

Report to	<b>Planning Committee</b>
Date	<b>9 June 2016</b>
By	<b>Director of Planning</b>
Local Authority	<b>Winchester City Council</b>
Application Number	<b>SDNP/15/06486/FUL</b>
Applicant	<b>Mr Peveril Bruce</b>
Applications	<b>Change of use of land from agriculture to mixed agriculture and a number of temporary events (including summer festivals, endurance running events, sporting events (including motocross). Number and type of events to not exceed criteria and weighting set out in submitted event matrix. Retention of wooden structures within woodland associated with festival use.</b>
Address	<b>Matterley, Alresford Road, Ovington Hampshire SO24 0HU</b>

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**Recommendation:**

- 1. That planning permission be granted subject to:**
    - a. the completion of a legal agreement to secure the following:**
      - i) Formalisation of arrangements for the management of Cheesefoot Head Car Park with Hampshire County Council and enhancements to the site.**
      - ii) Establishment of a permissive link between the Cheesefoot Head Car Park and the South Downs Way.**
      - iii) Submission of and implementation of permanent improvements to the temporary route during the closure of the South Downs Way and securing of this as a permanent alternative route.**
      - iv) Installation of new drinking water point and LSTF bike repair station along the South Down Downs Way.**
      - v) Submission and implementation of a schedule of environmental/ecological enhancements to the SSSI**
    - b. The conditions as set out in Paragraph 10.1 of this report.**
  - 2. That authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S.106 Agreement is not completed within 3 months of the 9 June 2016 Planning Committee meeting.**
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**Executive Summary**

The application has been submitted on the basis that the events which have been held and continue to be held exceed the number of days (28) within which such activities could be carried out under permitted development rights. The initial submission of the application did not provide clarity on the extent of events requested and numbers attending such events and further information was requested.

The subsequent information upon which the application is being considered includes a matrix so as to provide limitations upon the number of events but to provide the applicant with some flexibility to adapt to changing circumstances as and when they occur (if the application were to be approved).

This application is intended to be all-encompassing in relation to the events which take place on the Estate but a concurrent application specifically for the Motocross events is also being considered at Committee. Bearing this in mind, and given that the motocross activities are locationally specific, it is considered that the motocross elements should be removed from the comprehensive application (and the calculations in the matrix).

The application is considered to be Major for the purposes of Paragraph 116 of the National Planning Policy Framework and therefore the proposal must meet the exceptional circumstances set out in the Framework. It is considered that the proposals do meet these tests having regard to all the circumstances and particularly the limited and temporary nature of the events.

The application requires consideration in relation to whether it serves the purposes of the National Park with issues of tranquillity, vehicular activity and highway considerations, light pollution and landscape impact being balanced with the temporary nature of the events, the enjoyment and understanding of the National Park, the cultural and economic benefits to the area and the environmental benefits which can be secured, were the application to be approved.

Consideration has been given to the submitted matrix which is intended to provide greater flexibility however the conclusion is that the matrix provides such significant variation and potential scenarios as to result in a worst case scenario where there would be an adverse impact on the landscape for a significant period of the year as to not serve the first purpose of the National Park.

It is therefore considered, on balance, and with appropriate robust conditions and Event Management Plans for each event, that approval solely for one major music festival and one sport/endurance event would conserve the long term natural landscape beauty of the surrounding area and would create opportunities for enjoyment and understanding of the National Park, whilst also meeting the socio-economic needs of communities within the park.

The applicant has been made aware of the Authority's approach to dealing with the Motocross application separately from the comprehensive application and the intention not to approve the matrix approach but recommend a more definitive approval for two particular events.

The application is placed before the Committee because it is a major application.

## **I. Site Description**

- I.1 The Matterley Estate is approximately 5 kilometres to the north-east of Winchester and is largely accessed via the A31 which divides the two sections of the holding. The estate extends to the north of Winchester Road (A31) to include Hampage Wood and Bushy Close woodland and southwards toward the junction with the A272 including Chilcomb Down. The estate is bounded to the south by the A272 and runs eastwards just beyond Cheesefoot Head. To the east just beyond a neighbouring field is Rodfield Lane. The northern parcels of land beyond the A31 Hampage Woods do not form part of this application.
- I.2 The site includes numerous key characteristics of the wider landscape character area including: the distinctive rounded coomb of the Devil's Punchbowl (Matterley Bowl) which is a striking landmark landscape feature with areas of species rich unimproved chalk grassland on its steep sloping sides; Cheesefoot Head and its long reaching panoramic views – which is one of the South Downs National Park's identified viewpoints; the distinctive hill top beech clump at Cheesefoot Head; and branching dry valley
- I.3 The estate continues to farm which consists of a dairy unit and an arable enterprise. The dairy unit also produces some value-added products such as milkshakes and runs a commercial shoot. There are a number of activities that occur alongside the farming activity, including an area set aside to explore hydrocarbons (which generates HGV movements daily to remove oil and water), temporary permission to hold two motocross events a year (use of the track is up to four days) until 2016 (which is encompassed within this application but also forms part of a separate application solely in relation to the motocross) and music festivals, tank driving or large-scale sporting events such as Tough Mudder. The music festivals, such as Boom Town are largely concentrated in the natural amphitheatre known as 'Matterley-Bowl', but several venues now occupy adjacent fields and woodland areas (Temple Valley, Chilcomb Down) with associated infrastructure for car parking and camping.

- 1.4 The South Downs Way runs through the application site, being accessed to the immediate north west of the Cheesefoot Head Car Park and going in a north easterly direction across the Estate until turning towards the south east (and Rodfield Lane) by the main group of agricultural buildings which are located to just north of the centre of the site.
- 1.5 The site is at its highest to the south at the top of Cheesefoot Head with the levels dropping significantly to the north west of here into the bowl. The levels through the site from Cheesefoot Head drop along the South Downs Way gently towards the main agricultural buildings and beyond until shortly rising again before reaching the A31.
- 1.6 The site has a number of wooded areas, most notably to the immediate east of the Bowl and to the south of the main agricultural buildings.
- 1.7 The land to the west of Rodfield Lane and north east of Cheesefoot Head is known as Matterley Basin and is where the Motocross events have historically taken place. Land to the east of the agricultural buildings has also been used on occasions for 'tank driving event days'.
- 1.8 A number of residential estate properties exist within the site. Beyond the site boundary are a number of scattered residential properties, some along the A31 on the northern side of the road close to the roundabout near the Intech building and also on the southern side of the road in an area known as Orrs Meadow. A small number of properties are located along Rodfield Lane. No residential properties are located along the A272 near the southern boundary of the site.
- 1.9 The site is situated in the East Winchester Open Downs (A5, South Downs Integrated Landscape Character area), and often allows expansive open views, including from popular elevated Cheesefoot Head viewpoint. The Matterley Bowl is clearly visible from the A272 given the elevated nature of the road.

## **2. Relevant Planning History**

### **2.1 History in relation to Motocross**

- WCC/08/02622– Retention of existing Motocross track including associated works to adapt the landform for such use and use for purposes of occasional elite motocross events – Refused 11 September 2009 – Appeal Allowed 17 March 2010 (subject to conditions restricting use of track to two motocross events per calendar year, events being restricted to a total of three days per calendar year over two weekends, only taking place between 1 August and 15 October (Condition 1), no event taking place until and Event Management Plan is submitted and approved in writing, being submitted at least 60 days prior to the event date (Condition 2) and no motocross racing or practising to take place other than between 0900 and 1700 hours (Condition 3).
- WCC/11/01283 – Variation of Condition 3 to change start times to 0800 hours and finish time to 1830 hours of planning permission 08/02622/FUL for retention of the existing motocross track – Temporary permission granted (until 22 August 2011) – 1 August 2011
- SDNP/12/00709/CND – Variation of Conditions 1 & 3 of Planning Permission 08/02622/FUL to allow one additional day's use and change to a start time of 0800 hours (from 0900 hours previously approved) and a finish time of 1830 hours (from 1700 hours) – Temporary permission granted (Until 15 October 2013) – 14 August 2012
- SDNP/14/00354/CND – Variation of Conditions 1 and 3 of permitted permission 08/02622/FUL; 4 days use operating hours from 0800 to 1830 hours, use of track (4 days only) between 1 May and 15 October (From 1<sup>st</sup> August to 15 October) – Temporary permission granted (Until 26 March 2016) – 26 March 2014
- SDNP/16/00692/CND – Application to remove Conditions 1 and Amendment of Condition 3 of SDNP/14/00354/CND, Removal of conditions 1, 2 and Amendment to Condition 3 of 08/02622/FUL – Being considered concurrently

### **2.2 History in relation to Hydrocarbons**

- 03/02907/HCM – Two additional directional exploratory/appraisal wells including the testing, along with the continued testing of Avington B92) exploratory well – Temporary permission granted – 18 February 2004
- 06/03707/HCM – Variation of Condition 1 of 03/02907/HCM to allow for the continuation of the oil exploration activities – Temporary Permission Granted (until 1 March 2009) – 18 December 2006.
- 08/00596/HCS – Development two further appraisal boreholes at the existing Avington Exploration Well Site – Temporary Permission granted (until 1 March 2013 – 4 March 2008
- SDNP/13/00935/CM – Planning Application to vary condition 1 of Planning Permission 08/00596/HCS to continue to appraise hydrocarbons for a further period of up to 5 years – Temporary Permission Granted (until 1 March 2018) (Lorry movements during mobilisation and demobilisation approx. 5-7 per day, 9-12 during drilling. 4-6 movements of oil during appraisal of wells, 8-10 movements of water during appraisal).

**2.3 History in relation to Use of land (Festivals/etc.)**

- Certificate of Lawful Use for vehicle driving and storage of ancillary parking and structures – Withdrawn – 4 February 2014
- SDNP/14/00302/LDE – All non-agricultural related leisure uses including hosting of music festivals and concerts, tank driving, off road vehicle driving, sports events and a steam fair, along with all parking and associated activities with said uses – Refused – 10 June 2015
- SDNP/15/06484/FUL – Change of use of land from agriculture to mixed agriculture and a number of temporary events (including summer festivals, endurance running events, sporting events (including Motocross). Number and type of event to not exceed criteria and weighting set out in submitted event matrix. Retention of wooden structures within woodland associated with festival use – CURRENT APPLICATION

**3. Proposal**

- 3.1** The application has been submitted in order to allow for the use of the land for activities and events unrelated to agriculture. Ordinarily, if such activities are carried out within 28 days in any calendar year they would fall within permitted development rights and would not require permission. The number of days for such activities to fall within permitted development rights includes time when works are being carried out to set up for the event and also dismantle associated infrastructure after the event. In this particular case, the site has previously exceeded the 28 days due to the number of events and resultant activity before and after the events.
- 3.2** Subsequent to the originally submitted information with the application which was considered not to give clarity on the extent of events or number of attendees, the applicant has since provided additional information and a proposed matrix within which he wishes to operate within. A significant element of the matrix sets out particular events and attaches weighting to each event based on the impact of each event. The theory is that in any calendar year the applicant will not carry out a mix of events that exceed a points (or percentage) weighting which exceeds 100. The matrix seeks to provide clarity with regard to numbers attending, the approximate times for set up and take down and also clarification on the number of such events which have taken place in 2015. It is worth noting that the matrix places a major music festival, which currently would be the Boomtown Festival, as 51%, thus ensuring that only one such event would take place in each calendar year. It is understood that logistically it would be difficult in any event to hold more than one such event in any calendar year, given the limited period within which music festivals are held and the required organisation to meet the needs of each festival.
- 3.3** The matrix submitted by the applicant includes Motocross events however officers have considered that this would be best dealt with separately as part of application SDNP/16/00692/CND and the matrix is therefore as follows (with the motocross events highlighted in grey:-

Event (weighting %)	Approximate total set up times and take down times in weeks	2015 Events
1. Major Music Festival (51%). Thursday to Monday. Between 30,000 and 60,000 attendees	9	1
2. Motocross event (18%). 2 day weekend event	3	1
3. Music Concert (18%). 1 day No public camping	2	0
4. Small music festival (24%). Thursday to Monday. Below 29,999 attendees	2	0
5. 2 day Sports Event (15%). Tough Mudder type event. No public camping. Non-motorised sport.	3	1
6. Other day events (20%) up to two days. No public camping.	2	0
Not exceeding 100%		✓

3.4 The applicant has also suggested up to 3 'unspecified events' with a maximum number of 5,000 attendees that would result in a maximum total of 48 hours set up and take down, the events being non-motorised and non-competitive. There is little by way of explanation of the nature of such events and this will be considered in detail later.

3.5 In addition the proposals include the permanent retention of a variety of wooden structures associated with the music festival use. These wooden structures (of which there are 6) are located in wooded areas across the site. 3 are located in the woods to the east of the bowl, 1 to the wood to the north of the bowl, 1 in the south western corner of the wood to the south west of the agricultural buildings and 1 structure in the wood to the south east of the agricultural buildings.

3.6 The structures are predominantly small in scale and include covered shelters and raised platforms although Structure 2 to the north of the bowl includes a raised walkway and covers a greater area than the other structures.

#### 4. Consultations

4.1 The Authority received further information to provide greater clarity by way of a 'matrix' setting out different events, weighted according to their impact, with a suggestion that the total number of events should not exceed 100 points (or 100%). A re-consultation exercise was carried out and the comments in relation to the matrix are highlighted below.

#### 4.2 Beauworth Parish Council – Object

- Open ended nature of the application. No limit to number of events that may be staged if application were to be approved.
- Impact assessment only assesses noise generated by construction and dismantling of the events and not the noise of the event itself.
- Light pollution and unsightly fencing for the music festival. In 2015, ugly watchtowers were also put up around the perimeter. Fencing is in place for several weeks. Lighting kept on throughout the night for the whole event. Extent and intensity conflicts with Dark Night Skies.
- Cuts across South Downs Way so path is diverted and Cheesefoot Head Car Park is closed, interfering with people's enjoyment of the park.
- Traffic problems with number of people attending growing greatly. A272 and A31 severely affected with traffic routed through Twyford and Longwood.
- Endorse comment made by Terence Jones in relation to effect on wildlife.

- Landscape – Visual impact is considerable both during the preparation, events and dismantling. Moot whether events are small and it would appear conflict with the Parks Purposes. Numbers for Tough Mudder are fewer and the event appears to be well managed with less disruption. Concern though about damage to archaeology.
- Economy – Benefit to Winchester is negligible.
- Conclusion – Application is vague and supporting documentation flawed and in places unclear and virtually meaningless. Ask that application be refused. If approved, request that conditions be imposed (3 events annually, no more than one music event, limit on number attending, music to cease at midnight, measures to ensure endangered birds are protected, preparation for structures supervised by archaeologist, fencing and lighting to be mitigated in the future.
- **Matrix responses:** Proposals not consistent with the International Dark Sky Reserve.
- Matrix is inappropriate mechanism. Each event should be considered on its own merits.
- Inappropriate for the Park to grant permission for such a speculative approach.
- Different categories of music events are misleading.
- Too many motocross events. If permission to be approved, should be limited to one.
- No note of maximum attendees for the motocross events.
- Why are non-qualifying events proposed?
- The proposals allow for 22 weeks of activity (42% of the year) (a semi-permanent activity park).
- Detrimental impact on the wildlife.
- WCC have admitted there is no way of accurately counting numbers.
- Sporting events should have maximum numbers listed.
- Events are not consistent with the purposes of the National Park.

4.3 **Bramdean & Hinton Ampner Parish Council – No Comments.**

4.4 **Cheriton Parish Council – Comments**

- Would object to any additional use of the site than those granted by the original licence.
- Supported the original and feel that any additional non-agricultural use would be to the detriment of parishioners and would lead to additional weeks of debris left on site a blight on the SDNP.
- Land use should continue to be that as granted in the licence only no additional non-agricultural use should be escalated on this highly visible site.

4.5 **Itchen Stoke and Ovington Parish Council – Support Application**

- Wish to make it clear that Councillor Peveril Bruce who has a major interest in the application, was excluded from all discussions on the subject.

4.6 **Itchen Valley Parish Council – Object**

- Have been long term supporters of a single Boomtown type event held on the site believing that economic and reputational benefits for Winchester and the surrounding area outweigh the short term inconveniences and noise from the festival.
- Over the years the operational running of events has improved and whilst it is now well managed there is still disruption to local life.
- However, unable to support the Events Matrix as proposed.
- Firstly, there is a lack of detail with a number of events on the matrix not having attendance caps.
- Secondly, the matrix if approved along with the “non qualifying events” would mean twice as many event days at Matterley than were held in 2015.
- The most common complaint from residents is about the noise at night and the additional traffic/road closures.

- If the matrix were approved there could be 4 long weekend music festivals over the summer period and 3 unspecified additional concerts, meaning that the site would be in perpetual use throughout the summer months – 18 weeks from April to September.
- Excessive non-agricultural use of land which has been given the protection of a National Park and be unacceptably disruptive and intrusive to the local residents.
- Disappointed with the quality of the environmental report submitted in support of this application – an ecological survey taken on one day, the 25th November, cannot give an accurate picture of the wildlife on the Estate.
- Concerned about the impact on the South Downs Way and the limited attempt to mitigate this.
- The South Downs is noted for its “dark skies” and the SDNP Plan has policies to protect these, the proposed events have night-time light shows which destroy this special quality and tranquillity of the park.
- The application does not fit with the many aims and written policies of the South Downs National Park.

#### 4.7 **Owslebury Parish Council – Object**

- Application lacks clarity. Impact on community and the Park on each event should be looked at separately.
- Application conflicts with primary objective of Owslebury & Morestead Parish Plan (2014-2019), to maintain or enhance the agricultural nature of the area.
- Questionable whether the proposal would satisfy the Objectives of the National Park.
- **Matrix Responses:** impacts of such events are now disclosed and should be looked at separately. Conditions might well differ depending on each event.
- Still conflicts with primary objective of Parish Plan.
- Questionable whether blanket activities would satisfy National Park first purpose.

#### 4.8 **Titchborne Parish Council – Object:**

- Application does not satisfy tests of Local Plan discussion. Preserving/enhancing purpose takes precedence over Promoting/enjoying purpose.
- Activities proposed in the planning application do not foster or promote purposes or qualities and would seem more likely to be inconsistent with or opposed to many of the purposes/qualities.
- In relation to recreation, proposals will not provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities. Location of development does not reduce need for travel by private car. Development does not make use of existing buildings. It has not been demonstrated that any proposed on-site facilities or ancillary buildings are necessary and therefore the on-site facilities will undermine the vitality and viability of town or village centres or assets of community value nearby.
- It should be clearly demonstrated and evidenced that it is in accordance with Policy SD22 (Development Strategy) and that there is a need for development in that area; the scale, intensity of use or activity is appropriate in that location; it can be satisfactorily accessed by sustainable means, including public transport, walking, cycling or horse riding; and it is closely associated with other attractions/established tourism uses, including the public rights of way network. The view of the Parish Council is that this application meets none of those tests.
- It has not been satisfactorily demonstrated, in accordance with Policy SD8 (Relative Tranquillity), that the proposals will not generate an increased level of activity by creating or exacerbating a "tourist hotspot" which would detract from the experience of other visitors or affect the character, appearance and amenity of the area.
- The Parish Council has never understood what economic benefit the local area derives from these activities.

- The application is difficult to understand and it is not clear what activities are proposed to be carried out and for how long each activity is to be carried on. Application form is incomplete or misleading.
- It is the view of the Parish Council that the planning application is difficult to understand.
- In summary, the Parish Council finds it difficult to see how the development can be said to comply with the purposes etc. of the SNDP as cited above in view of the noise pollution, light pollution and disruption caused by so many people at the site.
- **Matrix Responses:** How are music festivals consistent with the newly won International Dark Sky Reserve status?
- If events could be shown to be for the purpose of enabling those attending to enjoy and learn about wildlife, flora and fauna of the Park then the position would be different.
- Applicant should apply for each individual event he wishes to hold.
- The Authority has no means of assessing number of people attending each event.
- Do not consider that up to 60,000 should attend a major music event. Far too large for the local infrastructure to support.
- There should be no distinction between major and small music festivals as the impact is the same.
- Should only be 1 music festival a year.
- Do not consider there should be separate categories of music festivals.
- Object to number of motocross events a year, with no limit on size. There should be no such events, but if SDNPA minded not to accept, there should be no more than one.
- Do not see why 'other category' events are included in the matrix.
- There should be no 'non-qualifying events'.
- Will plans for each event be required sufficiently in advance and does SDNPA have the personnel to be able to scrutinise and comment on each event?
- Events should be structured to encourage attendees to use public transport or non-pollution transport.

#### 4.9 **Archaeology – Comments**

- Concerns as to how protection measures for heritage assets can be adequately secured, together with appropriate mitigation for undefined events over an unspecified duration. Planning Statement indicates each event could change every year, possibly with attendant groundworks.
- Planning Statement refers to submission of a report on the Tough Mudder 2013 event. This interim report simply deals with the archaeological recording of the groundworks undertaken for the 2013 event and does not form a comprehensive assessment of the archaeology of the Estate which addresses the implications for future events. Refers to the report being used to identify 'safe areas' within which work excavation works have been (and will be?) confined. This report does not identify any 'safe areas' whether this is undertaken by a suitably qualified archaeologist or anyone else.
- **Matrix Comments**
- Whilst there is no objection in principle to the holding of events within the application site, it is important that such events consider the historic environment (and in particular archaeological remains) and avoid adverse impacts to known significant sites, but also consider the impact to any currently unknown archaeological remains. Where events may adversely affect archaeological remains, then appropriate mitigation measures should be undertaken in line with NPPF and retained local plan policies.
- However, a difficulty is that the precise nature of and impacts of individual events cannot be ascertained at this stage, given that the application is for a change of land use to hold number of events, each potentially different in nature.
- Accordingly would advise that the land owner / applicant commissions a detailed



archaeological / heritage assessment and overarching archaeological management plan for Matterley, which would form an appropriate baseline report against which future events could be assessed.

- Furthermore would recommend that conditions are added to any planning permission to ensure that all events held at Matterley provide an Archaeological Management Plan which should consider the potential impacts on archaeological remains and propose appropriate mitigation strategies, which should be agreed by the Local Planning Authority.
- Conditions are also recommended covering the implementation of any archaeological mitigation work required prior to / during event set up as required, as well as securing the dissemination of the results of any archaeological mitigation work.

#### **Dark Skies – Comments**

- Site is quite a distance from the Dark Skies Reserve core and is fairly close to the Intech building and Winchester which already pump out a fair degree of permanent light pollution.
- Given that a temporary festival will produce light pollution, it also has the added complexity of moon phases and weather, effecting the ability to see dark skies for a given weekend.
- Although the total output of the site in lumens will be as big as the cumulative impact of a number of villages added together, it is a very localised and temporary affect.
- **Matrix Responses:** Summary: lack of any lighting plans other than in a general sense makes it difficult to fully assess this application. However, given the nature and purpose of these events, it is fairly safe to assume that the expected lighting plan will create light pollution and will significantly reduce dark skies within the area regardless of the effectiveness of the design.
- Although this a temporary and non-permanent impact, without a full plan of lighting it is difficult to assess the total impact in time and within the event itself.

#### **4.10 Ecology –Comments**

- No objection subject to conditions

#### **4.11 Economy & Development (WCC) – Support (Comments below also apply to amended information and matrix).**

- Estate has been used for community events and gatherings for more than half a century, providing an opportunity for large numbers to enjoy a wide range of spectacles.
- Farmers need to diversify to compensate for difficult markets. The land owner is better able to protect and cultivate other parts of the site, and able to bring new cultural experiences to the edge of the Park.
- An accessible and popular location.
- Large scale events are part and parcel of everyday life in the countryside.
- Level of negative impacts can be contained in a way which secures maximum benefits to local residents with minimum of disturbance.
- Strong links developed between Boomtown and a number of charities, generating income and profile.
- Events generate national and international media coverage, supporting tourism. Recent research demonstrates total net economic impact of £10.5 million (FTE jobs sustained 175).
- Hope that these contributions to the social and economic wellbeing of local communities within the Park (and the district) are given due consideration.

#### **4.12 Environmental Protection (WCC)**

- The provision of a matrix such as this is welcomed as a way forward.
- It is noted that the matrix is intended to capture all events. However, it appears to reflect the nature of events that are already in operation. With knowledge of the

different events held at Matterley currently, we have been able to 'test' the matrix and believe that the weightings are appropriate.

- However, It is suggested that it might be more flexible and avoid the need for future alteration to categorise the events as 'large,' 'medium' or 'small with a set of parameters e.g. capacity/ no of days/ camping / music or sports/ set up and take down to assist with the definition of what falls into each category.
- Whilst some events described in the matrix have capacities i.e. the music events, others don't and it might be worth all events showing the same parameters.
- It might be useful to include some definitions. What is a 'concert' / 'festival'? Do the attendees include the crew / performers? What is a 'day?' i.e. does this finish at 2300?
- It is worth noting that whilst in a year there could be 4 small music festivals, under the existing licence arrangements, only 2 of these could extend after midnight.
- In relation to the descriptor of the Tough Mudder sort of event, we are aware that the event has included camping in the past and this has not resulted in complaint / traffic issues. We would question whether 'no public camping' is essential as part of the criteria or whether it is considered to have a detrimental effect?
- Finally if the current matrix is adopted, we agree that it would be a sensible approach to incorporate a condition that allows amendment for other events to be 'weighted' and added into the matrix.

4.13 **Esso Pipeline** – No Comments

4.14 **Fire & Rescue Service** – Comments (Same for amended information and matrix)

- Proposals need to comply with Building Regulations (access for firefighting), Hampshire Act 1983 Section 12 (access for Fire Service), Fire and Rescue Services Act 2004 (Access for high reach appliances, Water supplies, Sprinklers, Fire Fighting and the environment, Timber framed buildings)

4.15 **Forestry Commission** – No comments

4.16 **Game and Wildlife Conservancy Trust** – No comments

4.17 **Hampshire & Isle of Wight Wildlife Trust** – No comments

4.18 **Health and Safety Executive** – No comments

4.19 **Health Authority (Winchester)** – No comments

4.20 **Highways (Strategic – HCC)** – Comments

- For previous events the applicant has been required to produce traffic management plans in agreement with local authorities, the police and fire rescue services. Due to different types of events it has not been possible to agree one overarching Traffic Management Plan and a bespoke plan must be made for each event.
- It is understood this arrangement has been working satisfactorily and therefore a suitable worded condition should be included to secure the Traffic Management Plan ahead of each event.
- No objections subject to condition.
- **Matrix Response:** Currently working with the Boomtown organisers to help mitigate the effects of the increase in numbers proposed in the current licence application which is before WCC.
- Satisfied that with adequate mitigation measures in place (controlled by licence conditions) the increase in numbers should not have an additional adverse impact on the surrounding roads.
- With regard to the matrix: The "small" music festival, at 30,000 attendees, is not really that small.
- Would rather see the weighting at 25.5% (half of 51% equates to half the number of attendees) and this would restrict this activity to a maximum of three per year (not four).

- Would have the effect of limiting the total number of music festivals to two in any one year if the “Boomtown sized” event takes place.
- Also the set up/take down time of two weeks for a festival of this size (30,000 attendees) looks a bit light.
- There seems to be a discrepancy between the weighting of a “2 day Motocross event” (potentially with public camping) at 18% and the “Other day event up to two days. No public camping” at 20%.
- The weighting matrix method for controlling the overall number of events in the year should be a workable solution.

4.21 **Highways Agency – No Comments received**

4.22 **Highways England – Comments**

- Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN), in this case the M3 Junction 9 and the M3 Junction 10.
- There does not appear to be a reference to the size of the events to be held in future at Matterley Bowl. The majority of the Major Events Transport Statement appears to refer to an addendum report that does not appear to have been provided with the Planning Application.
- Request sight of the full Transport Statement. Given the size of the proposed development would recommend that a Transport Assessment is appropriate if the future events are of the same scale or above as the previous events. This information is required in order to ascertain any potential impact on the SRN.
- At present Highways England have not been provided with sufficient information to determine the proposed developments’ impact on the SRN. Request that you do not determine the planning application until we have had clarification on the above points.
- **Matrix Response:** Now understood that the application in question is seeking to increase the amount of days the site is permitted to be used for events (to facilitate 2 events) and an upper limit of attendees (60,000). The appropriate level of parking and discussions regarding how events should be managed will be dealt with and enforced through the license agreement (which Highways England will be consultees). Therefore, on this basis no objection.

4.23 **Landscape – Comments**

- No objection for the summer music festival (Boom Town) and the endurance running event (Tough Mudder or similar event) providing these uses remain ancillary to the main agricultural use of the land and temporary disturbance to the tranquillity, landscape character and the amenity value of the network of public rights of way is kept to a minimum.
- Balance should be maintained between tranquil enjoyment of the land and active enjoyment involved in the proposed uses across the year.
- Cumulative impact of the events and set up and deconstruction periods needs to be carefully considered to ensure the temporary events use remains ancillary to the main agricultural use and remains in keeping with the rural character of the land.
- Recommendation that parameters for the number of event days (which includes set up and deconstruction) is stipulated for each year.
- Events Management Plan condition is a good approach.
- The grouping of the structures does give rise to cumulative impacts and additional screening should be provided.

4.24 **Natural England – No objection subject to conditions**

- SSSI – in close proximity to Cheesefoot Head SSSI, however given the nature and the scale of the proposal are satisfied that there is not likely to be an adverse effect on the site as a result of the proposal being carried out in strict accordance with the details of the application.

- Suggested Condition: Cheesefoot Head will be protected with security fencing during all events to protect the site by preventing access during events.
- Landscape – Does not appear that the LVIA is adequate for assessing impacts on the Park and the SDW Trail. Unclear how long the impacts will be sustained for on an annual basis.
- LVIA also does not contain photomontages/visualisations of the events during operation, set up and breakdown so it is unclear the magnitude to justify the '2 weeks of impacts'. Neither does the LVIA assess the proposal against the special qualities of the Park. These shortcomings should be assessed in order to assist in the assessment of the application.
- Soil and Land Quality – Unlikely to lead to significant and irreversibly long term loss of best and most versatile agricultural land. No permanent loss of agricultural land likely to occur provided development is undertaken to high standards.

4.25 **NHS Hampshire Primary Care Trust** – No comments

4.26 **NHS Winchester and Eastleigh Healthcare** – No comments

4.27 **Police** – No comments

4.28 **Rights of Way (HCC)** – Comments

- Planning Statement is incorrect in that public rights of way that cross the estate are mostly bridleways for use by horse riders and cyclists in addition to walkers.
- Support the comments made by South Downs Way Officer and further detail should be provided regarding the possible mitigation measures.
- The length of the temporary route used during the closure, if it is the same route to that used in previous years, is substantially longer than the permanent route - representing a substantial adverse effect on people using the South Downs Way.
- Query regarding proposed permanent alternative route and whether intention is permanently advertise the path as an alternative.
- More explicit information required in relation to impacts and mitigation for South Downs Way and bridleways.

4.29 **Rights of Way (South Downs)** – Comments

- Large scale events have a clear detrimental impact on experience of users of the South Downs Way during set up, running and take down of events.
- Documents make no reference to the level of use the SDW receives. 2584 people on average were recorded during August 2014 at Cheesefoot Head with 2841 during August 2015. Higher than would be expected on an average part of the Rights of Way network.
- 5 Complaints (3 in 2013 and 2 in 2015) about events at Matterley.
- Mitigation measures welcomed but would like to see some firm and agreed measures.
- Understand that large events generate income and jobs and help sustain the estate but large events should not adversely impact on nationally recognised walking, cycling and equestrian routes.

4.30 **South Downs Society** – Comments

- Generally supports appropriate economic activity in the national park.
- Welcomes enterprise within the National Park where it supports the park's statutory purposes and appropriate business activities. There are social events within the Park however they rarely attract numbers that events at Matterley have done. They also have less noise associated with them.
- Not to say that Society is against the proposed enterprises but more that Society would wish to see a framework of conditions attached to any approval, should that occur.
- What is actually being proposed is somewhat ill-defined.
- Stress appears to be on regaining the Tough Mudder and continuing to hold the

Boomtown Fair. Conditions required in relation to duration of the events, regulation of traffic, noise and light pollution incurred.

- Restoration of the landscape required after Tough Mudder events.
- Retrospective nature of wooden structures causes concern.
- **Matrix Responses:** Impact of the events including set up, take down and restoration is significant and negative. Noisy activities and Lighting impact on the tranquillity and quiet enjoyment of the Park and wildlife. Night time events at Matterley Bowl will clearly conflict with this Dark Sky Reserve Status.
- Concern about number of weeks when the countryside would be out of agricultural use.
- 40% reduction in agricultural land use on the site is regrettable.
- Difficult to know what is actually being applied for, especially as there is no satisfactory mechanism for counting numbers on site.

#### 4.31 **Southern Water**

- Applicant has not stated details of means of disposal of foul and surface water drainage from the site.
- No public foul and surface water sewers in the area to serve the development. Applicant is advised to examine alternative means of foul and surface water disposal.
- Environment Agency should be consulted regarding the use of a private wastewater treatment works or septic tank drainage which disposes of effluent to sub-soil irrigation. Owner of the premises will need to empty and maintain the works or septic tank to ensure long term effectiveness
- It is possible that a sewer now deemed to be public could be crossing the property. Therefore should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its condition, number of properties served and potential means of access before any further works commence on site.
- Proposed development would lie within a Source Protection zone as defined under the Environment Agency Groundwater Protection Policy.

### 5. **Representations**

#### 5.1 224 Letters of Support (which includes additional letters submitted in response to amended information and matrix)

- Short term negative impacts insignificant compared to happiness experienced by those attending.
- People of all ages enjoy festival.
- Transport well organised. Area easily accessible. Plenty of warning given in advance of events
- Land quickly returns to agricultural uses. Important that local farmers are allowed to diversify.
- Noise is not a problem. Very few dwellings close to the site.
- Economic benefits to surrounding area and Winchester. Provides employment to local residents in the South Downs.
- Events becoming more efficient in organisation of travel, noise control etc.
- Boomtown is innovative and creative. Puts Winchester on the map as a cultural destination.
- Organisers make clear to festival goers their responsibility to the local community to respect the area.
- No festival has anything approaching the symbiotic relationship that has occurred with Boomtown.
- Creates jobs.

- Impacts on wildlife are negligible.
- Boom Town interacts with local schools theatre groups and special needs educational centres.
- Efficiency and thoroughness of teams that operate the activities on the Estate that make the integration of core farming diversification possible.
- Find the traffic congestion and noise tolerable for the relatively short periods envisaged.
- Tough Mudder events encourage people to enjoy the countryside and also get fit.
- Applicant consults and works in partnership with organisations such as Natural England, Winchester Council, and Hampshire Constabulary.
- Protection of the SSSI is paramount for the applicant.
- Applicant has been awarded a special prize from the Hampshire Farmers Club over the last 4 years for Farm diversification.
- Combination of the lands natural terrain, extensive woodland and large open spaces has helped Boomtown to grow into one of the most popular festivals.
- If diversification through events were not allowed, the farm could need to return to more intense arable farming with much of the grassed areas being lost.
- The animals on the farm are under no stress nor unsettlement whilst these events take place.

5.2 25 Letters of objection (including further representations in relation to amended information and matrix – Highlighted as such in representation)

Purposes of Park

- The events proposed are not compatible with the aims and objectives of the South Downs National Park, namely to conserve and enhance the natural beauty, wildlife and cultural heritage of the area; and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.
- If planning permission is granted it will set a clear precedent for the remainder of the Park.
- Activities are not consistent with a number of policies laid out in the Management Plan 2014-2019 of the South Downs National Park (1,2,4,5,9,23,28,38,40,42 & 55)

Landscape

- Boomtown event puts up miles of ugly perimeter fence with watch towers.
- Proposals would have a direct impact on changes to visual and aural environment with no local benefit.
- Grassland takes many weeks to recover.
- Excessive time taken to build and de-build after events at this site and with Tough Mudder and Boomtown virtually subsequent to one another the grassland ends up a sea of mud for many months. Grassland will never be able to recover fully between each event.
- Various timber buildings erected unlawfully within established deciduous tree groups and the associated pathways and hard-standing areas.
- Removal of trees and desecration of the areas surrounding timber structures can be clearly seen.
- Views from A272 ruined for several weeks of the year. 2m high Herras Fencing and watchtowers with lights.
- The Visual Impact Assessment is misleading. Assessment of view over Matterley from A272 is “very low sensitivity”. Infer that there is no residual impact on the landscape but roads and other permanent urbanisation of farmland have long lasting impact on landscape.

Ecology

- The buildings are served by pathways cut through habitat of many wild animals and birds

that dwell in these areas of woodland and rely on them for survival.

- Noticed a serious decline in the number and species of wild animals probably due to loss of habitat as the trees get cut down and areas of hard-standing increase.
- The activities are damaging to the wild life of the National Park and in particular a number of Red Listed bird species.
- Impossible to undertake a detailed ecological survey of a site in one day - even with the benefit of additional desk research - and that a survey was carried out in November relating to events which take place throughout the year is inadequate.
- ECOSA report lists 12 species of bird which are Red Listed but others have been seen such as Cuckoo, Herring Gull, Song Thrush and Starling.
- Concern with regard to Corn Bunting, Lapwing and Yellowhammer. Proposed development is in area where corn bunting has been seen. Activities for events at Matterley will deter the Lapwing. Strong Populations of Yellowhammer could become reduced by development.
- There used to be a regular and very large winter roost - 1,000+ birds - of Pied Wagtails on the site but now there are none.
- Worrying that views have not been requested from RSPB, British Trust for Ornithology, Hampshire & Isle of Wight Wildlife Trust or Hampshire Ornithology Trust.
- Would urge a full environmental impact study.

#### Noise/Tranquillity

- Boomtown event creates unspeakable levels of noise for up to 17 hours per day, with impacts on wildlife and social wellbeing of Communities.
- Sleep deprivation for local residents.
- Motocross course is proposed to be relocated to the east of the site on high ground. This will inevitably severely increase not only the noise of the un-baffled motorcycles
- Noise from the motorcycle events is different but, in part, even more annoying. They cannot seem to hold the event without a loud public address system.
- The Noise Council's Code of Practice on Environmental Noise Control at Concerts, states that "For events continuing or held between 2300 and 0900 the music noise should not be audible within noise-sensitive premises (for example a house) with windows open in a typical manner for ventilation." During Boomtown Fair events in recent years the music noise has been audible within houses in villages such as Cheriton even with windows closed. The Noise Policy Statement for England, issued on behalf of the Government by DEFRA in March 2010, states in paragraph 2.9 "Furthermore, sound only becomes noise (often defined as 'unwanted sound') when it exists in the wrong place or at the wrong time such that it causes or contributes to some harmful or otherwise unwanted effect, like annoyance or sleep disturbance."

#### Light Pollution

- Huge amounts of night time light pollution;
- Summer festivals contravene the SDNP principle of tranquillity and dark night skies.

#### Pollution

- Drug needles and excrement found in bridleways in area where early event arrivals congregate and camp, leaving rubbish and burnt hedges prior to Boomtown.

#### Right of Way/South Downs Way

- An enforced diversion does not mitigate the intrusive, ugly appearance of Boomtown, nor levels of noise it produces.
- Objection to Cheesefoot Head Car Park being closed for several days at expense of benefit to public.
- A total of 19 weeks when enjoyment of a national footpath is disturbed for commercial reasons. (note: diversion only occurs for 8 days around Boomtown, so assumption is

that objector is referring to impact on visual enjoyment of the footpath)

- Traffic & Transport/Highways
- Events have caused major traffic issues affecting local businesses and the travelling public - with drivers being forced to take circuitous diversions
- Greatly increased traffic in country lanes.
- Road signs continually covered in graffiti.
- For the Boomtown and motorcycle events, camper vans, caravans and busses are told to take a preferred route through Twyford and Longwood. These are almost blind turnings. These country lanes were not designed for the size of vehicle that is routed down them. The drivers are unfamiliar with the lie of the land and drive much too quickly for the road conditions.
- Road traffic report makes no mention of the delays, and cost of those delays, to residents using A31 and nor does it comment on the number of road accidents during the time of the events compared to other times.

#### Crime & Disorder

- Several suicides and deaths have occurred at this site during Boomtown
- Dealing and the taking of drugs is rife during the 4 day event.
- The Police record substantial numbers of thefts.
- Security is inadequate.

#### Economic Benefit

- No proven economic benefit to residents and businesses within the National Park;
- Police being allocated to this site during events in significant numbers at the expense of public need.
- Ambulance Service having to allocate 4 ambulances to this site during Boomtown and the expense putting the public at increased health risk, when resources are stretched.
- Detailed research concludes that many businesses involved in Boomtown are not local businesses and benefits to local area are limited.
- Economic Case does not take into account cost to local people.

#### Farm Diversification.

- Conflict in that Farm diversification only encouraged in small scale facilities promoting the quiet enjoyment and understanding of the SDNP special qualities, including increased access to the countryside.
- Applicant currently has 28 days of non-agricultural use and in that time he should be able to earn enough to keep his herd of dairy cows without the need for further events

#### Vagueness of Application

- The application is for an unlimited number of events.
- Application details are too vague
- Applicant has held events based on misleading statements and license applications. Any claims within application must be verified and proven without doubt.
- The submissions attached to the application, and supporting it, are in some places misleading and inaccurate.
- Design, Access and Planning Statement and three of the Impact Assessments all flawed.
- Noise Impact Assessment does not consider amplified live and recorded music noise during the Boomtown Fair music festivals.
- The Landscape and Visual Impact Assessment contains 50 photos but not one showing the perimeter fence and associated lighting towers and nor does it assess the effect of the light pollution caused by all the lights and laser shows within the site.
- Economic Impact Assessment does not take into account the economic damage to the area nor does this assessment contain any evidence such as audited accounts that all



these events are necessary for the viability of the applicant's farming business.

Matrix

- WCC does not have means to check numbers attending events and therefore monitoring compliance is impossible. (Note: Clarification received from applicant in this respect. Detailed later in report)
- 147 days (excluding the events themselves) is unacceptable.
- Effect of sound and light pollution would be the same for both small and major music festivals and both should therefore be weighted at 51%.
- Use of a matrix is not viable.
- Previous Boomtown Festivals had less than 29,999 attendees and yet had 37-46 non-agricultural days and yet the matrix allows for only 14 days to set up and take down.
- Matrix proves that non-agricultural use has gone well beyond 28 days in the past.
- Intention is to create events venue.
- Significant time from May to September taken up with non-agricultural activity at the site.
- Danger of infrastructure being left up in between events given little time between them.
- Matrix would allow the applicant to extend still further the time in which large areas of this estate will not be farmed - i.e., throughout the spring and summer - a critical time for growing crops, nesting birds and the procreation of wildlife.

Other Issues

- The activities are potentially damaging to the archaeology of the National Park. Archaeology report of concern. Historic Environment Officer stressed that an archaeologist must have a watching brief. Report suggests disregard on part of landowner and contractor for archaeological infrastructure and steps needed to record.
- Increased pressure on emergency services.
- Permission cannot be granted until full response from Environment Agency addressing the impact on aquifers.

Request for conditions if application approved

- Ask to refuse the application unless able to impose conditions (including limits on the number and duration of events) which will eliminate the worst impacts of the events.
- Any consent should be subject to a number of conditions which would specify the number of events each year and in particular should be limited to one music festival, e.g. Boomtown.
- Restriction on hours when music can be played should be imposed

**5.3 5 Letters of Representation**

- Request approval subject to strict conditions preferably as follows: number and days for events, restriction on amplified music, limit attendees to 30,000, perimeter fencing, poles and towers visible from public roads and footpaths to be kept to a minimum, limitation on non-agricultural use to 30 days per annum, Cheesefoot Head
- Badly organised traffic in 2015. If Festival is to take place, advance notice should be given and better road signs put in place.
- Issues surrounding this application focus on balance: the balance between neighbours and communities wishing to enjoy different activities. It is fair to observe that whilst certain events were horror stories of poor logistics, awful noise and traffic flow disasters - the early MotoX being a leader in this - the Estate and event organisers have learned many lessons.
- Concern is not so much the impact of these aspects at individual events and retention of some log structures, but the cumulative level of the disruption that occurs with each event rising significantly if the number of events is permitted to increase.
- One can be tolerant of occasional disruption and interrupted sleep, indeed welcome the

novelty, pleasure and innovation of a handful of events each year; wary of regular events e.g. monthly; but fearful of frequent utilisation of the site for noisy, mass public events. If the noise and disruption were to occur several times a month it would significantly alter the right of enjoyment of neighbours to unimpeded access on the surrounding road network and low noise/light pollution.

- Invite the committee to consider the best balance between the wishes of the applicant and those neighbours most affected by an increased frequency of event tempo.
- No objection to Tough Mudder events but objection to unlimited events and music being played until 4.00a.m in the morning.

#### 5.4 Letter of Objection from Council for Protection of Rural England (CPRE):

- Do not consider that events on the scale of Boomtown are appropriate with the National Park as they place considerable pressure on one part of the Park to the detriment for a significant number of days each year, of tranquillity, dark night skies and amenity for other users of the area, and for surrounding villages.
- Not convinced that events of this scale are a form of farm diversification necessary to support a dairy herd and mixed agriculture.
- Location of Matterley results in high degree of use of the private car during events which has adverse impacts on normal users of the A31 and other roads in the area. Proposal would comply with principles of sustainable tourism set out in the merging Local Plan or further the second purpose of the park. (Note: Transport Plan for Boomtown 2015 predicted 33% of people to arrive by Coaches or public transport, with 57% by car)
- However accept that events have been held on the Estate for a number of years and have been well managed. If minded to approve, consent should be given only on a temporary basis for perhaps 5 years, area permitted to be used for events to be made clear and conditions limiting events and days to be used (including erection and dismantling), limit on total number of hours, and times of day when amplified music is permitted, wooden structures in place not to be extended in number or size without consent, South Downs Way to be diverted during events to a route agreed with SDNPA providing an appropriate experience for users, all events to be subject to an Event Management Plan agreed in advance and a lighting plan to be agreed before each event.
- **Matrix Responses:** Is the matrix cumulative or individual?
- No process to allow physical check on numbers on site.
- The Public nuisance is the same to communities if it is a small or a major music festival.
- The further information does not provide sound management control mechanism and should be rejected.
- If approved, an annual statement setting out events to be undertaken should be provided.

#### 5.5 Letter of Objection from Alresford Society

- Planning application doesn't specify any number of events, whether Boomtown Fair, Tough Mudder or Motocross events and is assumed to be a general permission for a potentially unlimited number of events of these types per annum, and on an ongoing basis, effectively 'for all time'. This is too open-ended in such a sensitive location.
- The Design Statement and Event Management Plan (EMP) seem to imply they are for a single year only and, indeed, the EMP uses a 2015 plan throughout. Such statements may mislead.
- Application doesn't specify any number of events and is assumed to be a general permission for a potentially unlimited number of events. This is too open-ended in such a sensitive location.
- Environmental impact of amplified music from 10.00am until midnight on 2 days and 10.00a.m. until 4.00a.m on two days is unacceptable. Whilst there is mention of noise

monitoring, Appendix 3 of the EMP appears to be missing which is misleading. None of this accords with the Parks Purposes.

- Traffic – Appendix Y of the EMP appears to be missing. This is an important issue for people using the A31.
- Opportunities for 'understanding and enjoyment of ... the Park' (Purpose 2), seem undermined by this type of event, especially any possible increase in occurrences. It is unlikely most attendees are there in order to appreciate those 'special qualities' that the SDNP is set up to protect. Regrettably, these values are rather negated by such events.
- The proposed Sustainable Tourism Strategy encourages '... the public in experiencing the National Park in a sustainable way', including reducing 'an almost complete dependence on the use of private cars' but the location of the Matterley Estate results in a high degree of car usage.
- Such events also cause local people and visitors not attending them to go elsewhere so any boost to the local economy may be questionable.
- Heavy plant used for events which can last for several weeks before and after, as well as 'ordinary' traffic during event days cause significant, visible damage to the landscape, and local species and their habitats. Running such events more frequently would exacerbate this and conflicts with SDNP Purpose 1.
- Concerned about wooden structures being retained in situ, which is not temporary use, and the potential for setting a precedent leading to pressure for other building on the site if allowed to become permanent.
- Overall, documentation supplied seems somewhat irrelevant to this application as it is still very unclear what exactly is being applied for in terms of exact locations, possible numbers of events, their type and duration, etc. Our primary concerns relate to any increase in the Boomtown event but if the intention is to grow this and other events to such a scale our concerns extend to those as well. Sadly, events with up to fifty thousand attendees do not equate with conserving and enhancing the natural beauty, wildlife and cultural heritage of this area, or the social well-being of local residents.
- **Matrix Responses:** How the matrix was established, the criteria used and the reliability/validity is not clear.
- It is capable of different interpretations (cumulative and individual, both of which have an unacceptable impact.).
- No way of checking numbers on the site.
- Monitoring compliance would be impractical/impossible.
- Matrix still provides no clarity.

#### 5.6 Letter of Objection from Upper Itchen Valley Society

- Lack of precision - This application lacks precision. No numbers of events or the days involved are mentioned. Taken literally this could mean summer-long events with attendant noise and traffic problems. There is already a Licence for 6 events.
- Conflict with the purposes of the SDNP - Difficult to see how a 4/5 day music festival with 50,000 people equates with conserving and enhancing the natural beauty, wildlife and cultural heritage of this area. Appreciate that the banks of the Matterley Bowl (the SSSI) are fenced off but wildlife must be affected as the site takes 4 weeks to set up and nearly as long to dismantle.
- Somewhat improbable that large music festivals can be seen as promoting opportunities for the understanding and enjoyment of the special qualities of the Park. The 40,000 or so attendees are fenced in to the site.
- The larger events do nothing for the social well-being of the local villages and the economic argument can be made both ways e.g. South Coast Fencing on the A 31 has to close because customers cannot reach its premises due to traffic problems and while some festival goers may go to the local pubs other potential visitors will stay away.
- Conflict with Policies SD8 and SD9 of the SDNP Preferred Options - Effect on the

#### South Downs Way (Tranquillity and Night Skies)

- The music events are noisy and depending on the wind direction different villages are affected each year.
- The experience of those walking the South Downs Way is adversely affected around the festival and the path had to be diverted for 8 days last August, a peak time for walkers. In addition the popular public car park at Cheesefoot Head is closed with no alternative offered.
- Some damage is caused to the path itself by the tank driving.
- There is considerable light pollution from the laser show during the evenings.
- The Society is concerned about the size and number of wooden structures and the precedent which may be set for other building on the site if they are allowed to become permanent.
- Traffic management plans are prepared for the bigger events at Matterley, these include closing the gaps on the A 31. This adversely affects drivers coming from the Avington direction and those living on the A31 who either have to go a long way round or drive up to Alresford and back if they wish to go to Winchester/ Southampton etc. Monday mornings are a particular problem for those who go to work this way from the Itchen Valley, not only are the gaps closed but cars are leaving the event.
- Some of these objections could be met by conditions e.g. limiting the number of days but given the lack of enforcement in the past Society lacks confidence in the viability of such conditions.
- Important to remember that this application is not just for Boomtown but for events in general. Local residents have been remarkably tolerant so far as Boomtown and its predecessors have been concerned but Society believes that consent for unlimited and unspecified events would stretch this tolerance too far.
- **Matrix Responses:** When Boomtown was restricted to 30,000 disruption was still considerable.
- Don't believe that the counting arrangements are sufficiently well organised to enable those charged with enforcement to differentiate between a small and a major event.
- Intention is to create an events venue.

## 6. Planning Policy Context

- 6.1 Applications must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The statutory development plans in this area comprises the Saved Policies of the Winchester District Local Plan (First Review) 2006 and the Winchester District Local Plan: Joint Core Strategy (2013). The relevant policies to this proposal are set out below.

#### National Park Purposes

- 6.2 The two statutory purposes of the SDNP designation are:

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

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

#### National Planning Policy Framework and Circular 2010

- 6.4 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and The National Planning Policy Framework (NPPF) which was issued and came into effect on 27 March 2012. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 115 that great weight should be given to conserving landscape and scenic

beauty in the national parks and that the conservation of wildlife and cultural heritage are important considerations and should also be given great weight in National Parks.

- 6.5 Paragraph 116 of the NPPF confirms that Planning permission should be refused for major development in designated areas (such as National Parks), except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Consideration of such applications should include an assessment of the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy, the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.
- 6.6 The development plan policies listed below have been assessed for their compliance with the NPPF and are considered to be compliant with the NPPF.
- 6.7 The South Downs Partnership Management Plan (SDPMP) was adopted on 3 December 2013. It sets out a Vision and long term Outcomes for the National Park, as well as 5 year Policies and a continually updated Delivery Framework. The SDPMP is a material consideration in planning applications and has some weight pending adoption of the SDNP Local Plan. Relevant policies are 1, 3, 13, 28, 29, 32, 38, 39, 40, 41, 42, 48 & 55.
- 6.8 Policy 1 seeks to conserve and enhance the natural beauty and special qualities of the landscape and its setting, in ways that allow it to continue to evolve and become more resilient to the impacts of climate change and other pressures.
- 6.9 Policy 3 seeks to protect and enhance tranquility and dark night skies.
- 6.10 Policy 13 seeks to support the financial viability of farm businesses through appropriate infrastructure and diversification developments.
- 6.11 Policy 28 seeks to improve and maintain Rights of Way and access land to provide a better connected and accessible network for a range of abilities and users and to reduce conflict where it arises.
- 6.12 Policy 29 seeks to enhance the health and wellbeing of residents and visitors by encouraging, supporting and developing the use of the Park as a place for healthy outdoor activity and relaxation.
- 6.13 Policy 32 seeks to encourage and support creative and cultural activities which connect with and increase appreciation of the Park's special qualities
- 6.14 Policy 38 seeks to work in partnership with key partners business and organisations to reduce car travel across the Park.
- 6.15 Policy 39 seeks to encourage cycling and manage vehicle parking.
- 6.16 Policy 40 seeks to manage the highway network and its infrastructure to integrate it more effectively into the landscape and reduce the impact of traffic on communities and visitors.
- 6.17 Policy 41 seeks to maintain visitor enjoyment and influence visitor behavior in order to reduce impacts on the special qualities of the Park (and increase spend in and around the Park).
- 6.18 Policy 42 Seeks to develop a consistent and coordinated approach to promoting and marketing of the Park as a sustainable visitor destination.
- 6.19 Policy 48 seeks to support towns and villages in and around the Park to enhance their vital role as social and economic hubs.
- 6.20 Policy 55 seeks to promote opportunities for diversified economic activity in the Park, in particular where it enhances the special qualities.

## **7. Planning Policy**

- 7.1 The following saved policies of the Winchester District Local Plan Review 2006 are relevant to this proposal:

DP4 – Landscape and Built Environment  
 DP10 – Pollution Generating Development  
 DP11 – Unneighbourly Uses  
 DP12 – Pollution Sensitive Development  
 HE1 – Archaeological Site Preservation  
 HE2 – Archaeological Site Assessment  
 RT13 – Noisy Sports  
 T2 - Development Access  
 CE28 – Recreation & Tourism

7.2 The relevant policies of the Winchester District Local Plan Joint Core Strategy (2013) are:

DS1 – Development Strategy and Principle  
 MTRA4 – Development in the Countryside  
 CP10 - Transport  
 CP15 – Green Infrastructure  
 CP16 – Biodiversity  
 CP19 – South Downs National Park  
 CP20 – Heritage & Landscape Character  
 CP21 – Infrastructure & Community Benefit

7.3 The South Downs National Park Preferred Options Local Plan was approved by Members at Committee on 16 July 2015 to go out for public consultation in September. The consultation period has now ended and responses received will be considered by the Authority. The next stage in the plan preparation will then be the proposed submission. Until this time, the Preferred Options Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 216 of the National Planning Policy Framework, which confirm that weight can be given to policies in emerging plans following publication. Based on the early stage of preparation the policies within the Preferred Options Local Plan are currently afforded limited weight. The following policies are considered to be of relevance to this application: SD1, SD2, SD4WW, SD5, SD7, SD8, SD9, SD12, SD13, SD18, SD19, SD20, SD21, SD27, SD37, SD41 and SD47.

## 8. **Planning Assessment**

### Introduction

8.1 This is considered to be an application for major development (for the purposes of Paragraph 116 of the National Planning Policy Framework) within the SDNP by virtue of the scale and type of events which are proposed and the proposed number of people attending the events. Paragraph 116 of the NPFF advises that for major development within a designated area, planning permission should be refused except in exceptional circumstances and where it can be demonstrated that they are in the public interest. Consideration of such applications should include an assessment of:

- i) The need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- ii) The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- iii) Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

8.2 It is considered there are a number of public interests pertinent to this particular proposal. Firstly, the conservation and enhancement of the National Park which is the SDNPA's primary obligation to protect that public interest in accordance with its two statutory purposes. This is a matter for consideration as some balance is required. Whilst it is acknowledged that there may be some impact on the conservation and enhancement of the National Park this has to be balanced by the fact that it is essentially temporary and the

applicant is prepared to carry out other works in association with the application which will have a more permanent positive impact on the conservation and enhancement of the National Park. These are set out within the applicants planning statement but include the formalisation of arrangements for the management of the car park with HCC and enhancements to the site, establishing a permissive link between the car park and the SDW, making permanent improvements to the temporary route during the closure of the SDW, new drinking water points and the installation of LSTF bike repair stations and also further enhancements to the SSSI and further woodland management measures. Likewise, the ability to carry out such events provides the opportunity for the applicant to carry out conservation and enhancement through his stewardship of his estate for the remainder of the year. It must also be noted that the fall-back position were this application to be refused, would be that the applicant limits his activities to be undertaken to within his permitted development rights. Whilst this may restrict the number and type of events that the applicant could carry out, it may also limit somewhat his ability to supplement and continue to develop his agricultural activities and to continue his conservation and enhancement of his estate to the same level as that which could be achieved if he were able to work within the confines of the proposals as recommended.

- 8.3 The second public interest under consideration here is meeting a socio-economic need of communities within this part of the National Park. The matter of economic benefits are considered in more detail later in the report.

The Need for the Development, including in terms of national considerations and the impact of refusing or approving it on the local economy.

- 8.4 The Matterley Estate has been holding a number of events for some years now and this has not been without its problems in the initial years and this is generally accepted. Notwithstanding this, the organisation of the events appears to have been fine-tuned now and are the subject of event management plans which are scrutinised in some detail under the licence agreements by Winchester City Council and by the Safety Advisory group which meets regularly.

- 8.5 The events, most notably Boom Town music festival are shown to have been of economic benefit to Winchester and the surrounding local areas (including those within the National Park. This is noted by the Winchester Council Economic Development Team in their consultation response.

- 8.6 In addition it must be acknowledged that the events provide recreational opportunities for a wide cross section of the wider community and indeed nationally bringing people into the National Park that otherwise may not have visited with the potential for return trips and an increase in understanding and enjoyment of the park.

- 8.7 Also the application is submitted as part of a diversification scheme to allow the applicant the opportunity to continue to develop his agricultural enterprise.

- 8.8 Whilst these elements would demonstrate there is a 'need' for the proposals, it must also be noted that, given the economic benefits which the events bring, it is clear that refusal would have an adverse impact on the economy locally. The submitted Economic Report focusses on the expenditure by attendees at the Motocross, Boomtown and Tough Mudder (with the total net expenditure being just under £3.5 million. (For the purposes of exclusion of Motocross from this consideration, the net expenditure amounts to £2.5 million). The total net income (excluding Motocross) amounts to £5.5 million.

The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and

- 8.9 Events of the scale proposed have been organised for some time at Matterley (although it is appreciated that the accumulation of these activities have resulted in the exceeding of the 28 day rule). Some activities have been specifically drawn to the location because of the topography of the land, natural beauty of the area and because it brings something different than other festival events/locations. In addition, it is noted that the site has close links to the strategic highways network and the City of Winchester and the coastal cities of Southampton and Portsmouth which assists as far as a suitable location is concerned. Added

to this it is important to note that the applications are submitted as part of a diversification scheme to assist with the agricultural activities that take place on the site all year, and in this respect, for the applicant alone, that the need could not be met elsewhere in land within his ownership outside the National Park. The events assist in allowing the farm to be managed in the way it is rather than a more arable focussed approach which could be to the detriment of the landscape. Specifically only about 50% of the farm is used for arable purposes with the remainder used for grassland, woodland and game plots.

- 8.10 Whilst the need could perhaps be met in another way, by the applicant operating within his permitted development rights, it is clear that the application has been submitted for a larger number of days within which to operate in order to be a meaningful form of diversification. Controls of the nature proposed through this application would not apply if the applicant was to rely solely on his permitted development rights.

Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

- 8.11 The report sets out in some detail below, the effect on the environment, the landscape and recreational opportunities and is inherently part of the consideration of whether the scheme meets the purposes of the National Park. In summary it is considered that there are some short term temporary effects on the environment, landscape and recreational opportunities, this must be balanced with the long term enhancements being secured as part of this application, together with the recreational opportunities that the events themselves offer. It is also key to consider the fall-back position, as set out earlier.

- 8.12 Given the above it is considered that the proposal meets the exceptional circumstances set out in Paragraph 116 of the National Planning Policy Framework

Principle of Development with regard to the Purposes and duty of the Park, together with the Policies set out in the Partnership Management Plan.

- 8.13 The use of a significant area of this estate in a highly sensitive landscape for a number of events attended by large numbers, requiring in some cases a range of structures and infrastructure requires scrutiny against the Purposes of the National Park.
- 8.14 Of paramount importance is ensuring that the natural beauty, wildlife and cultural heritage of the area is conserved and enhanced. During the major events it is clear that the natural beauty is neither conserved nor enhanced but to merely dismiss the proposals on this basis would be premature, particularly as some of the events could continue in any event under permitted development rights. The holding of more events albeit limited and heavily controlled during any calendar year allows the applicant the opportunity to continue farming the land and to provide environmental enhancements to ensure the beauty of the land is at least conserved, if arguably not enhanced, for the majority of the year. A variety of conservation and landscape enhancements as part of the Higher Level Stewardship scheme included 20,465m hedgerow managed on a rotational 2-3 year cutting regime, 6m buffers established around all mature woodland across the estate, protection of historic landscape features, restoration of chalk grassland, 6m grass margins established to protect hedgerow features from adjacent arable operations, creation of grassy field corners to create wildlife habitat, creation of over 60ha of winter stubbles, creation of arable wildlife features and supplementary feeding for farmland birds.
- 8.15 Likewise the proposal should promote opportunities for the understanding and enjoyment of the special qualities of the park by the public. As has been noted by a number of representations, the holding of a variety of events may be the first opportunity for some to visit the National Park and to enjoy the special qualities it possesses.
- 8.16 In meeting this purposes the authority has a duty to foster the social and economic wellbeing of communities within the National Park and in this respect the proposal accords with the duty as evidenced by the consultation response from Winchester City Council and the evidence provided in the Economic Report submitted by the applicant (and outlined above in Para 8.8).
- 8.17 There are number of the Policies within the Partnership Management Plan which could be seen to be at odds with the proposals as set out (1, 3, 28, 38, 39 and 40) and for the



duration of such events, this is clearly the case. This needs however to be tempered by the fact that, at most the potentially detrimental effect is on a limited number of days in any calendar year and to an increasing/decreasing degree when particular events require a wide timetable for setting up and dismantling of the infrastructure (Boomtown being a perfect example.). Outside of these periods, the applicant, in being given the opportunity to diversify his agricultural activities is able to continue to conserve the land within his ownership and provide enhancement as well. Conversely it is arguable that the proposals also serve to meet other policies within the PMP (13, 29, 32, 41, 48 and 55)

Principle of development with regard to Policies within the Winchester District Local Plan Joint Core Strategy and the Saved Policies of the Winchester District Local Plan Review 2006.

- 8.18 Saved Policy CE28 of the Local Plan Review allows for recreation and tourist facilities in the countryside provided that they maintain and safeguard the open undeveloped nature of the countryside, do not require buildings or structures which would be harmful to the area and do not conflict with the needs of agriculture and forestry. In this respect the various structures and infrastructure required for large scale events have a short term impact on the landscape character. For the majority of the year the landscape character is unaffected and the agricultural needs of the applicant continue to be met during the events.
- 8.19 Saved Policies DP10, DP11 and DP12 relate specifically to pollution which is considered in more detail below, but Policy DP11 requires closer consideration. This policy confirms that development which would create noisy uses, or which would generate volumes of traffic unsuited to the local area will not be permitted. Exceptionally such uses might be permitted if they are remote from housing, well screened by landform as to withstand the pollution and capable of containing the use within a defined area. As has already been mentioned, it is noted that such events carried out in earlier years had suffered with organisational issues and resulted in some major concerns, predominantly in relation to traffic. Since that time it is understood that the Event Management Plans have gone a long way to alleviating these issues, together with detailed monitoring of noise by the Local Environmental Protection Team at Winchester at each music festival. It is considered, with strict plans in place, as has become the norm that the proposals can accord with this Policy.
- 8.20 The Winchester Local Plan Joint Core Strategy has as an overarching theme, as set out in Policy DS1 to work proactively to find solutions so that development that accords with policies can be approved wherever possible to secure proposals that improve social economic and environmental conditions in the area.
- 8.21 Policy MTRA4 limits development to that having an operational need for a countryside location, such as for agriculture (alongside other development in relation to reuse of buildings, extension/expansion of buildings and small scale sites for low key tourist accommodation). The Policy confirms that such development should not cause harm to the character of the area or neighbouring uses or create inappropriate noise/light and traffic generation. This will be considered in more detail later.
- 8.22 Of particular reference is Policy CPI9 which relates to the South Downs National Park confirming that development should be in keeping with the context and setting of the landscape and settlements of the Park. The emphasis is on small scale proposals in sustainable locations. Development supporting socio-economic well-being of the Park will be encouraged as long as there is no conflict with the Parks purposes. Most importantly and pertinent to this proposal, development which would have a significant detrimental impact to the rural character of settlements and the landscape should not be permitted unless it can be demonstrated that the proposal is of over-riding national importance or its impact can be mitigated. The main balance for consideration therefore is looking at the detrimental impacts that such uses might have on the National Park and the extent to which they are already being or will be able to mitigated, if minded to approve and their temporary nature.
- 8.23 The remaining material considerations are considered to be as follows:-
  - The impact on the landscape character of the area
  - The impact in terms of noise pollution and light pollution.

- The impact on the highway network
- Economic Considerations
- Ecology
- Crime & Disorder
- Archaeology
- Drainage
- Other issues raised in representations.

Landscape

- 8.24 Policy CP20 seeks to conserve and enhance the natural beauty, wildlife and cultural heritage of the SDNP. The justification text explains that major developments should not take place within the South Downs National Park except in exceptional circumstances. The LVIA concludes that the overall magnitude of landscape character impact from the development is assessed as being 'small'. The landscape officer has highlighted that there will undoubtedly be some detrimental impact from the proposals although this will be temporary. Likewise concern has been raised about the impact on the tranquillity of the area, both during the events and during the set up and take down of infrastructure.
- 8.25 Notwithstanding this the landscape officer believes that the development may be acceptable subject to suitable controls on the number of events days and the set-up/take-down, through appropriate conditions, the requirement to produce an EMP and adherence to those conditions.
- 8.26 The major issues for consideration, if it is acknowledged that the events, by virtue of their required infrastructure, have an adverse impact on the landscape beauty of the surrounding area, is whether the temporary nature of the events makes a difference, the weight to be afforded to the stewardship of the land by the applicant for the remainder of the year in conserving the beauty of the landscape, by being able to hold these events and whether the balance in totality confirms that the landscape character is conserved or enhanced.
- 8.27 Firstly the matrix becomes increasingly complex when including the Motocross. The motocross events were granted permission on appeal and the current additional application solely for the motocross has been requested in part by the variation application referred to in the history and on the agenda elsewhere, to be assessed on its own merits given that it is somewhat separate from the location of the other events proposed. Thus, if the motocross is excluded from the matrix there is the potential for the other events to result in still approximately 145 days at the site being used for non-agricultural purposes. (in addition to the potential maximum of 46 days for motocross) This would be somewhat extensive and would account for 40% of the year being apportioned to such events including setting up and taking down (52% if Motocross included). In reality, the major event for which infrastructure and work is required is the major music festival (currently Boomtown) which is centred predominantly around the Bowl, although this has grown more recently to the east.
- 8.28 Therefore, it is considered that the matrix (and the suggested non-qualifying events), whether including the motocross or excluding the motocross has the potential to take up a significant part of the year with events, be it the setting up, taking down or the actual event themselves. Whichever variations of events are considered the primary use of the land for agricultural purposes may not be apparent in the landscape during significant periods of the year and especially during the months from May to September.
- 8.29 Whilst the intentions of the applicant to provide greater flexibility and adaptability for events within any calendar year is appreciated, the multiple variations of the days which would specifically be for non-agricultural use that could be achieved by the matrix are considered to be excessive so as to not be 'short-term' impacts, particularly on the landscape. Furthermore the impacts and controls required for different events may be significantly varied.
- 8.30 Notwithstanding, it is considered that the use for a limited number of events might well be acceptable if it can be set so that the number of potential days which could be used for non-agricultural activities is reduced to less than that in the matrix.

- 8.31 It is clear that the large music festival has been occurring for some time and the continuation of such an event would bring economic benefits to the surrounding area. It is recommended that one music festival with no more than 60,000 people lasting no more than four days be permitted within any calendar year. This would then mean that the other music concerts and smaller music festivals suggested within the matrix could not be accommodated in any approval.
- 8.32 The staging of events in relation to sporting/Tough Mudder Events has occurred successfully in previous years and had limited issues in terms of impact on tranquillity, noise and landscape impact. It is therefore considered that one such event with no more than 20,000 attendees lasting no more than 2 days would be acceptable (subject to no camping, which has not formed part of such events).
- 8.33 The lack of clarity in relation to 'other day events' and 'non-qualifying events' is such that it is not considered that the landscape impact and other impacts could be assessed or managed by conditions as appropriate. Therefore these are not recommended to form part of any approval.
- 8.34 Given the above suggested recommendations for events this would result in an approximate use of the site for non-agricultural use for 90 days (purely for Boomtown and Tough Mudder type events) and an additional 44 days for Motocross (on the other application) totalling 134 days (which would amount to 37% of the year)
- 8.35 The majority of activity in terms of infrastructure for Tough Mudder and Boom Town has historically been located in the Bowl area and therefore, given that this would primarily be where the landscape impact would be for those events, this would solely be for 25% of the year. In addition the large structures would not actually be on the site for 9 weeks in total and the visual impact would slowly increase the closer to an event and recede after the event. On this basis, as suggested above the limitation to a music festival and a sporting event would not have a long term impact on the landscape and would also allow the applicant to continue their stewardship of the land.
- 8.36 The wooden structures are located within the wooded areas and their impact from the public realm is very limited and have no unacceptable impact on the wider locality.

#### Noise and Light Pollution

- 8.37 The current events that are licenced by Winchester City Council (most notably Boomtown) are monitored and controlled each year. Whilst it is acknowledged that the sound that will be generated from a large music festival can be heard from some distance away, this is temporary and, at the moment set over four days. The timing and limit for amplified music have been set with the involvement of the Environmental Health Officer and is considered to be acceptable with regard to the suggested music festival. As set out in the landscape section, the suggested reduction to solely one music festival and one sporting event would further reduce the potential noise impact on the surrounding area.
- 8.38 The concerns of the Dark Sky Officer are particularly pertinent, especially in the light of the recognition of part of the South Downs as an International Dark Sky Reserve. The primary concern by the officer, in the absence of clearly set out information, is that it has not been demonstrated that the proposals will not have an impact on the dark skies. The Boomtown Festival, by nature, has used significant lighting both for staging and to enable navigation around the site. In recent years laser lights have been used as part of the festival experience. The use of these has particular concern in relation to Dark Skies. The applicants agent has been informed of these concerns and has made the following comments:-

*Festoon lighting is used for all events. This essentially comprises a string of domestic type lights at 10m centres and on poles of between 3 and 4 metres. Such lighting is also used along the main pedestrian and vehicular routes through the site.....Boomtown is a vibrant event and the night time photographs show that lights are an important element of its theatre. Lasers are also used, these target the sky but are all agreed with the CAA.....This impacts 4 nights a year and must therefore be considered in this context. Dark night skies are harmed by developments such as towns and roads which are of course permanent and therefore I trust that this important distinction is not overlooked.....Lighting details could readily be secured as an element of the EMP.*

It is considered that the impacts specifically with regard to a major music festival, whilst quite significant are for a limited period only over four days and are therefore considered to be on balance acceptable, subject to details being submitted as part of the EMP for consideration.

#### Highways Impact

- 8.39 The Strategic Highways Officer at Hampshire County Council made no objection to the originally submitted information and has confirmed that they are working with the organisers of Boomtown on the current application to increase the number of attendees and are confident that the increase can be achieved without an unacceptable impact on the Highways network. The concerns raised by the Highway Officer with regard to the matrix serve to highlight the complexities of such an approach.
- 8.40 Following concerns by Highways England in relation to the vagueness of the original submission, their further comments were sought in relation to the matrix. Highways England have been made aware that the officer recommendation is to be solely for 2 events and on this basis they have no objection. Highways England would be a consultee in relation to the Event Management Plan as part of the licensing regime and will therefore have an active involvement in the organisational elements of the events.

#### Economic Considerations

- 8.41 It is noted that the events bring significant benefits to the economy as evidenced by the Economy and Communities Officer at Winchester City Council and the submitted Economic Report where the net income is believed to be over £10 million from such events. Officers need to give appropriate weighting to this in its duty in fulfilling the purposes of the Park. The benefits to the local economy should not be underplayed, nor the opportunity that this proposal offers to the applicant to continue with his farming enterprise at the site and to continue his stewardship of the land and landscape, which has already been mentioned

#### Ecology

- 8.42 The Ecology Officer has raised no objection to the proposals as long as the recommendations set out in the submitted Phase 1 ecological assessment are adhered to. This forms part of suggested conditions should members be minded to approve.
- The Butterfly Conservation Officer has also submitted comments having been involved with the Matterley Estate for a number of years and since 2012, in an advisory role on habitat and species management on the estate, under the DEFRA funded Nature Improvement Area (NIA) scheme which ended in 2015. The NIA Winchester Focal Group (comprising HIWWT, BC, HCC, WCC, NE, SDNPA) worked on chalk grassland restoration projects within the Chilcomb valley landscape, prioritising 23 out of 53 sites put forward. These covered 268 ha of chalk downland habitat. The Matterley Estate was one of the sites that were taken into the agreement, and the management here included scrub management, wildflower establishment, and completing surveys. Volunteer input was significant across all sites, with SDNPA volunteers involved over 11 sites amounting to 393 volunteer days over the 3 years. A major outcome was joining up of chalk grassland sites by creating stepping stone and adjoining buffer sites. Through the process the group engaged with new landowners and formed strong working relationships. Many of these initiatives are still ongoing and are self-sustaining under current HLS agreements.
- 8.43 Going forward, The Countryside Stewardship facilitation fund (announced in March 2015) is designed to support people and organisations that bring farmers, foresters and other land managers together to improve the local natural environment at a landscape scale. The funding (from NE / Defra) is awarded for a period of 5 years. From the legacy of the NIA are 17 landowners and 23 sites, which includes the Matterley estate to take forward under the Winchester Downs Cluster Group. The aim will be to protect, enhance and restore chalk grassland.
- 8.44 The Butterfly Conservation Officer confirms that the events at Matterley – Boomtown, Tough Mudder, and Motor X – have little if any impact on the wildlife that is present on the

site, or indeed their habitat. From recent surveys it is known that Yellowhammer, Lapwing and Skylark are present – all good indicator species of quality habitat. There has been extra mitigation put in place around the Motor X event for the ground nesting birds.

- 8.45 During the Boomtown festival the same officer visited the Matterley Bowl SSSI site to inspect the bridge that had been erected to protect the downland, and which was successful in doing just that. There was no breach of the security fencing at the bottom of the bowl, and when visited again a few days after the Boomtown festival had ended, the chalk grassland was looking very good. The SDVRS carried out a ragwort pulling task on the bowl soon after, and asked if they could put their names down to repeat it again in 2016 as they had a most enjoyable day looking at the wildflowers and seeing the chalk downland butterfly species in good numbers.

- 8.46 It is considered that the ecology and biodiversity interests can be addressed by way of a suitably robust condition.

#### Crime & Disorder

- 8.47 Whilst the concerns raised by residents are noted, it is clear that the local emergency services and the Police Force are both actively involved in the recent music festivals and form part of the various bodies involved in monitoring and policing the events. It is also understood that they have taken an active involvement in the Safety Advisory Group.
- 8.48 The comments of the Police Authority have been requested and the comments are awaited. Members will be updated on the response in due course.

#### Archaeology

- 8.49 The Archaeologist is of the view that Archaeological matters can be addressed by suitably robust conditions and on this basis the proposals and events outlined in the matrix are considered to be acceptable in this respect.

#### Southern Water

- 8.50 The consultation response by Southern Water seems to allude to permanent development whereas this proposal is for temporary events, some of which have been carried out for some years now. The applicant has confirmed that all foul/black water is removed from portable temporary toilets via licensed waste contractors with waste transfer notes available for inspection both during and following each event. Grey water from showers is also dealt with in the same way with a subterranean grey water tank at the entrance to the bowl which is used as a temporary storage unit. The only septic tank drainage is for the permanent dwellings and farm buildings and the demands on these does not change as a result of the proposed events.
- 8.51 Whilst it is arguable that these arrangements could be encapsulated within an Event Management Plan, these matters are considered to be broadly captured in any event under multiple areas of environmental control and legislation.

#### Other issues raised in representations

- 8.52 Concern has been raised that, were the authority to set limits on the number of people attending events, it would not be able to monitor compliance with no way of being able to ascertain how many people were attending events at any one time. The applicant has confirmed that ticketing is the most usual means of controlling such events and organisers are obliged to disclose their ticketing arrangements and equally licensing allows such arrangements to be scrutinised on demand. The number of attendees is also linked to public indemnity insurance and therefore sanctions and implications of over attendance is significant. On this basis it is considered that the information would be available for compliance purposes should the Authority need to check this and as such any condition limiting the numbers attending such an event is considered to meet the tests set out in the NPPF.

## **9. Conclusion**

- 9.1 In summary the proposed use for limited events is considered to be acceptable so long as the use for agricultural purposes remains the significantly dominant use and the landscape character of the area is retained on for the majority of the year. It is considered therefore

that an approval for the use for 1 major music festival and 1 sport/endurance event is considered to be acceptable with the motocross events being addressed by the separate application also being considered (SDNP/16/00692/CND)

- 9.2 The short term detrimental impacts to the landscape and in terms of noise and light pollution are balanced by the long term environmental benefits and enhancement that the applicant is able to carry out as a result of this diversification together with the opportunities to increase understanding and enjoyment of the park by a wide variety of people. It must also be recognised that the events provide significant economic benefits to the surrounding area and the National Park. It is therefore considered on balance that tests under Paragraph 116 of the NPPF and the Purposes of the National Park are met taking all matters into account by these proposals and permission is recommended, subject to controls on the number of events that can take place in any year. Notwithstanding this, given that the proposal for a music festival includes a greater number of attendees than has previously been allowed under the licensing regime, it is considered prudent that a temporary approval be given to allow the impacts of an increase in attendees on the special qualities of the Park and the amenity of the surrounding areas to be monitored.

## **10. Recommendation**

- 10.1 The application is recommended for approval subject to the completion of a legal agreement to secure the following:

- i) Formalisation of arrangements for the management of Cheesefoot Head Car Park with Hampshire County Council and enhancements to the site.
- ii) Establishment of a permissive link between the Cheesefoot Head Car Park and the South Downs Way.
- iii) Submission of and implementation of permanent improvements to the temporary route during the closure of the South Downs Way and securing of this as a permanent alternative route.
- iv) Installation of new drinking water point and LSTF bike repair station along the South Down Downs Way.
- v) Submission and implementation of a schedule of environmental/ecological enhancements to the SSSI

And that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the S.106 Agreement is not completed within 3 months of the 9 June 2016 Planning Committee meeting.

And subject to the following conditions:

- 1 The permission hereby granted shall be for a limited period expiring on 31 December 2019.

Reason: To allow the impact of the additional number of attendees to the music festival event on the amenities of the area and the special qualities and enjoyment of the South Downs National Park to be reviewed.

- 2 The use of the site hereby approved shall be restricted to:
  - i) One major music festival for operating for a maximum of four days and limited to 59,999 attendees in total (the total capacity of 59,999 people shall include ticket holders, performers, guests and staff) and shall only take place between 1 May and 15 October in any calendar year. Any work required in terms of setting up and dismantling infrastructure required for the event shall not exceed 9 weeks in total.
  - ii) One sporting/endurance event for a maximum of two days and limited to 29,999 attendees in total (The total capacity of 29,999 people shall include ticket holders, participants, guests and staff) and shall only take place between 1 May and 15 October in any calendar year. Any work required in terms of setting up and dismantling infrastructure required for the event shall not exceed 3 weeks in total

Reason: To protect the amenities, special qualities and landscape character

of the South Downs National Park, in accordance with Saved Policies DP4, DPI1, CE5 and RT13 of the Winchester District Local Plan Review 2006, Policies CPI6 and CPI9 of the Winchester District Local Plan Joint Core Strategy 2013, NPPF and National Park Purposes.

- 3 No event shall take place unless a comprehensive Event Management Plan (EMP) has been submitted to, and approved in writing by the Local Planning Authority. The EMP shall be submitted at least 60 days prior to the proposed event start date and shall include, though not be restricted to a Traffic Management Plan, details of measures for ensuring public health and safety, details of lighting, measures to avoid site contamination, the protection of biodiversity and the restoration of the site following use. The approved event shall be carried out in full accordance with the approved EMP.

Reason: To ensure satisfactory planning of events, to safeguard the amenities, character and appearance and biodiversity of the area, in accordance with Saved Policies DP4, CE5, CE10 and RT13 of the Winchester District Local Plan Review 2006, Policies CPI6 and CPI9 of the Winchester District Local Plan Joint Core Strategy 2013, NPPF and National Park Purposes.

- 4 The recommendations outlined in the Extended Phase I Ecological Assessment ECOSA Ltd dated 21 December 2015 shall be strictly adhered to. At the end of each calendar year a report shall be submitted to the LPA ecologist detailing how the applicant has met the criteria set out within the ECOSA Extended Phase I Ecological Assessment of 21<sup>st</sup> December 2015. The report should be submitted by a suitably qualified ecologist. The report shall be submitted to the LPA before the end of December each year for five years and include information on the number of events.

Reason: To mitigate any harm to wildlife, in accordance with the CE10 of the Winchester District Local Plan Review 2006, Policies CPI6 and CPI9 of the Winchester District Local Plan Joint Core Strategy 2013, NPPF and National Park Purposes.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification) no development falling within the Schedule 2, Part 4 Class B of the Order shall be carried out without the prior written approval of the South Downs National Park Authority:

Reason: To ensure the Landscape character of the area is conserved in accordance with Policies CPI6 and CPI9 the Winchester District Local Plan Joint Core Strategy (2013) and the National Planning Policy Framework

- 6 A draft Archaeological Management Plan shall be submitted to the Local Planning Authority at least 120 days prior to the commencement of the event, unless otherwise agreed with the Planning Authority. No event shall take place unless a final Archaeological Management Plan, together with a Written Scheme of Investigation for any archaeological mitigation works required, is submitted to the Local Planning Authority for written approval no later than 60 days prior to each event. No change to the AMP or WSI (once approved) shall be made after this date except with the written consent of the Local Planning Authority.

Reason: To ensure any potential Archaeology is conserved in accordance with Saved Policies HE1 and HE2 the Winchester District Local Plan Review (2006) and the National Planning Policy Framework

- 7 No development or site preparation shall take place until the archaeological mitigation work set out in the approved AMP / WSI has been implemented.

Reason: To ensure any potential Archaeology is conserved in accordance with Saved Policies HE1 and HE2 the Winchester District Local Plan Review (2006) and the National Planning Policy Framework

- 8 No development or site preparation works shall take place other than in accordance with the AMP / WSI approved by the Local Planning Authority. Following completion of archaeological fieldwork a report will be produced in accordance with the approved AMP / WSI, including where appropriate post-excavation assessment, specialist analysis and reports and publication. The report shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure any potential Archaeology is conserved in accordance with Saved Policies HE1 and HE2 the Winchester District Local Plan Review (2006) and the National Planning Policy Framework

*Informative*

Archaeological Management Plans and Written Scheme of Investigation should be produced in accordance with the guidance issued by the Chartered Institute for Archaeologists.

**11. Crime and Disorder Implications**

- 11.1 It is considered that the crime and disorder issues or implications have been addressed elsewhere in the report.

**12. Human Rights Implications**

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

**13. Equality Act 2010**

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

**14. Proactive Working**

- 14.1 In reaching this decision the Local Planning Authority has worked with the applicant in a positive and proactive way, in line with the NPPF. This has included the provision of advice, numerous meetings and the opportunity to provide additional information in support of their application.

**Tim Slaney**  
**Director of Planning**  
**South Downs National Park Authority**

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 email: [rob.ainslie@southdowns.gov.uk](mailto:rob.ainslie@southdowns.gov.uk)

Appendices: 1. Site Location Map  
 2. Indicative Event Site Layout Plan.

SDNPA Consultees: Legal Services.

Background Documents:

[Public Access, Application Summary and Associated Documents](#)

[National Planning Policy Framework](#)

[National Planning Practise Guidance](#)

[Defra: English National Parks and the Broads – UK Government Vision and Circular 2010.](#)

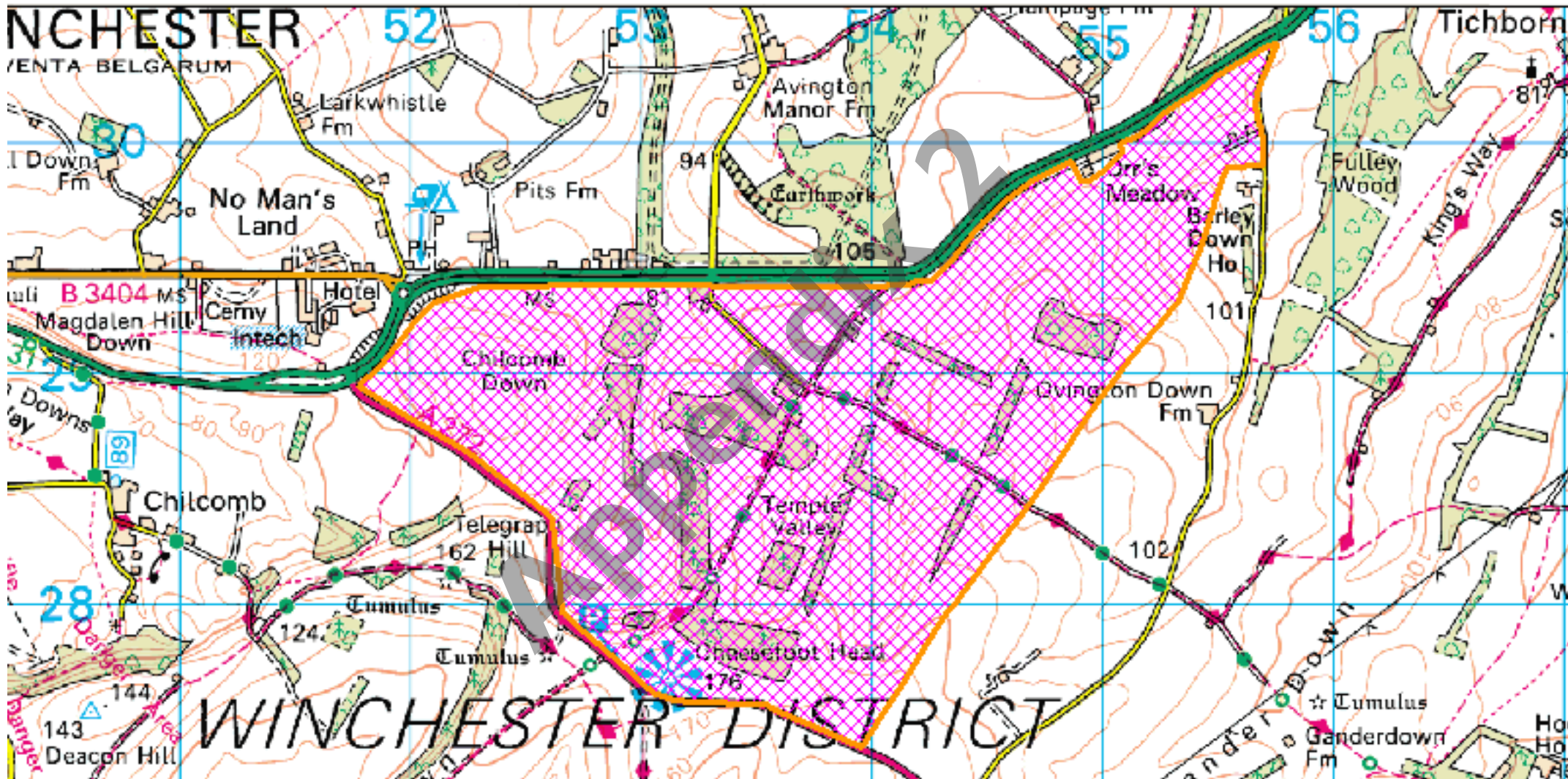
[SDNP Partnership Management Plan](#)

[Winchester District Local Plan \(First Review\) \(2006\)](#)

[Winchester District Local Plan Joint Core Strategy \(2013\)](#)

[South Downs Local Plan Preferred Options](#)





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Appendix 2