decisions on individual planning applications." The South Downs Partnership Management Plan as amended for 2020-2025 on 19 December 2019, sets out a Vision, Outcomes, Policies and a Delivery Framework for the National Park over the next five years. The relevant policies include:

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- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3
- Partnership Management Plan Policy 10

Twyford Neighbourhood Plan – Policies BE1 and BE2Supplementary Planning Document

Biodiversity Net Gain TAN March 2024

Parking SPD April 2021

Ecosystems Services TAN

Dark Skies TAN May 2021

Sustainable Construction SPD August 2020

Design Guide SPD August 2022

Planning Considerations**Principle of development**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 and Paragraph 48 of the NPPF require that applications for planning permissions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

There have been various reports of breaches of planning permission/conditions but none have these have led to any enforcement action. All conditions relating to Annex 1 and Annex 2 of appeal decision APP/Y9507/C/12/2170687 have been discharged under application ref: SDNP/12/03049/DCOND. Therefore, it is considered that the use as a tourism site has been lawfully implemented. It was not a condition of the permission that all 5 yurts should be erected at one time.

The site has an existing tourism use and policy SD23 2 a) seeks to retain existing visitor accommodation and any loss would need evidence to demonstrate it is unviable. Therefore, it is a material consideration to retain the visitor accommodation.

Policy ST1 3) of the Twyford Neighbourhood Plan sets out that Visitor accommodation will only be supported within the settlement boundary unless the circumstances as set out in Strategic Policy SD 23 Part 1 g) apply to the site or the building concerned.

Policy SD23 of the Local Plan allows for sustainable tourism where it is in accordance with the relevant criteria. Criterion g), as referred to in Policy ST1 3) of the Twyford Neighbourhood Plan, sets out three criteria which proposals outside settlement policy boundaries should be in accordance with. The following two criteria are applicable.

- i) It is considered that the existing site makes a positive contribution to the landscape, natural beauty, wildlife and cultural heritage of the National Park.

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- The Planning Inspector did not consider that the yurts at the time would harm the special qualities of the NP. Since that time the landscaping within the site has developed and been maintained, with wildflower meadows and other planting. This is to be further enhanced through this application.
- ii) The site is closely associated with other attractions/established tourism uses, including the public rights of way network
- There are an abundance of public rights of way close to the site, linking to the wider National Park, including Pilgrims Trail and Twyford Pumping Station to the south-east, reducing reliance on a private car/sustainable onward travel. The site is close to the centre of Twyford (walking distance) and has a number of good facilities and services. Good public transport links are also available into Winchester and further afield from Shawford train station.

It is therefore considered that the proposed development is in accordance with Policy ST1 of the Twyford Neighbourhood Plan and Policy SD23 g) and the principle of development is acceptable.

Twyford Parish Council have cited that policy LHE1 of the Twyford Neighbourhood Plan is applicable. However, this policy relates to sites within the settlement gap whereas the site is located outside of this 'settlement gap', but policy ST1 - Visitor Attractions and Tourism Facilities does apply, which states in regard to existing tourism sites:

1. The enhancement of existing visitor attractions will be supported in accordance with Policy SD 23.

The site is a lawful existing tourism site and as such cannot be considered in conjunction with other nearby proposals for tourism accommodation.

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 site sits on a lower ground level than the main road and is densely vegetated with a high tree line along the road frontage.

There is currently a facilities building on the site and two of the five yurts were erected at the time of the site visit, as well as a small outbuilding along the north-east boundary. The yurts were allowed on appeal and the Planning Inspector did not consider that the yurts at the time would harm the special qualities of the National Park, as the *"site is almost completely surrounded by dense mature hedging...during the summer months, the only*

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clear views of the appeal site that can be obtained from the adjacent track and path are at the entrance gate.....the site is well screened, as noted above and is not at present contributing to the openness of a wider expanse of countryside. The area on which the yurts would stand would be contained within the wider field and the area of hardstanding on which the parking would take place exists and is authorised....paraphernalia would not be left outside due to security...traffic generated would not be excessive....As this site is not exposed to any significant public views, this would not, in my opinion, be a reason to refuse planning permission for the development."

The Landscape Officer's initial observations of the scheme were cautious, but further to a site visit and walk around the adjacent footpaths a landscape plan was submitted and Lodge 1 moved slightly further into the site, which will enhance the hedgerow along the south-western boundary. There is also further tree planting proposed to the south-east (within the meadow area), which will contribute to the site overall.

The proposals will make efficient use of an existing building which is sustainably located with very good access to the public rights of way network and reduces the reliance on a private car. The holiday accommodation will be a self-catered units and therefore the facilities building becomes redundant. In addition, the proposals would replace three seasonal yurts with seasonal sustainable holiday accommodation.

The proposed holiday lets are screened in views from the road and will only be seen in limited glimpse views from the public right of way to the north and south of the site.

The yurts are dome shaped buildings (7.4m x 3.4m high) of a white canvas type construction, which stand out within the landscape, although views from outside of the site are minimal. Although, the buildings are to be permanent structures, the materials palette proposed is more in keeping with the leafy surroundings. (timber cladding, green roof, slate). The height of the proposed buildings will be slightly higher than the yurts, with the curved lodge being approximately 4.65m high falling to 3m and 11.75m long and lodge 2 having a height of 6.2m at its highest point and 4.2m at its lowest single storey end with a length of 13.8m. Lodge 1 has a curved green roof and will follow the contours of the sloping land. A dense hedge runs along the boundary with the footpath, which is proposed to be strengthened with further planting along this boundary.

There are currently glimpses into the site from the footpath, but the proposal is not considered to be overbearing or visually impactful to users of the footpath. Lodge 1 is set away from the boundary. Lodge 2 will be sited next to the north-east boundary hedge, on the same side of the plot as the existing facilities building, which has a height of 4.2m. The converted facilities building will have a dormer window on the south-west elevation to allow it to be used as a 1 bed facility.

There are some views of the roof of the existing facilities building when approaching the site from the access, but they are not considered to be visually intrusive. It is considered that the additional building (Lodge 2) will result in a similar appearance from the access road.

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The proposed development would positively contribute to the natural beauty, wildlife and cultural heritage of the National Park and would make efficient use of an existing tourist accommodation site. Therefore, the proposal complies with policies SD4, SD5, SD23.

Development affecting the South Downs National Park

The application site is located within 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 December 2024. The Circular and NPPF confirm that National Parks have the highest status of protection, and the NPPF states at paragraph 189 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.

The site has been in tourism use for approximately 14 years and has been developed over that time. The proposed tourist units will upgrade the facilities on site. The site is considered to be well screened and biodiversity and landscape enhances will mitigate the provision of the buildings.

Taking account of the Park's purpose to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and promote understanding of its special qualities, the development has a neutral impact and does not therefore adversely conflict with the statutory purposes of the SDNP designation.

Historic Environment

The Twyford Conservation area boundary lies beyond the northern boundary of the site. The development lies 86m from Grade II listed barn and stable block at Manor Farm located within the Twyford Conservation Area.

Relevant Legislation

The preservation of the special architectural/historic interest of the listed building and its setting (S.66 P(LBCA) Act 1990; SD12 and SD13 (South Downs Local Plan); NPPF (2024) Section 16.

The preservation or enhancement of the character or appearance of the conservation area (S.72 P(LBCA) Act 1990; SD15 (South Downs Local Plan); NPPF (2024) 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

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(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”.

Where dealing with conservation areas, decision makers are required to pay special attention to the “desirability of preserving or enhancing the character or appearance of that area” under Section 72 of the Planning (Listed Buildings and Conservation Areas Act 1990).

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 SD12 and SD13 of SDLP ensure that development preserves and enhances heritage assets and their settings.

Due regard has been given to these requirements, as set out in the assessment within this report.

It is not considered that there will be any impact on the Conservation Area or its setting as there are no changes proposed to the land use of the site. In addition, there are no changes to the existing access arrangements and the development continues to be screened by vegetation and the intervening dwellings of Manor Farm Green.

The proposal is considered to preserve the character and appearance of the conservation area (S.72 P(LBCA) Act 1990; Policy SD15 of the South Downs Local Plan and NPPF (2024) and the historic environment section of the Planning Practice Guidance.

The development lies 86m from a Grade II listed barn and stable block at Manor Farm located within the Twyford Conservation Area. The proposal will not alter the impact on the setting of the adjacent listed building, which is separated by distance, vegetation and existing residential dwellings. There are no significant alterations which would alter this setting, the use of the land remains the same and the proposed buildings are appropriately positioned within the site with a fitting design and materials for its purpose and the area. It is therefore not considered to impact on the setting or historic fabric of the listed building.

It is considered that the proposals will preserve the significance of the listed building and its setting. The proposals would accord with the requirements of S66 of the P(LBCA) Act 1990, Section 16 para 212 of the NPPF (2024), Policy SD12 and SD13 of the South Downs Local Plan and the historic environment section of the Planning Practice Guidance.

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Neighbouring amenity

The NPPF requires developments to provide a good level of amenity for all new and existing occupants of land and buildings. Policy SD5 of the Local Plan seeks to ensure that development has regard to avoiding harmful impact upon, or from, any surrounding uses and amenities.

Due to the positioning of the buildings within the site the Lodge 1 will be over 15m from the very corner boundary of the nearest neighbour (6 Manor Farm Green) and 55m from the side of the dwelling. Lodge 2 will be somewhat obscured by the existing facilities building, which is the closest building to the neighbour, but is sited some 65m away from the boundary with 6 Manor Farm Green.

In regards to additional traffic, the buildings are a replacement for the authorised yurts, which would generate a similar amount of traffic, people and general noise if at full capacity. This was accepted by the Planning Inspector for appeal decision APP/Y9507/A/12/2168351.

Having regard to the above, the proposal is compliant with the NPPF and the relevant Policies of the SDNP Local Plan. Therefore, the proposal complies with policy SD5 of the SDLP and it is considered unlikely to result in any adverse impact on residential amenity to dwellings within Manor Farm Green either by traffic, noise and disturbance, overlooking, loss of light or through the creation of an overbearing structure. Therefore, it is not considered that the degree of harm will unduly impact on amenity of the nearby dwellings, therefore the proposal complies with policy SD5.

Sustainable Transport

Access to the site is from a private access lane taken from the end of the adopted highway Manor Farm Green.

The Highway Authority are of the view that the proposed changes may extend the potential number of days of use but would not be likely to significantly increase the flows on an average day above those that could be generated by a total of 5 yurts. Therefore there would be no significant impact on the operation and safety of Manor Farm Green or the junction with the B3335 High Street over and above those previously accepted.

Parking – There is space for 6 cars within the site on permeable hardstanding, which would equate to the number of bedrooms to be provided. Condition 9 ensures that these spaces are permanently provided.

Details of cycle parking have been conditioned (11) to be provided prior to occupation in order to ensure sustainable means of onward travel can be accommodated for.

Therefore, the proposal complies with policies SD19 and SD22 of the South Downs Local Plan and the degree of harm and general impact on highway safety, accessibility and parking is in line with Local Plan Policies.

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An Arboricultural Impact Assessment and Protection Plan were submitted, and the Tree Officer raised no objection. None of the trees are to be affected or removed. Further tree planting is to take place. (Condition 7).

Ecology and Biodiversity

An Ecological Appraisal (Hampshire Ecological Services, August 2022) was submitted with the application. This states that the facilities building has negligible potential for roosting bats. An eDNA survey was undertaken on the pond which was negative for great crested newt. All trees and hedgerows will be retained as part of the proposed development.

Reptile surveys were not considered necessary in the report, however there are areas of long grassland which may be impacted by the proposal. As such it was recommended that a Precautionary Method Statement for reptiles is included within a Construction Method Statement, which can be conditioned. It is also recommended that the outlined enhancement measures in section 5.6 of the report, external lighting and a Biodiversity Enhancement Plan also be conditioned. (conditions 9, 12, 13)

Due to the nature of the development and the distance between the application site and the European Protected Site of the Solent SAC and SPA and the River Itchen SAC, an Appropriate Assessment under the Conservation of Habitats & Species (Amendment) Regulations 2011 is not required.

Biodiversity Net Gain

The application was submitted prior to the mandatory requirement of BNG (i.e. before 12th February 2024), therefore the requirement of 10% net gain for BNG is not required in this instance. However, ecological enhancements are proposed in any case in the form of tree planting, additional hedgerow, planting to enhance the site for wildlife, new bat roost provision, lighting restrictions (for both bats and other wildlife), new bird nesting provision and new invertebrate boxes.

Nutrients

The application is effectively a like for like replacement in terms of amount of accommodation that can be lawfully available on the site. Therefore, as the proposal is restricted to seasonal months (condition 5), there is no increased impact on the water environment and no requirement for mitigation in regard to nutrients.

Therefore, the proposal complies with policy SD2 and SD9.

Sustainable Drainage

Surface water will drain into the land as existing. There is also a pond to the south-west of the site.

Foul drainage will drain to a new package treatment plant, which will update the existing facilities and will remove more pollutants at source than the existing arrangement.

Condition 15 requests further details of foul and surface water drainage to be submitted.

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Therefore, the proposal complies with policy SD50.

Other Topics**Dark Night Skies**

The South Downs National Park has been designated an International Dark Skies reserve. As such, it is sought to reduce any light pollution associated with new development. Particular care will be taken where sites are within sensitive areas, for example where located in one of the three core zones of the Dark Night Skies Reserve.

The application site is located within Dark Night Sky Zone E1b - Transition Zone. There are rooflights proposed within Lodge 2 and a condition has been added to ensure that integral blackout blinds or low transmittance glass are installed, which is confirmed within the Planning Statement (condition 16).

No external lighting has been proposed as part of the submission. However, should any lighting be required a condition has been applied to ensure that a comprehensive external lighting scheme is submitted and should be designed to avoid obtrusive light with the potential to adversely affect residential and ecological receptors. It adds that measures proposed to mitigate impacts on ecological receptors will overlap with measures for minimising the effects of lighting on the dark night skies in accordance with SDLP policy SD8 (Condition 10).

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 principle of the development within the countryside is acceptable and the development would not have a significant adverse impact upon the character and appearance of the site and wider area. The proposal is not considered to lead to an adverse impact upon the amenities of the neighbouring properties.

In conclusion and based on the upon the above assessment, the proposal is acceptable and will not have an adverse impact upon the site and surrounding area. The development therefore complies with policies SD4, SD5, SD19, SD22, SD23 and SD25 of the SDLP.

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

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**WINCHESTER CITY COUNCIL
PLANNING COMMITTEE****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 of the Town and Country Planning Act 1990 (as amended).

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

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

3. The development hereby permitted shall be used for holiday accommodation only and shall be used for no other purpose (including any other purpose within Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or any Order revoking and re-enacting that order with or without modification.)

Reason: To maintain the availability of the site as short term holiday tourist accommodation.

4. Holiday occupancy:

- (i) the holiday accommodation units shall be occupied for holiday purposes only.
- (ii) the holiday accommodation units shall not be occupied as a person's sole or main place of residence
- (iii) the owners shall maintain an up-to-date register of the names of all occupiers of the individual holiday accommodation units on the site, their arrival and departure dates and their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority

Reason: The site is outside defined settlement limits in the open countryside, where permanent dwellings with unrestricted occupation would be contrary to adopted planning policy, however the application is considered to be in accordance with the National Planning Policy Framework.

5. The holiday accommodation on the site may be occupied only between the months of April and October inclusive and shall not be occupied at any time other than for purposes of short let holiday accommodation and shall not be used, let or sold for permanent residential accommodation.

Reason: To ensure that the holiday accommodation is occupied in accordance with the justification for the development provided.

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6. The holiday accommodation hereby permitted shall be restricted to the following amounts of accommodation:

- Conversion of existing facilities building to holiday let
- 1 no: two bedroom holiday unit
- 1 no: three bedroom holiday unit
- retention of 2 no: yurt for ancillary use

The remaining 3 no: yurts subject to appeal decision ref: APP/Y9507/A/12/2168351 shall be permanently removed from the site prior to the occupation of the development hereby approved.

Reason: To enable the Local Planning Authority to regulate and control the development of land and to preserve the visual amenities of the locality.

7. Protective measures, including fencing and ground protection, in accordance with the Arboricultural Impact Assessment and Method Statement ref:- HBD2213IAMSRI written by Helen Brown of Helen Brown Treescapes and submitted to the Local Planning Authority shall be installed prior to any demolition, construction or groundwork commencing on the site.

Inspection of fencing

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 Impact Assessment, Arboricultural Method Statement, ref:- HBD2213IAMSRI and Tree Protection Plan Ref:- HB1 Telephone - Tree Officer. 01962 848360

Limit of arboricultural work

No arboricultural works shall be carried out to trees other than those specified and in accordance with the Arboricultural Impact Assessment and Method Statement Ref:- HBD2213IAMSRI

No deviation from agreed method statement

Any deviation from works prescribed or methods agreed in accordance with the Arboricultural Impact Assessment and Method Statement Ref:- HBD2213IAMSRI: shall be agreed in writing to the Local Planning Authority.

Arboricultural Supervision

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

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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.

Pre-commencement meeting

A pre-commencement meeting will be held on site before any of the site clearance and construction works begins. This will be attended by the site manager, the Arboricultural consultant and the Local Planning Authority Tree Officer.

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

8. No development shall be carried out above ground floor slab level until a schedule of external materials finishes and samples to be used on the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in full accordance with the approved schedule and samples.

Reason: To safeguard the appearance of the building and the character of the area and to enable the Local Planning Authority to properly consider the development. It is considered necessary of this to be a pre-commencement condition as these details need to be agreed prior to the construction of the development and thus go to the heart of the planning permission.

9. A Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. This will show how construction will avoid, minimise or mitigate effects on the River Itchen SAC and nearby pond. This shall include storage of any equipment/machinery/materials/chemicals, dust suppression, chemical or fuel run-off from construction, waste disposal, noise/visual/vibrational impacts and lighting and shall also include a Precautionary Method Statement for reptiles.

Reason: To protect the River Itchen SAC, pond, safeguard protected species and maintain biodiversity in line with Strategic Policy SD9 and the NPPF.

10. Before the development hereby approved is first brought into use, a minimum of 6 car parking spaces shall be provided within the curtilage of the site and thereafter maintained and kept available.

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Reason: To ensure adequate car parking provision within the site in accordance with the standards of the Local Planning Authority.

11. Details of covered cycle storage shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory development and in the interests of amenity.

12. A Biodiversity Mitigation and Enhancement Strategy (BMES) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. This shall be adhered to throughout all phases of the development and any compensation, mitigation and enhancement features shall be sited prior to the development coming into its intended use and retained thereafter. It shall adhere to the 'Outline enhancement measures' in paragraph 5.6 of Ecological Appraisal Report dated August 2022 written by Hampshire Ecological Services Ltd.

Reason: To safeguard protected species, maintain and enhance biodiversity in accordance with strategic policy SD9.

13. Details of any external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The lighting scheme should be in accordance with Guidance Note 08/18 produced by the Bat Conservation Trust and Institute of Lighting Professionals. This information shall include a layout plan with beam orientation and a schedule of equipment in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, Dark Night Skies, the environment and protected species from light pollution.

14. A detailed scheme for landscaping, tree and/or shrub planting shall be submitted to and approved in writing by the Local Planning Authority before development commences. The scheme shall specify species, density, planting, size and layout. The scheme approved shall be carried out in the first planting season following the occupation of the building or the completion of the development whichever is the sooner. If within a period of 5 years from the date of planting, any trees, shrubs or plants die, are removed or, in the opinion of the Local Planning Authority, become seriously damaged or defective, others of the same species and size as that originally planted shall be planted at the same place, in the next planting season, unless the Local Planning Authority gives its written consent to any variation.

Reason: To ensure a satisfactory development and in the interests of amenity and landscape character.

15. Detailed proposals for the disposal of foul and surface water shall be submitted to

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and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved details shall be fully implemented before development can begin. Percolation testing and infiltration testing is required for the drainage field and soakaway.

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

16. The development hereby permitted shall not be occupied until integral blackout blinds or low transmittance glass have been installed to all proposed roof lights. The blackout blinds shall be kept closed during night time hours and retained at all times.

Reason: To minimise light intrusion in the South Downs National Park which is a designated International Dark Sky Reserve.

Informatives**Crime and Disorder Implications**

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

Human Rights Implications

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

Equality Act 2010

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

Proactive Working

The application required additional information and the Local Planning Authority worked with the agent to achieve a positive solution after amended plans were requested and received which were acceptable.

Plans Referred to in Consideration of this Application

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

Plan Type	Reference	Version	Date Received	Status
Plans -	BLOCK PLAN AS PROPOSED - DETAILING LANDSCAPING		19.01.2023	Approved
Plans -	SITE		30.08.2022	Approved

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	LOCATION PLAN			
Plans -	ELEVATIONS AND FLOOR PLANS - CHANDRA'S LODGE		30.08.2022	Approved
Plans -	ELEVATIONS AS PROPOSED - LODGE 2		30.08.2022	Approved
Plans -	FLOOR PLANS AS PROPOSED - LODGE 2		30.08.2022	Approved
Plans -	ELEVATIONS AND FLOOR PLANS - EXISTING AND PROPOSED - UTILITY BUILDING		30.08.2022	Approved
Plans -	BLOCK PLAN EXISTING		30.08.2022	Approved

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

Appendix 1

Twyford Parish Council

Is the Application in accordance with Policy?

The proposed development is for the erection and conversion of buildings for tourist accommodation with continued seasonal use for 2 yurts. The proposal is: outside the Settlement boundary; in a gap between settlements; adjacent to the Twyford Conservation area; close to a group of dominant listed buildings; within a landscape with historic features; contiguous to residential development; occupies a small site between residential and large-scale farm buildings in active use; it is adjacent to public footpaths.

Similar development is currently being proposed to the north of the B3335 15 m from this site and the owner's land.

The policies that apply in this case are:

1. Development outside the settlement boundary TNP ST1; ST2; SDLP ST 25
2. Tourism accommodation TNP ST1 and SDLP 23
3. Development in Gaps between settlements: TNP LHE 1 and SDLP 4.

3. Conservation areas TNP

4. LHE 3 and CA/LHE 2; SDLP SD72 and Twyford Conservation Area 1986

5. Listed buildings TNP LHE 3; SDLP SD 71

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6. Historic landscape TNP LHE3; SDLP SD 12
7. Landscape Character TNP LHE 2 SDLP SD 46
8. Public footpaths SDLP 20
9. Requirement to consider proposals in combination SDLP SD 1.3
10. Duty of LPA to “foster the economic and social well-being of local communities within the National Park”. Environment Act 1995 para 62

1 and 2: Tourism and the Countryside

The applicant states in the Planning Design and Access statement that the SDLP SD 23 is the most important policy. It goes on to claim, firstly, that the site is already confirmed as a tourist location by virtue of the previous consents and, secondly, that it meets the test set in SD23 of being closely associated with the public rights of way network.

TPC’s response to the first point is that the status of the planning consent is disputed. The test of being closely associated with the public rights of way network would appear to be an absurdly easy one to pass as there are public rights of way scattered throughout the National Park, - some close to settlements and others in the most remote parts. It would be absurd to conclude that simply relying on SD23 1 g. iv would justify a proposal for tourist accommodation, whether for many units or just one.

The potential for random development in sensitive locations in the countryside is demonstrated by these two Twyford applications (the other being SDNP/22/02180/FUL) on adjacent fields currently before the council. Both use TNP as SDLP 23.g.ii as their primary justification. TNP ST 1 is in line and follows SDLP 23. TPC believes additional criteria is required to enable this policy to be applied without causing material harm to the natural beauty of the National Park.

Fortunately, both SDLP and TNP include safeguards which allow the Planning Authority to permit the tourist accommodation policies to be applied positively without these harmful effects, as follows. The principal policies for development outside the settlement boundary are SB2 in the TNP and SD25 in SDLP. Both these policies allow development outside the settlement boundaries when it is with other policies of the respective plans. However, this is subject to the overriding requirement that this should only be “**Exceptional**”. This is an additional test as SDLP SD 25.2 makes clear with the use of “**and**” in SD25.2. TNP SD 2 follows SDLP SD 25. TPC notes that the submissions of the applicant do not address this additional requirement.

“Exceptional” is not defined by SDLP or TNP. TPC suggests that the tests to decide whether the case is truly “exceptional” should be:

- A. demonstration of need - in line with SD25.2 and TNP SB.2 (b)
- B. community acceptability following consultation - to meet Statutory duty imposed by Environment Act 1995 para 62 b. (as quoted above)
- C. positive benefit for landscape - to meet statutory duty to enhance Natural Beauty of the National Park
- D. conformity with other Development Plan policies should be positive not marginal.

These tests are, of course, in addition to the multiple other tests set by the policies of the TNP read in conjunction with the SDLP.

A Demonstration of Need

The application contains no evidence of need or even of any tourism activity on the site. To justify the intensification of the 5-yurt use, TPC would have expected evidence of unmet demand, but none is forthcoming. The applicant claims that the yurt consent is not viable as explaining his failure to erect three of the five yurts in the past 10 years, but no figures are given in support. Andrew Johnson’s well-presented objection points out the inconsistencies and lack of evidence. The application does not explain why the yurts do not produce sufficient income to cover costs.

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Neighbours comment on the complete absence of customers over many years either. The lack of promotional advertising is noted by neighbours in their objections and TPC can find only one photograph of the site on the web but without access to make a booking or the contact details of the site owner.

As Andrew Jonson points out, the explanation given for the failure to erect 3 of the 5 yurts undermines the justification for the heavy capital expenditure involved in the new build. TPC's considers the narrative presented is simply not credible. A business case using figures from the past 10 years should be required with evidence of the marketing undertaken by the applicant and then projections for the proposed development to demonstrate viability. The objection by Andrew Johnson shows that there are multiple other opportunities within Twyford itself for visitors without the need for additional buildings. There are many opportunities in the settlements close to Twyford which would allow access to the National Park without the need for additional accommodation outside the settlement boundary in the highly protected countryside of the SDNP. Further work is required to demonstrate why the existing supply in Twyford and outside the National Park supply is inadequate. No exceptional case has been made.

B. Community Acceptability

It is unusual for there to be so many objections to a proposal and for those objections to be supported by such a wide range of arguments including suspicion of the motives of the applicant. It is notable also that similar numbers of objections are submitted for the application (SDNP/22/02180/FUL) at Hare Lane for Eco lodges and the conversion of stables. Neither application is popular. In this case many base their objections on the Twyford Neighbourhood Plan; the TNP provides multiple opportunities for development both in the settlement boundary and in the countryside, but its priority, as required by the statutory duty for National Parks, is the preservation of natural beauty.

In the TNP, a suite of policies set the framework for this protection, in line with the Statutory Policies of the SDLP. The TNP has always had the social and economic interests of the local community as its focus and it enjoyed substantial community support in the Parish Referendum where 83% voted in favour. It is these same people who see this application to be contrary to its carefully worked strategy of balance between development and protection.

The Planning Authority should not permit his application in the face of such clear community opposition; it cannot be said to foster the social wellbeing of the Twyford Community and will have the opposite effect.

C. Positive Impact on the Landscape.

D. Positive response to Conformity with other Policies

These are addressed in the consideration of the other policies below.

The conclusion is that several of the impacts are negative and even where strict conformity to a policy can be shown it is at the best being "neutral" in the planning balance and not positive. The application cannot be said to be **exceptional** on these tests. In the absence of any other justification from the applicant to address this fundamental policy, the application should be refused.

Missing key information in application

The application is missing key information

- Analysis of context, surrounding uses
- Identification of historic landscape /Heritage statement

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- “In combination” effects
- Landscaping proposals and details require by the Appeals inspector in 2012, including definition of site boundary by fencing
- The status of the residue of the land
- Full analysis of the Policy position

The Context, Surrounding Uses and Historic Landscape and Heritage

The Sanctuary site occupies approximately 0.95 ha on the southern edge of the village, with the yurt area comprising approx. one quarter of this, A paddock /amenity land occupies the majority of the site and a pond in the narrow bottom corner . This is the extent of the applicant’s ownership. To the south is an arable field separated by a well-used fenced public footpath; this links across B3335 to Hare Lane and a network of further paths.

Adjacent to the site is Manor Farm Green, which was planned as a whole to secure the preservation and future use of the historic listed Manor Farm. The farm itself forms part of a larger group together with the listed Manor House and Monastery (private houses) all grouped in a rectangular block dating from Elizabethan times or earlier; it is an exceptional group of historic buildings, reflecting its unified ownership and function and retaining its historic relationship with the agricultural land to the south. The whole complex is within the Twyford Conservation Area. The preservation of the barn was financed by the redevelopment of the modern farm buildings into housing. The layout followed the footprint of the farm buildings, and a further pair of houses was added to the Victorian terrace of farm cottages. This resulted in an attractive layout with design purpose which is clearly evident and respected the form of the buildings they replaced. Since this development that took place about 20 years ago, there has been no other housing in the vicinity nor has there been any substantial modification of the manor farm designs.

Manor Farm is at the entry to the village as it has been since probably before 1570. There is a sharp division between the built form of the village and the countryside, so the first impression on entry into the village is of the group of Manor Farm buildings dominated by the great barn. It is a dramatic entry, and its survival is also unusual. It is also seen by every user of the B3335, so is of exceptional visibility. The access to the Yurt site is through Manor Farm Green (and through the Twyford Conservation area); the new buildings are so close as to be visually a continuation of the Manor Farm Buildings. Clearly they do not complement them and instead appear to be random buildings with no coordinated design as the landscape officer notes and judges to be contrary to policy.

None of this is acknowledged by the application nor taken as the starting point for how they are designed. Consequently they fail to comply with SD23 1 c and the range of supporting policies from the protection and enhancement of natural beauty in TNP and SDLP.

[NOTE: The Landscape officer’s comments appear to leave out a crucial ‘not’ which is needed to make sense of their conclusions. The excerpt is as follows with the missing ‘not’ in square brackets: “Whilst some quantum of development would seem to be possible to replace the yurts (notwithstanding other planning considerations), the drawings presented do [not] show a scheme that appears to respond well to the situation or fully takes account of views from the surroundings and therefore not fully meet policy as shown above.”]

At present the Sanctuary land is shut off behind gates and hedges; this is because it is not actively used as a holiday site. The site is bound to become more open if the development is constructed and the holiday use commenced. The gates will be removed or left open, the access widened the car park extended to a proper size and the buildings will be much taller. [See further comments below] They cannot be hidden as the Planning Application and Visual Appraisal appear to suggest.

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And they should not be; the SDLP and TNP objectives are that new development should enhance the area, not be hidden. At the end of the lane are farm buildings in active use. The scale of these buildings is large but they are well sited and their bulk is masked by trees and hedges. They stand separated from Manor Farm Green, with a countryside gap between them i.e. the Sanctuary site. The farm buildings despite their scale are an appropriate type of building that you expect to see function in the countryside.

The modern farmyard site is contiguous to the yurt site so needs to take account of this relationship too. At present this is done by the small scale of the yurt, hedging and trees as the farm buildings and the yurts are not on the whole seen together. This will change with the taller buildings and the change in form of the facilities building.

The planning application does not properly acknowledge the significance of the lane which is the continuation of Manor Farm Green giving access to the modern farmyard and the meadows on the valley floor. There is no note on it in either the Landscape appraisal or the Ecologists otherwise very full report. This is an ancient lane, dominated on its north side by a number of fully mature oaks. There are hedges on both sides. To the north the hedge is fully intact and contains a wide variety of woody plants which further indicate its antiquity. The hedge to the south is in poor condition; elm which has died from the Dutch Elm disease has been replaced by bramble. It still in its original position; the western end has been replanted already: the restoration of the remainder would re-establish the historic and landscape integrity of the lane as well as providing a better visual screen to the development.

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As Andrew Jonson points out, the explanation given for the failure to erect 3 of the 5 yurts undermines the justification for the heavy capital expenditure involved in the new build.

TPC's considers the narrative presented is simply not credible. A business case using figures from the past 10 years should be required with evidence of the marketing undertaken by the applicant and then projections for the proposed development to demonstrate viability.

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The objection by Andrew Johnson shows that there are multiple other opportunities within Twyford itself for visitors without the need for additional buildings. There are many opportunities in the settlements close to Twyford which would allow access to the National Park without the need for additional accommodation outside the settlement boundary in the highly protected countryside of the SDNP. Further work is required to demonstrate why the existing supply in Twyford and outside the National Park supply is inadequate.

No exceptional case has been made.

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In the TNP, a suite of policies set the framework for this protection, in line with the Statutory Policies of the SDLP. The TNP has always had the social and economic interests of the local community as its focus and it enjoyed substantial community support in the Parish Referendum where 83% voted in favour. It is these same people who see this application to be contrary to its carefully worked strategy of balance between development and protection.

The Planning Authority should not permit his application in the face of such clear community opposition; it cannot be said to foster the social wellbeing of the Twyford Community and will have the opposite effect.

C. Positive Impact on the Landscape.**D. Positive response to Conformity with other Policies**

These are addressed in the consideration of the other policies below.

The conclusion is that several of the impacts are negative and even where strict conformity to a policy can be shown it is at the best being "neutral" in the planning balance and not positive.

The application cannot be said to be **exceptional** on these tests. In the absence of any other justification from the applicant to address this fundamental policy, the application should be refused.

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- Identification of historic landscape /Heritage statement
- "In combination" effects
- Landscaping proposals and details require by the Appeals inspector in 2012, including definition of site boundary by fencing
- The status of the residue of the land
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The Context, Surrounding Uses and Historic Landscape and Heritage

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Adjacent to the site is Manor Farm Green, which was planned as a whole to secure the preservation and future use of the historic listed Manor Farm. The farm itself forms part of a larger group together with the listed Manor House and Monastery (private houses) all grouped in a rectangular block dating from Elizabethan times or earlier; it is an exceptional group of historic buildings, reflecting its unified ownership and function and retaining its historic relationship with the agricultural land to the south. The whole complex is within the Twyford Conservation Area. The preservation of the barn was financed by the redevelopment of the modern farm buildings into housing. The layout followed the footprint of the farm buildings, and a further pair of houses was added to the Victorian terrace of farm cottages. This resulted in an attractive layout with design purpose which is clearly evident and respected the form of the buildings they replaced. Since this development that took place about 20 years ago, there has been no other housing in the vicinity nor has there been any substantial modification of the manor farm designs.

Manor Farm is at the entry to the village as it has been since probably before 1570. There is a sharp division between the built form of the village and the countryside, so the first impression on entry into the village is of the group of Manor Farm buildings dominated by the great barn. It is a dramatic entry, and its survival is also unusual. It is also seen by every user of the B3335, so is of exceptional visibility. The access to the Yurt site is through Manor Farm Green (and through the Twyford Conservation area); the new buildings are so close as to be visually a continuation of the Manor Farm Buildings. Clearly they do not complement them and instead appear to be random buildings with no coordinated design as the landscape officer notes and judges to be contrary to policy.

None of this is acknowledged by the application nor taken as the starting point for how they are designed. Consequently they fail to comply with SD23 1 c and the range of supporting policies from the protection and enhancement of natural beauty in TNP and SDLP.

[NOTE: The Landscape officer's comments appear to leave out a crucial 'not' which is needed to make sense of their conclusions. The excerpt is as follows with the missing 'not' in square brackets: "Whilst some quantum of development would seem to be possible to replace the yurts (notwithstanding other planning considerations), the drawings presented do [not] show a scheme that appears to respond well to the situation or fully takes account of views from the surroundings and therefore not fully meet policy as shown above."]

At present the Sanctuary land is shut off behind gates and hedges; this is because it is not actively used as a holiday site. The site is bound to become more open if the development is constructed and the holiday use commenced. The gates will be removed or left open, the access widened the car park extended to a proper size and the buildings will be much taller. [See further comments below] They cannot be hidden as the Planning Application and Visual Appraisal appear to suggest. And they should not be; the SDLP and TNP objectives are that new development should enhance the area, not be hidden.

At the end of the lane are farm buildings in active use. The scale of these buildings is large but they are well sited and their bulk is masked by trees and hedges. They stand separated from Manor Farm Green, with a countryside gap between them i.e. the Sanctuary site. The farm buildings despite their scale are an appropriate type of building that you expect to see function in the countryside.

The modern farmyard site is contiguous to the yurt site so needs to take account of this relationship too. At present this is done by the small scale of the yurt, hedging and trees as the farm buildings and the yurts are not on the whole seen together. This will change with the taller buildings and the change in form of the facilities building.

The planning application does not properly acknowledge the significance of the lane which is the continuation of Manor Farm Green giving access to the modern farmyard and the meadows on the valley floor. There is no note on it in either the Landscape appraisal or the Ecologists otherwise

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very full report. This is an ancient lane, dominated on its north side by a number of fully mature oaks. There are hedges on both sides. To the north the hedge is fully intact and contains a wide variety of woody plants which further indicate its antiquity. The hedge to the south is in poor condition; elm which has died from the Dutch Elm disease has been replaced by bramble. It still in its original position; the western end has been replanted already: the restoration of the remainder would re-establish the historic and landscape integrity of the lane as well as providing a better visual screen to the development.

It must be borne in mind that the countryside is being radically changed as the result of various tree pandemics, most recently ash die back which affects approx. 90% of as both young and mature. Wholesale felling of affected trees has resulted in the loss of screening on which many developments rely. This is another matter for the landscape plan assessment to take into account. There is a small historic Toll Gate cottage at the SE tip of the Sanctuary and a small farm shed beyond. Otherwise this part of the countryside gap is without buildings

North of B3335, the land is in horsiculture and agriculture. There is a free range chicken farm with long low buildings and consent for a house. There is an application to build eco lodges and modify the horse stables on the horsiculture land which is currently being considered. The field is to change from horse to leisure use The buildings will be visible from vantage points including B3335. Upgrading of the access is to be expected with some removal of trees

The site is adjacent to the strategic gap between Colden Common and Twyford defined and protected by LHE1; this site is also within that same gap and is subject to the definition of Landscape character in SDLP SD 3. Which reads:

"The settlement pattern and individual identity of settlements and the integrity of predominantly open and undeveloped land between settlements will not be undermined"

TPC 's consider that this application will do exactly what SD3 is seeking to prevent, both on its own and in conjunction with the eco lodge proposals north of B3335.

The application: unresolved issues between plans, the Description, and Operation

The Plans

- are not consistent with the description; the plans show " 1 x bed ; 1 x2 bed; 1 x 3 bed. See Andrew Johnson representation

- create confusion as to whether Lodge 2 is 1 x 3 bed or 1x1 bed plus 1x 2 bed.

See Andrew Johnson representation

- do not explain the odd configuration of Lodge 2 with a 25 m courtyard and a hall dividing the unit into two.

- wish to convert the Facilities Building into accommodation but do not show anywhere the occupants of the two yurts are expected to shower wash or w/c. There is no replacement for the existing facilities/storage space. Will this be applied for later?

- show inadequate parking and turning. The Application form indicates 6 spaces. The parking areas currently measures approx. 10 m by 15 m approached through inward opening double doors; the plans do not show the turning on site. It is not clear that this number can be achieved and allow for turning. In any case 6 spaces seems inadequate for three units (or four) with 5 bed spaces plus the two retained yurts. The numbers of cars allowed for should be reassessed, to include service vehicles and visitors; the capacity of the area provided should be tested to demonstrate the feasibility of the layout, to include turning. If as seems likely, additional space is required , the layout should be amended. The principle of a single access to the site

- and a single parking area should be retained to avoid cars spilling out over the whole site with associated works and hard standings. The enlarged car parking area is likely to affect the siting of Lodge 2.

- There is no provision for cycles.

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- do not show how the site will operate, e.g. paths to the units , private vs common space
- do not show boundary treatments, lighting, landscape proposals although detailed recommendations are made in the Ecologists report.
- do not explain why a large dormer window is needed for a storage area (the facilities building). The implication is that a bedroom is intended.
- provides no details of drainage or waste disposal . This is a serious omission since the site is close to the River Itchen SAC as the Ecologists reports notes but the Application form does not. The concern of Southern Water in ensuring that effluent from housing in Twyford is properly handled so as not to affect the River Itchen is shown in the condition attached to the housing site allocated in the village centre see TNP DB1.I.
- give no details of nitrate emissions or proposed mitigation in accordance with TNP PO1
- do not include the proposed change of use of the remainder of the site (0.6 ha) approx. from agriculture to amenity land to be used in association with the holiday accommodation.
- do not provide an adequate framework for the further development to which this application seems likely to lead (e.g. provision of replacement facilities building; replacement of one or more yurts with holiday dwelling; infill of courtyard to enlarge Lodge 2)
- This is a formidable list of omissions and uncertainties which should be clarified before the application is considered any further. At present the Parish Council has an incomplete picture of what is proposed so cannot properly assess the impact. If the plans are amended then there should be a further round of consultation.

The Design.

The proposals are for five structures with four radically different designs, - two yurts, one modified woodstore, one two storey building with a curved roof and one with a ridged two storey element. None of these structures relate to either of the two sets of buildings on either side, - the farm complex and Manor Farm Green. Four of the buildings are set in the circle designed for the yurts. The circle of yurts had some coherence; they were five identical units, with strong simple shapes forming a sort of camp. However the substitution of buildings for yurts destroys this coherence. It creates instead a random assortment of buildings with no special countryside connection. Even the log store/facilities building which is a simple farm shape is modified with a dormer which turns it into a suburban bungalow so all are unrelated and unsympathetic both to each other and to their surroundings. The juxtaposition of yurts to this assortment of newbuild is also bizarre and appears a stepping stone to its replacement with a further buildings.

Contrary to the claim of the applicant, the application fails the tests in SD23 d and g.i.
The Landscape Officers comments set the design failures out very clearly.

Bad neighbour

Holiday units may be bad neighbours to residential from regular outdoor partying especially in the summer months. Here the holiday use is immediately adjacent to residential property.
The proposed holiday use is also at risk from disturbance from normal farm operations.

Summary

This is an application which does not seem to be what it is claimed to be. There are a significant number of anomalies contained within the application and which has resulted in much local opposition.

The site is not an established tourist site and that the 2012 consent may have lapsed. Even if the consent is valid, the consent has never been implemented in full and the field has not operated

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either fully or regularly as a normal tourist site, if at all. The explanation for not erecting the yurts also undermines the viability of the new build.

There is no evidence of need for these holiday units; Andrew Johnson demonstrates there are ample opportunities to secure accommodation for holiday makers within the settlement boundaries nor has a business case been made.

The Facilities Building gives every appearance to be an occupied dwelling. It is fitted out, fully stocked and furnished as a dwelling with a kitchen, sitting room and bedroom. Neighbours have complained to Planning Enforcement over time that it is being lived in by the former applicant, the father of the present applicant.

The conditions imposed on the 2012 consents have not been carried out particularly safety issues around the pond.

The proposals themselves lie outside the settlement boundary which is subject to a suite of policies to protect it as gap, countryside, historic landscape and proximity to SAC. These policies are considered only negatively as constraint by the application, not in the positive spirit in which they were prepared.

There are serious shortcomings in the plans submitted for the buildings that create confusion about the intention of the applicant and prevent a full picture of the proposals being formed by consultees and the public.

The proposals do not respond to the character of the area and will cause harm because of visibility, because they will be higher and permanent (unlike the seasonal erection of the yurts). The Application relies primarily on TNP ST1 and SDLP 23 in particular 1.g; other policies apply. The application does not attempt to address the requirement of SD 25 to be "exceptional"; the case is not exceptional as set out above.

The proposals are adjacent to buildings in conservation area, close to listed building and to a carefully designed group of buildings to which it does not relate nor properly consider. Nor do the buildings relate well to each other and are a random set of four differing designs, to which the Landscape officer has rightly pointed out the conflict with policy.

The application should be considered in combination with SDNP/22/02180/FUL, the conversion of the stables and eco lodges currently before the council on the adjacent land across the B3335. These are for the same tourist use with radically differing designs and randomly located in the countryside and gap between settlements. If both are permitted it will create a major change of use to leisure and a "honey pot" with unexplored consequences that could alter the character of the area.

The application should be refused and the status of the 2012 consent examined to see if enforcement action should be taken to regularise or discontinue the current use