

Report to	<b>Planning Committee</b>
Date	<b>11 April 2019</b>
By	<b>Director of Planning</b>
Local Authority	<b>Winchester City Council</b>
Application Number	<b>SDNP/18/06249/FUL</b>
Applicant	<b>Mr Peveril Bruce</b>
Applications	<b>Change of use of land from agriculture to mixed agriculture and holding of one music festival event and one sports endurance event in any calendar year including retention of wooden structures within woodland and minor alterations to existing access on A31 both associated with festival use.</b>
Address	<b>Matterley Farm, Alresford Road, Ovington Hampshire SO24 0HU</b>

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**Recommendation:**

- 1. That Temporary planning approval be granted subject to a Section 106 Agreement securing**
  - i) a Land Management Strategy incorporating benefits to the landscape and wildlife of the application site, together with rights of way maintenance improvements, public rights of way benefits**
  - ii) Retention of the improvements secured as part of Planning Application SDNP/15/06486/FUL**

**and subject to the conditions set out in Paragraph 10.1 of this report and:**

- 2. And that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the agreement is not completed or sufficient progress has not been made in securing the agreement within 3 months of the 11 April Planning Committee meeting.**

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**Executive Summary**

Temporary planning approval was granted in 2016 to allow one music festival and one sports endurance event to be held each year on the Matterley Estate. The Temporary approval was for a limited period expiring on 31<sup>st</sup> December 2019 to allow the impact of attendees to the music festival event upon the amenities of the area and the special qualities and enjoyment of the Park to be reviewed. A further permission allowed for a variation to the number of people attending the festival, together with an expansion of the number of days for the festival and a small increase in noise levels. This later permission was still temporary with the approval expiring on 31<sup>st</sup> December 2019. At present the permission allows only for one more festival to take place.

Following on from the temporary permission, the applicant now seeks permanent permission to hold one music festival event and one sports endurance event in any calendar year. In addition the applicant seeks, as

before, the retention of the existing wooden structures in association with the festival. Members granted temporary permission for the access widening alterations which had taken place on the A31 in association with the festival. As part of this application the applicant seeks permanent permission for the retention of the access as widened.

Members will also recall refusing permission for the retention of a coach pad at the junction of the A31 and A272 in 2018. This area has subsequently been grassed over, but the applicant seeks as part of this application to use the area for the duration of the festival only with the land then being returned to grass for the remainder of the year.

The application is considered to be Major for the purposes of Paragraph 172 of the National Planning Policy Framework and therefore there must be exceptional circumstances why the application should be approved and where it can be demonstrated it is in the public interest as set out in the Framework. The consideration of the application should include an assessment of a number of criteria. 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 also requires consideration in relation to impacts upon tranquillity, ecology and biodiversity, 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 could continue to be secured in the long term, were the application to be approved.

This needs to be considered against the backdrop of the reason for a temporary approval, which was to allow the impact of the number of attendees (originally 59,999) on the amenity of the area and the qualities of the National Park to be reviewed. (For clarification, this was subsequently increased to 65,000 however this was subject to a condition restricting the number of ticket holders to 48,000 with the remainder of attendees being crew, staff, guests etc.)

Ideally it would have been more advantageous to have been able to assess the impact on the basis of the original numbers. Whilst the increase to 65,000 has predominantly been to allow a better management of the event by increasing the ratio of staff to ticket holders, it still has resulted in the Authority having to review the impact of the Boomtown Festival against changing criteria.

In addition, for a number of reasons, the Authority has not been in a position to comprehensively monitor the impact of the festival on Ecology interests over the period since the temporary approval and it is not considered that there is sufficient information at this point to confirm that a permanent approval should be granted.

Also it is pertinent that the temporary approval included permission for a sports endurance event. Since the approval, this option has not been progressed by the applicant and the assessment and review of the temporary permission is having to be made in the absence of the permission having been utilised in full by the applicant.

Having had the opportunity to monitor the impact of the Boomtown Event since the approval in 2016, it is clear that there have continued to be a number of logistical issues for the festival organisers to address. Notwithstanding, it is acknowledged that the organisers have continued to work with regulatory bodies to fine tune their event to minimise the impact on local residents, the highway network and the area generally.

Whilst there is a general concern about issuing further temporary permissions on planning applications, the issues with regard to this type and scale of development are somewhat unique and given the concerns above, and in order to allow comprehensive ongoing review of the impacts of the festival the applications is recommended for temporary approval for a further six years. This will allow the impact within the parameters of the current proposals to be fully assessed.

The application is placed before the Committee because it is a major application, due to previous committee consideration and due to the number of representations received.

## **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.

- 1.2. 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
- 1.3. The estate continues to farm both a dairy unit, an arable enterprise and also a commercial shoot. 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, although this permission has expired and officers are liaising with the site operators concerning restoration of the site), temporary permission to hold two motocross events a year (use of the track is up to four days) and tank driving experience days. The temporary approval against which this application is being made also allows for one endurance sporting event 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. The application site differs slightly from that approved under the earlier temporary approval in that a small area of land has been included in this application to the south eastern corner of the site (to the east of Cheesefoot Head and south of Matterley Basin).
- 1.4. The South Downs Way (SDW) 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' (for which a lawful development certificate was approved).
- 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, 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 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 holding of one music festival event and one sports endurance event in any calendar year (Retention of wooden structures within woodland associated with festival use.) – Temporary Permission for a limited period expiring on 31 December 2019 – Granted 3 November 2016
- SDNP/17/02979/LDE - Use of land for a mixed use for agriculture and the driving of tanks and other military tracked vehicles, and the operation of construction plant and vehicles, for corporate/team building/activity days/experiences between the months of March and October, with the said vehicles stored on the land all year round. The construction of a purpose built driving track (for tracked vehicles); the construction of an area of hardstanding and the permanent siting of an ancillary mobile catering van and awning, toilet unit and storage container, and the erection of a hospitality marquee (between March and October). – Approved – 23 February 2018
- SDNP/18/00939/CND – Variation of Conditions 2, 9, 10 and 11 on planning consent SDNP/15/06486/FUL (relating to an increase in attendees to 65,000, extension of duration of festival by one day to including opening on Wednesday, and small increases in relation to noise levels) – Temporary permission for a period expiring on 31<sup>st</sup> December 2019 – 6 July 2018
- SDNP/18/00994/FUL – Retention of modification to an existing access adjoining the A31 – Temporary Permission for a limited period expiring on 31<sup>st</sup> December 2019 – 11 May 2018
- SDNP/18/01017/FUL – Construction of 14.6m diameter water reservoir and associated plant at the westernmost corner of the Matterley Estate including retention of existing control box – Withdrawn – 23 April 2017
- SDNP/18/01309/FUL – Retention of the existing overflow parking and coach pad at the westernmost corner of the Matterley Estate to be used solely in connection with arrivals and departures during the Boomtown Festival. – Refused – 18 June 2018

### **3. Proposal**

- 3.1. The application seeks to make permanent the temporary permission approved in 2016 and amended under SDNP/18/00939/CND. The proposals include the permanent widening of the access on the A31, which was given temporary approval in 2018 (SDNP/18/00994/FUL).
- 3.2. The temporary approval in 2016 allowed for the use of the site for one music festival and one sports endurance event. This was subject to a number of conditions including that this was a period expiring on 31<sup>st</sup> December 2019. In addition, the music festival was limited to no more than 59,999 people attending. For ease of reference, the Committee report for the original temporary approval is attached at **Appendix 2** together with the decision notice. It is important to note that the decision was also subject to a S106 Agreement which secured improvements to the South Downs Way, protection and enhancements to the SSSI (Site of Special Scientific Interest), and a footpath from the Cheesefoot Head Car Park to the South Downs Way to the immediate west.
- 3.3. The subsequent S73 application in 2018 sought an increase in number of attendees to 64,999 (and an additional 1,000 for local residents on Sundays). In addition the applicants sought a 'soft opening' on Wednesdays to allow a limited number of attendees to access the site. Minor amendments were also sought in relation to the noise levels. This application was approved (for a temporary period expiring on 31<sup>st</sup> December 2019) although the Authority added further criteria in relation to the number of attendees, stating that no more than 48,000 should be ticketholders.
- 3.4. The applicant sought approval for the retention of a coach pad which had been created at the junction of the A272 and A31 in 2018. Members resolved to refuse this due to the unacceptable impact on the landscape character of the area. The applicant subsequently grassed over this area, and this has remained in the same condition since. The applicant has given consideration to other locations for a coach pad and have come to the conclusion that the location as previously proposed would logistically still be the best solution. The applicant therefore proposes to form the coach pad prior to the festival and then reseed and grass the area at the earliest opportunity after the festival.

### **4. Consultations**

#### **4.1. Access and Rights of Way – No objection subject to conditions**

- Acknowledge that the event brings benefits and a wider audience into the Park as well as supporting the stewardship of the wider estate throughout the year. However also recognise that it has a significant detrimental impact on the enjoyment of the South Downs Way during the

festival. Would make suggested conditions or negotiated benefits, including trial of movable fingerpost signs along the diversion during the festival, resurfacing of the SDW running east between the dairy complex and Rodfield Lane, discussion about potential for wild camping.

**4.2. Archaeology – No objection subject to conditions**

**4.3. Beauworth Parish Council – Object**

- In the beginning most local people were quite accepting of the need for the landowner to diversify. In recent years there has been a persistent drive for larger events which does not benefit the Park in any way. Increased commercialism only benefits organisers, promoters, trades and increased number of attendees.
- Debris, rubbish and discarded tents which are left behind each year is significant.
- Sentiment of Parish Meeting is that Boomtown had been allowed to become too large with damaging consequences (noise disturbance, traffic delays, inconvenience to residents and businesses, disruption to SDW, concern for the environment.
- It is hoped the Park will step in to reduce the scale of further events thus ensuring the protection of the landscape.
- Whilst 66,000 people enjoyed Boomtown last year the Park has a duty to foster the social and economic well-being of local communities. Beauworth has received no economic benefit directly or indirectly and normal business operations have a negative effect.
- Concern that recent land acquisition was made with expansion of events in mind.
- If minded to approve Beauworth request that conditions limit size capacity to 45,000, ensure noise limits are brought back to more acceptable levels, ensure geographic boundary is never allowed to extend further in the future, more effort being put into reducing waste and litter, ensuring a secondary clean-up is carried out during winter months.
- Concern is that as the event grows and expands, it exerts further power and influence and becomes difficult to say no.

**4.4. Bishops Sutton Parish Council (Chairman) – Object**

- Concern at lack of consultation with affected public sector. Action was underhand and an attempt to suppress the number of objections.
- Concern about giving Boomtown the authority to fix number of attendees and the number of days of events
- Disruption and congestion affecting access to Winchester, M3, A34 and A33, including emergency vehicle access to Winchester/Southampton Hospitals.
- Excessive noise with low frequency intrusive bass noise, which can be heard many miles away.

**4.5. Bramdean & Hinton Ampner Parish Council – Objection**

- Concern about the impact on both the lives of residents, the character of the Park and the longer term impacts of such events on the local ecology. A permanent approval would effectively remove the checks and balances that a temporary permission provides. A temporary approval allows for regular review and a continued dialogue with the applicant.
- Noise nuisance: Although the villages are some distance from the events, the festival has caused nuisance, especially during the night (bass problem, exacerbated by wind direction which is unpredictable.
- Traffic: Local journeys on the A272 have been compromised by the festival traffic, so passage of local residents needs to be built into any management plan. Standby resources need to be available in the event that wet weather causes mud to be transferred on to the roads.
- Rights of Way: The Parish Council supports the request for an S106 agreement for local access enhancement.

**4.6. Butterfly Conservation – Support**

- The Estate has a successful partnership with the Conservation, staff and visitors alike. Permission to monitor butterflies throughout the season, enables the Conservation to track numbers and species.
- Various initiatives including ongoing management of the SSSI during events and measures secured via the 2016 permission have increased the biodiversity potential and has resulted in increased

suitable habitat conditions. The SSSI is now in favourable condition following Natural England's most recent assessment.

- Much of the work carried out to benefit wildlife has been done under the owners own volition for many years prior to the festival. Those efforts are in evidence today, despite annual events that are held there.
- There is seemingly no conflict between events and the important conservation work. It is hoped that this will continue to be developed and the land can continue to be managed in its current low intensity way against a more sterile arable farming approach which could undermine the good work done over the last 10 years or so.

#### 4.7. Cheriton Parish Council – Objection

- The reason why the Authority granted temporary permission was 'to allow the impact of the additional number of attendees to the music event on the amenities of the area and the special qualities and enjoyment of the South Downs National Park to be reviewed'. The additional number is the increase over the limit set by a premises licence (45,000). The event in 2018 had an attendance limit of 66,000 (47% more people than 45,000). The Parish considers that this review cannot be completed until late in 2019.
- Impact on environment: This has been too large an increase and had a significant impact on the amenities of the area and special qualities of the Park which outweigh any recreational opportunities. The size is impossible to assimilate at ground level (aerial view provided by parish council. Event construction work is contrary to Policy SD6 and commenced at the beginning of July, which overlaps with the egg laying seasons of some ground nesting birds. The large construction site within the bowl by 23 July almost certainly puts endangered birds at risk of harm. The adverse impact are obvious and long term although these are down played by misleading references as 'short-term' and 'temporary'. Photographic evidence on 21 September show easily visible landscape damage.
- Incompatibility with South Downs Local Plan: Contrary to SD7 in relation to relative tranquillity with live music on until midnight on two nights and 4.00a.m. on two nights. Nuisance to residents who live miles away (bass noise being heard inside properties with all windows closed). Light pollution is incompatible with Policy SD8: Dark Skies. (Photographic evidence provided showing the bowl and also parking areas during the event. Lasers also used during the event.
- Incompatibility with the National Planning Policy Framework. In line with Para 172 permission should be refused unless exceptional circumstances apply and the development can be demonstrated to be in the public interest. The applicant has not offered any evidence of circumstances or that it would be in the public interest.
- Duty of the Park: The duty is to foster the economic and social well-being of local communities. The application documents include the 2015 Economic Statement. This statement took no account of impact on local businesses, is 3 years out of date. Statement also only looked at Hampshire and not local communities within the SDNP or even Winchester District. No economic benefits for residents in local villages and their social well-being is not fostered by loud music.
- Future Risks: Planning Statement discloses that consent is being secured by landowner, but for inheritance by Boomtown as preferred festival operator into the future. Any future amendments to the permission would be the decision and responsibility of Boomtown. Purchase of adjacent land negates claims that the applicant needs rental income from the festival to subsidise his management of the estate for the remainder of the year. If permanent permission were to be given this would be in perpetuity to detriment of the Park but also indicates that Boomtown would seek future changes (more days, larger numbers, extension of the site), this resulting in being closer to other villages, exacerbating noise nuisance. Any potential agreement with the applicant in relation to an Estate Plan would be worthless once consent has been inherited by Boomtown. Legal consequences of this should be considered and advice published prior to the application being determined.
- Conclusion: Authority is urged to refuse consent. In the event that the Authority wishes to set the objections aside, the Parish Council emphasises that the application does not provide sufficient detail for the public to be able to identify the full environmental impact of what is proposed. If the Authority decides to grant the application, the Parish Council considers numbers should be limited to 45,000 and live and recorded music should cease at 11.00pm on all nights.

- **Further letter expressing concerns that application is significantly flawed and that process be suspended until missing information and assessments have been prepared and published.**
- Natural England objection confirms that application falls well short of providing the necessary information. As the consent festival is not scheduled to take place until August there is not urgency to determine the current application.
- Condition 4 of the Temporary permission required annual ecology reports. Under FOI that Parish requested sight of the reports for 2016-2019. The Authority confirmed that there were no annual reports for 2016 and 2017. Applicants Ecologists undertook a site walkover in 2018 but stated this was the wrong time. The Authority claimed that the delay in producing reports was advantageous. The 2<sup>nd</sup> site visit was scheduled for November but was cancelled. There has been only one site walkover since temporary permission was granted. The Authority has not been monitoring the effects on Ecology as part of its review.
- Secondly an FOI request was made for copies of all reports produced since 2016 which relate to monitoring and assessing the impact of the additional numbers. The Authority response stated that they do not hold such information. The request also asked for disclosure of the criteria use for such reports. The response was that there was no criteria.
- If the Authority has not decided upon any criteria for the review, it does not know what information is needed to carry out the review.
- The basis for giving temporary permission was to review the numbers for events taking place until 31 December 2019. The Authority cannot complete its review until after August 2019.
- Were the application to be approved there would be widespread consequences for other agricultural land within the Park and other National Parks. It is requested that consultation take place with National Parks England.
- Natural England has objected to the application. The Parish Council consider the response illustrates the confusion caused by the flaws. The letter draws attention to the absence of a proper assessment of the impact on the landscape. A thorough landscape assessment is fundamental to the analysis required by Paragraph 172 of NPPF.
- The Council considers that the Natural England response fatally undermines the Authority's screening opinion, which was published before the NE response was received. The Council view is that the Authority's opinion is now unsustainable.

#### 4.8. **Countryside Planning (HCC) – Comments**

- The impact will necessitate a separate application for temporary closure of Bridleways 2, 6 and diversion of the SDW by 2.4km.
- Developments should take opportunities to provide better facilities for users by adding links to existing rights of way networks (NPPF). Policy SD20 of Local Plan says that proposals should include attractive accessible links suitable for all users which connect to the nearest point on the ROW network. Currently no enhancement of or contribution towards improvement of access and rights of way are proposed.
- No objection provided that a contribution is secured for local access enhancement.

#### 4.9. **CPRE – Object**

- Temporary permission was granted to allow the impact to be reviewed. This important review has not yet been completed.
- The proposal only relates to Boomtown and Tough Mudder however the SDNP are also considering an application to change the dates for the Motocross and there is a permanent commercial activity for tank driving on the NW side of the farm. Excluding this the total set-up, break-down and Event duration is 22 weeks. The cumulative impact of all these activities needs to be considered in relation to this application.
- Do not consider that events of this scale are appropriate within the Park as they place considerable pressure on one part of the Park to the detriment, for a significant number of days each year.
- Not convinced that events of this scale are a form of farm diversification necessary to support a dairy herd and mixed agriculture.
- Location of site results in a high degree of use of vehicles during events which has impact on normal users of the A31 and other roads.

- Most visitors to the festival will be unaware that they are in a National Park. In any event large musical events do not seem to provide a setting calculated to increase their awareness or understanding of the special qualities of the Park.
- This application would not comply with the principles of sustainable tourism in the Local Plan, the Park purposes and should be refused following core policies SD1-SD8.
- If the Authority is minded to approve it is suggested that the area designated for each event should be made clear, number of attendees and noise levels should be limited, and a lighting and noise management plan should be submitted.

#### 4.10. **Ecology – Comments**

- Consider the impacts to the SSSI from Boomtown to be minimal, providing that fencing of key areas is implemented.
- Agree with Natural England with respect to the Tough Mudder event. No details of avoidance measures are provided and an assessment of potential impact is not possible at this stage.
- Concur with Natural England with respect to the provision of a CEMP for both events which should include additional measures highlighted by Natural England so that the Authority has the confidence that the recommendations within the CEMP are secured.
- Whilst the opening a day earlier is sensible in event management terms, it does result in additional periods of potential ecological impacts.
- The set-up is firmly within the bird nesting season. The efforts undertaken to improve habitat for nesting birds across the estate are noted. It is proposed to deter birds from nesting within some areas, but it is not stated how often this will be carried out and by whom, nor how successful it is expected these methods will be. What will happen if grounds nesting birds are not successfully deterred?
- Noted that Natural England have a number of queries in relation to the protection of the SSSI and associated priority habitat types. The applicant will need to address these issues to the satisfaction of Natural England prior to determination. In particular the areas for camping on chalk grassland.
- Overall, whilst not raising any overriding concerns in relation to the Boomtown Event ~ (it is for a relatively restricted period, and measures are in place for avoiding impacts) there are several issues which require clarification in order to satisfy Natural England.
- Would also highlight that unaware that an annual report has been submitted in accordance with Condition 4 of the original permission.
- Comments on receipt of Updated Ecological Management Plan.
- No objection subject to Natural England being content in relation to impacts on habitats. Query remaining in relation to Tough Mudder event and also in relation to bird deterrence measures (*Officer Note: The matter of bird deterrence measures are being discussed with the applicant and the Ecologist and members will receive an update in due course.*)

#### 4.11. **Environmental Health – No objection subject to conditions**

- The Traffic Engineers from Hampshire Highways and Winchester City Council sitting on the SAG group have asked me to advise that they believe that the installation of the coach pad has resulted in a considerable improvement to traffic management. This has helped to alleviate congestion on the surrounding network. It makes little difference to the SAG whether the coach pad is temporary (for the duration of an event) or permanent, but not to have it at all could have a retrogressive effect on traffic management during larger events.

#### 4.12. **Fire & Rescue – Comments**

- Comments relating mainly to operational matters during the festival. No objection raised to the application.

#### 4.13. **Forestry Commission – Comments**

- Standing advice provided in relation to Ancient woodland, Ancient and veteran trees.

#### 4.14. **Highways Authority – No objection subject to condition**

- The transport proposals remain unchanged from the S73 application approved in 2018 which received no objection from the Highway Authority.
- The Highway Authority is satisfied that the number of attendees has been and will be managed

through the existing traffic management arrangements. Allowing a limited number to arrive on Wednesday will also help to reduce the number of people arriving on Thursday. The Traffic Management Plans are prepared in partnership with WCC and Hampshire Constabulary.

- It is understood that the applicant wishes to use the coach pad area on a temporary basis. The Highways Authority considers this to be a suitable location but will consider alternatives with the Authority to ensure the facility is retained. A condition is recommended to secure this.

**4.15. Highways England – No objections**

**4.16. Itchen Stoke and Ovington Parish Council – No objection subject to conditions**

- Conditions include that approval should be limited to two years expiring at end of 2021. Authorities should define the parameters for a formal review process in order to assess impact. If the assessment were favourable, the Authorities could look with greater confidence at the prospect of a permanent permission.
- The number of attendees should not be increased in the future.
- Approval should be conditional upon the perimeter of the site not being increased in the future.

**4.17. Itchen Valley Parish Council – Object**

- Object to a permanent festival site on the grounds that it is not compatible with the purposes and duty of a National Park, but would support a 5 to 10-year temporary permission to extend the current consent so as to continue to monitor the environmental impact.

**4.18. Kilminster Parish Council – Comments**

- Concerns about certain Parish Councils having not been officially consulted, given that the proposal is about a different set of parameters and opens the door for permanent activities on the site.

**4.19. Landscape – Comments**

- Do not consider the current stewardship of the land is sufficient positive to enable support for the scheme and a permanent license be granted.
- It is clear the landowner has been working with the SDNPA Ranger to deliver positive ecological enhancements following stewardship option, these are typically species specific interventions and the framework or landscape structure remains unaddressed.
- The public access available on the site through Rights of Way and the South Downs Way, and those proposed through the uses the landowner seeks permission for, means the site will be experienced by significant numbers of people. The opportunity therefore to address Purpose 2 through the provision of a high quality landscape in good condition that supports many of the special qualities of the Park is high.
- The exposes nature of this site, both due to its open downland character and the events proposed, further justifies a request for improved landscape management, that conserves and enhances the site overall
- Given the above, would cautiously suggest that if approval for a temporary period were permitted, a package of required interventions and management prescriptions would need to be provided and agreed, set out within a clear landscape framework to ensure the ongoing management and interventions on this site are positive and address the negative effects of the event – enhancing the experience for both festival goers and people wishing to undertake quiet enjoyment of the countryside.

**4.20. Natural England – Objection based on original information. No objection based on updated Ecological Management Plan**

Comments on original documentation

- SSSI – Concerns regarding the Tough Mudder event as a similar event management plan is not included. A plan clarifying the route should be provided to give assurance that the SSSI would be avoided. Any permission should secure protective fencing around the SSSI.
- Construction Impacts: Potential impact during the construction phase. A Construction Environmental Management Plan should be submitted by condition, identifying steps to avoid impacts on species and habitats.

- Provided a CEMP is submitted and approved, Natural England is satisfied there is not likely to be an adverse effect on this site. Requirement to reconsult Natural England if details of the application change.
- Priority habitat – Further information required. The proposals may have adverse impacts on lowland mixed deciduous woodland priority habitat. The information does not include an assessment as to whether the woodlands are ancient. Recommend that an assessment of the woodlands is made. Natural England welcomes the Boomtown Management Plan stating that during the event the woodlands on site will not be used for specific activities and pedestrian trackways will be separated from the woods. Noted that a similar plan has not been included for Tough Mudder.
- The 2018 event shows a camping area on lowland calcareous grassland outside of the SSSI, a priority habitat. Concerns that impacts from camping and recreational disturbance have not been assessed.
- A full assessment of impacts on woodland and chalk grassland priority habitat should be made.
- Protected Landscape – Reminder of Policy and statutory framework (Para 172 of NPPF).

#### Comments on updated Ecological Management Plan

- Clarification received and satisfied that the woodlands are not ancient but nevertheless they are still mixed deciduous woodland priority habitat.
- Recommend that the Ecological Management Plan, including plans for the management of the woodlands is submitted to and approved by the Ecologist and secured by an appropriately worded condition.
- Also advise an appropriately worded condition requiring annual monitoring of the woodlands, so that any harm found can be addressed between events, to include contingency plans so that should damage or unavoidable harm be found to be occurring to the woodlands and rides and paths there are provisions for further restricting use of the woodlands (e.g. activity being removed from the damaged areas and located elsewhere to allow recovery).
- The plan could also include measures for enhancement such as erection of bat boxes and owl nest boxes. Also advise similar monitoring and contingency plans for the areas of chalk grassland priority habitat outside the SSSI.

#### **4.21. Southern Water – Comments**

- Applicant advised to examine alternative means of foul sewage disposal. Advised to consult Environment Agency regarding use of a private treatment plant.
- Form makes reference to SUDS. Critical that the effectiveness of these systems is maintained in perpetuity.

#### **4.22. Titchborne Parish Council – Object**

- Insufficient information available to assess the impacts of the events on the important qualities of the site. The Authority should be requiring a much greater level of detail from the applicant on the likely impacts of permanence on the site.
- Concerns that a formal review of the impacts of additional numbers has not been conducted, but instead would rely upon the various activities and documents arising from the 2016 temporary consent. Parish cannot see how this would be sufficiently robust to allow a decision to be made for permanence.
- Evidence to suggest that the Authority has not been enforcing condition 4. Understand that no report was produced in 2016 or 2017 with only one site walkover since. It is unclear why a more robust monitoring system has not been insisted upon.
- Concerned that the case officer has placed no requirement for the applicant to submit an EIA. The perfunctory manner in which the case officer has decided the application does not warrant an EIA is disturbing and provides no confidence that the Authority is taking the environmental impacts seriously. It has been suggested that the failure to produce an ES could result in the decision being legally challenged.
- Concern that proposal does not comply with Para 172 of NPPF in that the need for the development is not proven, it does not require a location in a National Park and the effects of activity on the site are not known.
- Concern that proposals do not accord with Local Plan policies specifically SD1, SD4, SD6, SD7,

SD8 and SD19

- Conclusion: The Authority's administrative supervision of the activities at Matterley has been such that it is in no position to grant consent to the applicant and that the holding of festivals on the site is not compliant with the requirements of the NPPF as it relates to National Parks or with many of the Authority's own core policies.
- **Further letter sent to Committee Members requesting suspension of application**
- The Local Plan inspector has proposed two main modifications to the Local Plan. He takes the view that temporary events may be considered to be major development and this forms part of Policy SD3 revised wording. The application should not be determined until after the Inspector has completed and published his report on the local Plan.
- It is understood that a number of local parish councils were not notified of the application and so have not had a chance to consider it and make comments. Tichborne Parish Council considers this application should not be determined until all local parish councils have been notified and been given the opportunity to comment.
- The Parish Council supports the concerns of Cheriton Parish Council concerning lack of availability of a considerable amount of information that is required for the application to be fully considered.

4.23. **Esso Pipeline – Operational Comments only.**

4.24. **Dark Skies – Comments**

- The site is within the dark skies reserve under skies that would be classified as transitional, with increasing quality further into the interior of the park.
- Although the applicant refers to the nearby roundabout as a means of baselining the surrounding light environment, the difference in lighting design schemes is different and shouldn't serve as a justification for lighting at the proposed site. The roundabout has been designed in accordance with standard BS standards to achieve consistent illuminance levels *with* good dark skies installations that prevent any direct illumination above the horizontal which in turn, limit the impact on sky quality to the immediate environment. The site's festival has an intrinsic lighting profile that is substantially different from these design requirements. Consequently, the overall lighting impact of the activities will be substantially different and far more intrusive than the nearby round-about.
- The DNS zoning map is not misleading as referenced in the design and access statement. The zoning map is a reflection of the sky quality which is an absolute measure. This is slightly different from the tranquillity map which deals in relative scales between different areas. This is not the case for sky quality. If the sky quality is such that it reflects bronze level skies, then the skies are such. Regardless if urban areas outside the boundary have not been included it is the actual data from direct measurements of sky quality that indicate that the immediate area and the surrounding National Park have skies that are regionally important. Therefore, any lighting of this scale *will* have a detrimental and significant impact on dark skies regardless of the proximity to Alresford and Winchester. From this viewpoint, the size, complexity and intense lighting environment will always be in conflict with dark skies policy regardless of how efficient the applicants can make the lighting installations.
- While some lights can be angled down, the greatest impact will be from those lights that are designed to shine directly upwards – i.e. the sky scanners and the lasers. Due to their design to illuminate large distances, with bright highly focused light, these types of light are extremely damaging to dark skies. While previous recommendations have asked for these lights to be directed away from the interior of the park, they will nevertheless still be a substantial and significant intrusion into the night sky.
- As one of the events appears to be a daytime event, then the lighting impact should be minimal. Any lights should comply with best practice and limit unnecessary light pollution.

5. **Representations**

5.1. **126 Letters of Support**

- Whilst attending events at Matterley money has been spent in local towns adding evidence that is of benefit to local economy. Many shops and pubs busy in Alresford after each event.
- Events have endeavoured to be environmentally friendly. Boomtown have reduced energy usage

by 50% and have worked to reduce single use plastics.

- A wonderful venue providing thousands of people with enjoyment every year.
- They encourage and support a diverse array of arts, sports and culture, bringing together many individuals and communities.
- Farming activities at the site would not continue without the activities taking place. Important for farms to be able to diversify.
- Beneficial to all and promotes all that is good about the Park.
- Short term nature of the event, benefits to the local economy and efforts to minimise disturbances. Recent efforts to ameliorate have appeared to be successful.
- Efforts to reduce individual car traffic. Traffic plan has improved over the years.
- Eco-bond which charges £10 on ticket price, redeemable against filling one bin bag with litter from around the festival.
- Level of security, medical and information staff within the festival is commendable.
- Open minded approach allowing safe drug testing for attendees.
- Festival encourages families to attend. Allows all ages to attend in the beautiful setting of the Park, which some would otherwise not visit.
- A unique event.
- Local projects and charities benefit from funds donated to them from these events.
- Excellent liaison between the organisers and the community.
- Safe festival.
- Noticed sound levels turned down at most recent event. Organisers are acting responsibly.
- Would suggest Boomtown is given similar consideration to Goodwood Estate.
- Attendees make reference to the stunning scenery. Land is returned to its original state.
- Thanks to the Estate hundreds of children have had the opportunity to explore the working countryside with visits free of charge enabling the Country Trust to work with deprived children in the area.
- The SSSI is protected on site during the event.
- Important for modern farms to be able to diversify.
- Local business acquired contracts for the festival. Local businesses benefit from the events (pubs, hotels, B and B, shops, local builders etc.).
- To change the location would reduce the appeal of the festival.
- Applicant is fiercely passionate in the protection of the estate.
- Impressed by the SDNPA facility at the event and enthusiasm for the Park.

## 5.2. **Letter from George Hollingbery MP**

- Noise: I have discussed this with local residents on many occasions. This is the single biggest point of anger raised by local communities. I do agree that the permitted noise range and times needs to be reviewed. I propose that the Council install 6 permanent monitoring stations around the site.
- Highways: Pleased to see that the organisers carry out regular traffic meetings on site during the event. Residents have reported long delays on local networks. I will wait with interest to see if measures will be effective in tackling congestion in 2019. Welcome the use of gate B for HGVs and deliveries. Pleased to see changes to the configuration of how the public access the site on foot and enhanced contingency for queues.
- Environmental Concerns: Note the comments made by residents regarding ground nesting birds. I agree with their concerns and am pleased to see the Ecology plan has measures in place to manage and encourage specific nesting locations. I note there is no mention of assessing public areas for nesting sites prior to the event, This is a refinement which should be included in future iterations of the plan and before the 2019 event. I also note concerns regarding the damage to the landscape. I would like to see a shortening of the set-up and take down time for large events.
- Economic Benefit: This is somewhat difficult to quantify. The Economic report suggests this extends to around 10.5 million pounds in the Winchester District and wider Hampshire economy. Balanced against this must be considerations of impact to local firms caused by traffic. There is no doubt that Boomtown is disruptive. It is incumbent upon the site owner or Boomtown to acknowledge this and do more to help communities.
- Summary: I understand the concerns raised. There is no doubt that the festival has an impact and

further efforts should be made to deal with the issues that have been raised.

### 5.3. **Letter of Support from Steve Brine MP**

- I have attended many times and been briefed on the security operation. It is impressive that Boomtown has faced the issue of drug taking with on-site approach provided by 'the loop'.
- We know there is traffic impact, but the festival brings economic boost with thousands of visitors coming to the city.
- It is welcoming fact that Boomtown raises money for local charities.
- Satisfied that the organisers are clear on how seriously the local community views the terms of the licence.
- Boomtown adds a new dimension to Winchester's cultural offering.
- Matterley Farm is a well-farmed asset to the landscape.

### 5.4. **53 Letters of objection**

#### Purposes of Park & Policy

- Application does not comply with the preservation of the landscape or rich variety of wildlife, tranquil and unspoilt areas, recreational and rural activities, preservation of historical features, or the encouragement of local people and residents to have pride in their area. National Park professes to be in existence to support and develop this criteria.
- Chipping away at the protection previously afforded this special part of the country. Damage of current events on the environment.
- Scale is now unacceptable.
- Contrary to Policies SD1, SD4, SD6, SD7, SD8, SD12 SD17, SD19, SD20 & SD23
- In conflict with Sandford Principle.
- Recent examination of Local Plan: SDNP conceded that temporary events could be classed as major development.
- Government policy is that major development should not be permitted in National Parks. The proposed land use does not require a location in a National Park. The proposal is unsupportable by any suggestion of public interest.

#### Landscape

- No more beautiful natural feature and tranquil bowl.
- Photographic evidence shows that months after the event there is easily visible scarring.
- Scarring of landscape by way of increased width of access on A31. Trust the temporary permission will expire and the access be restored to its original width.
- Argument that editing of photographs in application documents does not tell true story of impact on landscape.
- Roadways created for Boomtown still evident in October.
- Gradual changes to landscape which are a direct result of holding a festival of the size and scale of Boomtown. Changes such as the coach pad and the road network which now runs around the lower rim of the bowl.
- Earthmoving, new tracks, steps cut into sides of hills show extent of landscape damage.

#### Procedural Queries

- Insufficient information for a full application.
- Disregard of planning rules. Event only has permission until December 2019.
- Effects cannot be assessed until after the 2019 event.
- Application is for a permanent consent to event use that meets the description of a Theme Park in the relevant EIA regulations.
- Permitting open application would be a dereliction of duty. A perpetual permission is not appropriate.
- Applicant says they are committed to production of a whole estate plan. Not appropriate to grant a perpetual permission until the plan has been put forward and considered.
- Allowing this will set a dangerous precedent for other farmers wishing to diversify.
- Whilst motocross and tank driving are approved and consented under the GPDO, as the current temporary festival use is Schedule II EIA development, permitted development rights should have

been withdrawn.

- The Authority has evaded the requirements of EIA regulations. The Screening opinion has only just now emerged and misinterprets several of the criteria and its conclusion is irrational.
- The Park has interpreted monitoring as a holding device to allow time for the applicant to improve the environmental offer. No monitoring report has emerged.
- The Natural England Objection shows a discrepancy between the screening opinion and the advice.

#### Ecology

- Effect the light pollution and noise has on wildlife.
- Concerns about Ecosa report and endeavours to deter nesting birds using methodology used on a different site which is unrelated to this site.
- Large number of people attending an event will have an adverse impact on the birds in the local area. The events are endangering bird life and damaging the ecology of the area.
- Set up of event results in overlap with egg laying seasons of ground nesting birds.

#### Noise/Tranquillity

- Noise from the event for five days. Continuous low frequency noise up until 4am on some nights. Bass echoes down the valley.
- Unnecessary light spill and case for IDSR in sheds.
- Does not comply with Policy SD7 – Tranquillity.
- Noise impact upon properties along A31 in months leading up to event and post event by large lorries delivering hard core.
- The Noise impact Assessment specifically excludes noise generated by the event itself. The report does not take into account the length of time the build takes.
- Whatever criteria are applied to proposed noise levels in N11 and N12 areas, they clearly exceed that which indicates an adverse impact on surrounding villages.

#### Traffic & Transport/Highways

- Inconvenience every year with the A31 being blocked
- 12 week disruption to strategic roads.
- Concern about ability of emergency services to be able to function on surrounding A roads during the festival.

#### Crime & Disorder

- Impact on overstretched rural policing authorities and emergency services
- Alleged that people were entering the area well before the event to plant drugs for later retrieval.
- In 2018, 6 arrests for possession of drugs, 35 for possession with intent to supply.
- Security issues during the festival around properties. People asking to park on residential properties. Vehicles using entrances as lay-bys. People using driveways as a latrine.

#### Economic Benefit

- No business case for the local area.
- Decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. This doesn't.
- No new evidence in relation to an Economic statement. Evidence in 2015 statement proves that refusing the application would have no adverse impact on the local economy.

#### Farm Diversification.

- The applicant's recent purchase of Ovington Down Farm negates any claims that the applicant needs rental income from Boomtown to support his dairy herd.

#### Other Issues

- Majority of letters of support are not by local people or communities. Supporters apparently visit the festival and go away leaving a blight on the National Park which takes months to recover.
- Would suggest application refused and applicant requested to seek an extension to the temporary

permission, with sound reduction proposals, strict numbers on site and compliance procedures.

- No communication to affected neighbours.
- Situation made worse because Boomtown are applying to become the preferred festival operator for the future. Planning application is for any future amendments to permission to be at sole discretion of Boomtown.
- Strongly urge that permission is capped at the 2018 level.
- Permanent theme park the combined size of Petersfield and Alresford.
- The increase in numbers has been too large and had an adverse impact on the amenities of the area and the qualities of the National Park.
- This is an outline application to create a theme park within the National Park.
- Concur with idea that a continual permission over a six year time frame.
- Concerns with Letter from George Hollingbery MP in relation to a lack of awareness about major development having no place in a National Park. Also concern raised about maximising use of site once permanent permission is granted. The argument that the principle of large events on the site is well established is not the case. Concern about reliance on economic report.

**5.5. Letter of objection from Councillor Hugh Lumby**

- Severe impact on residents of parishes. The event is too large and contrary to the principles of the Park.
- It causes disruption to local residents over a prolonged period. It causes damage to this area of great natural beauty.
- It causes disturbance to local residents with regard to tranquillity. As evening goes on it becomes harder to accept noise and disruption.
- The lack of economic benefit to the area in compensation for the damage, disruption and disturbance has been covered by others. No evidence has been forthcoming and it would seem reasonable to conclude that there is no such benefit. The damage to the economy of the area is clearer.

**5.6. Letter of Objection from Upper Itchen Valley Society**

- Incompatible with the purposes of the park and the Sandford Principle
- Would set an undesirable precedent.
- No one can tell what kind of festivals may be held in the future.
- Policy SD8 – Tranquillity. Para 1c relates to the experience of users of public rights of way. 2 events would affect users of the South Downs Way for a period of 10 weeks in summer months.

**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 National Planning Framework was subsequently updated in 2018. The Circular and NPPF confirm that National Parks have the highest status of protection and the NPPF states at paragraph 172 that great weight should be given to conserving

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 172 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. Relevant policies are 1, 3, 13, 28, 29, 32, 38, 39, 40, 41, 42, 48 & 55.

## **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 Pre-Submission version of the South Downs Local Plan was submitted to the Secretary of State for independent examination in April 2018. The Local Plan is a material consideration in the assessment of this planning application in accordance with paragraph 48 of the NPPF, which confirms that weight may be given to policies in emerging plans following publication. The Local Plan process is now in its final stage before adoption with consultation on relatively minor Main Modifications having been undertaken from 1 February 2019 to 28 March 2019. Based on the very advanced stage of the examination the draft policies of the South Downs Local Plan can be afforded significant weight. The relevant planning policies of the Pre-submission Local Plan are:
- SD1 – Sustainable Development
  - SD2 – Ecosystem Services
  - SD3 – Major Development (Major Modifications relevant to this application)
  - SD4 – Landscape Character
  - SD6 – Safeguarding Views
  - SD7 – Relative Tranquillity

- SD8 – Dark night Skies
- SD9 – Biodiversity and Geodiversity
- SD11 – Trees, Woodlands and Hedgerows
- SD16 – Archaeology
- SD17 – Protection of the Water Environment
- SD19 – Transport and Accessibility
- SD20 – Walking, Cycling and Equestrian Routes
- SD21 – Public Realm, Highway Design and Public Art
- SD22 – Parking provision
- SD23 – Sustainable Tourism
- SD25 – Development Strategy
- SD34 – Sustaining the Local Economy
- SD40 – Farm and Forestry Diversification
- SD45 – Green Infrastructure
- SD46 – Provision and Protection of Open Space, Sport and Recreational Facilities and Burial Grounds/Cemeteries
- SD54 – Pollution and Air Quality

## 8. Planning Assessment

### Introduction

- 8.1. The previous applications were considered to be major development for the purposes of Paragraph 172 of the National Planning Policy Framework.
- 8.2. It is important to note that the modifications to the Emerging South Downs Local Plan included revised wording to Policy SD3 (Major Development). This confirms that “in determining what constitutes major development, the National Park Authority will consider whether the development including temporary events should they be deemed to constitute development, by reason of its scale character or nature has the potential to have a significant adverse impact on the natural beauty, wildlife or cultural heritage of, or recreational opportunities provided by, the National Park. It is however important to note that the Authority had already come to the conclusion on the application in 2016 that this was major development in any event. The policy wording alterations in the main modifications therefore have no practical effect in this instance.
- 8.3. It is considered, as with the original temporary approval, that there are a number of public interests pertinent to this proposal with regard to compliance with Policy SD3 and Paragraph 172 of the National Planning Policy Framework. Firstly, the conservation and enhancement of the National Park is the SDNPA’s primary obligation. This is a matter of balance given the temporary nature of the proposals. It is acknowledged that there may be some impact on the conservation and enhancement of the National Park however this has to be balanced by the fact that many impacts are temporary and the applicant is prepared to carry out other long term works and landscape management by way of a secured legal agreement which would continue to have a more permanent positive impact on the conservation and enhancement of the National Park. In this regard, the previous S106 Agreement secured enhancements to the Cheesefoot Head Car Park, a permissive link between Cheesefoot Head Car Park and the South Downs Way, the implementation of a temporary diversion of the South Downs Way during the festival, the installation of a water point and cycle repair station along the South Downs Way and also SSSI enhancements within the site. Such ongoing benefits for the landscape, natural beauty and wildlife of the Estate and the Park could all be secured should permission be forthcoming.
- 8.4. Secondly, a key public interest is in relation to the second purpose of the Park specifically relating to the opportunity provided for over 40,000 people to increase their understanding and enjoyment of the special qualities of the Park. Since the earlier permission, the festival organisers have erected information boards during the event which explain the importance of the SSSI with some additional information about the wider Park. In addition, as part of the Event Management Plans there has been a requirement for the festival organisers to provide opportunities for meeting this purpose of the Park. Since the temporary permission, the Park has had a presence at the festival and sought to engage with attendees in order to further promote the qualities of the Park. It is understood from officers involved in this presence that it has been very beneficial.

- 8.5. Another consideration is the duty to meet a socio-economic need of communities within this part of the National Park. This is discussed in more detail elsewhere in the report, however for sake of completeness it is important to note that, whilst the exact figures of the Economic Report prepared in 2015 are disputed, there are clearly economic benefits that accrue in the locality during the holding of such events. In addition, as has been noted in the representations, the festival organisers have worked closely to support local charities over recent years.
- 8.6. Further, in assessing the public interest and any exceptional circumstances, applications should include an assessment of the following:-  
The Need for the Development, including in terms of national considerations and the impact of refusing or approving it on the local economy.
- 8.7. The Matterley Estate has been holding a number of events for some years now. Notwithstanding some early issues, the organisation of the events have been fine-tuned 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.
- 8.8. The events, most notably Boom Town music festival are understood to have been of economic benefit to the farm and how it operates year in, year out and also to Winchester and the surrounding local areas (including those within the National Park). Whilst the extent of the economic benefit has been questioned it is nonetheless clear that it does bring some economic benefits to the region. The need for some form of development is also acknowledged, given the nature of the farming enterprise.
- 8.9. In addition as mentioned above it is 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. In particular the proposal allows for a demographic of younger people to access the Park and is an opportunity for them to increase their understanding and enjoyment of the special qualities of the Park.
- 8.10. Given these considerations it is considered that there is a need for this development in order to contribute to the stewardship of the land and its contribution to the wider landscape, natural beauty and wildlife.  
The cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way;
- 8.11. Events of the scale proposed have been organised for some time at Matterley (although it is appreciated that the accumulation of these activities 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 application was, and continues to be submitted as part of a diversification scheme to assist with the agricultural activities that take place on the site all year. In this respect, for the applicant alone, that 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.
- 8.12. 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. The recently approved limited amendments in terms of early opening, additional numbers and sound volumes at certain times, would not alter the view reached.
- 8.13. Having regard to this assessment element it is considered to go to a balanced view that there are exceptional circumstances, and it is within the public interest why developing elsewhere or meeting the need in the other way would not be appropriate.

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

- 8.14. The report sets out below, the effects on the environment, the landscape and recreational opportunities and is inherently part of the consideration of whether the amended scheme may be acceptable. In summary it is considered that there are some short term temporary effects on the environment, landscape and recreational opportunities. This must however be balanced with the long term enhancements being secured as part of this application, together with the recreational opportunities that the events themselves offer.
- 8.15. **Given the above it is considered on balance that there are exceptional circumstances and it is within the public interest to approve the development, subject to the securing of benefits within a land management strategy, and the proposal would therefore comply with Paragraph 172 of the National Planning Policy Framework.**

Principle of Development with regard to the Purposes and duty of the Park, Policies within the Winchester District Local Plan Joint Core Strategy, Saved Policies of the Winchester District Local Plan Review 2006, and the policies of the Emerging South Downs Local Plan Submission

- 8.16. The matter of compliance with the Purpose and duty of the Park and Local Plan Policies were considered in some detail in the original report to Committee and further when considering the variation to a number of conditions (number of attendees etc.). For ease of reference, the original report is attached at **Appendix 2** (with the report for SDNP/18/00939/CND also attached at **Appendix 3**)
- 8.17. The assessment against the original application is still relevant as are the policies which were highlighted. The South Downs Local Plan now has significant weight and it is important to give consideration to those policies too.
- 8.18. Policy SD1 relates to Sustainable Development and relates to the Purposes of the Park and considering cumulative impacts of development. It confirms that permission will be refused where the development fails to conserve the landscape, natural beauty, wildlife and cultural heritage of the Park, unless the benefits of the proposal outweigh the great weight to be attached to those interests and there is substantial compliance with the other policies in the plan.
- 8.19. The balance in relation to the purposes remains relevant as it did when temporary approval was given. The question remains as to whether the short term impact for such events is outweighed by the long term benefits that can be accrued for landscape, natural beauty and wildlife. The temporary approval secured some benefits, but for a long term or further temporary approval, it must be noted that there needs to be some assurance secured in relation to land management strategies. Whilst there are clearly initiatives by the applicant in managing their land that benefit the purposes of the Park, officers consider that a greater land management strategy needs to be secured to continue to ensure the balance is such that the proposals accord with Policy SD1 and the purposes of the Park. Officers are working with the applicant to bring together a package within a land management strategy which provides assurance that the long term landscape and natural beauty is conserved and enhanced, always appreciating that the short term impacts during events (and set up/take down) are adverse.
- 8.20. Policy SD2 has the aspiration of ensuring proposals have an overall positive impact on the ability of the natural environment to contribute goods and services. Whilst the weight of the Policy will not be full until adoption of the Plan, it is important to note that the securing of a land management strategy will embrace and address a number of matters to achieve an overall positive impact.
- 8.21. Policy SD3 relates to major development. This matter has already been addressed elsewhere in the report.
- 8.22. Policy SD4 relates to Landscape Character. This confirms that proposals will only be permitted where they conserve and enhance landscape character. The matter of Impact on Landscape is considered further in the report. Policy SD6 refers to safeguarding views. This will be addressed in the section of Landscape impact.
- 8.23. Policy SD7 relates to Relative Tranquillity. It is appreciated that the proposals clearly do not conserve nor enhance relative tranquillity for the duration of the events. Notwithstanding, it is clear that the stewardship of the land for the remainder of the year serves to conserve the tranquillity of the area. The consideration therefore is having regard to the temporary impact on tranquillity and balancing all

the other benefits and disbenefits, whether the impact would, on its own be a reason for refusal. In this instance, given the controls available and the limited nature of disturbance and the impacts and benefits outlined in the report, the disturbance is, on balance, acceptable.

- 8.24. Policy SD11 relates to Trees, Woodland and Hedgerows. In particular the policy confirms that buffers will be required between the development and ancient woodland or veteran trees. It also confirms that proposals which affect trees and woodland must be informed by a full site survey. In the Ecology section of the report this is considered further.
- 8.25. Policy SD16 relates to Archaeology. The County Archaeologist has confirmed that they have no objection subject to suitable conditions.
- 8.26. Policy SD17 refers to Protection of the Water Environment. The circumstances concerning the events have not changed since the earlier approval and it is not considered that the scheme is contrary to Policy SD17.
- 8.27. Policies relating to Traffic, Parking, walking and cycling (SD19-SD22) are considered in relation to highway impact elsewhere in the report.
- 8.28. Policy SD23 relates to Sustainable Tourism and mentions visitor attractions. In particular it confirms that such schemes will be permitted where they provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities. This has always been part of the balance in meeting the purposes and the proposal is considered to be compliant with the policy in this regard. Whilst the policy also mentions that development proposals will not detract from the experience of visitors or affect the character of the area, this has to be seen in the context of short term impact balanced with long term stewardship and enhancement of the environment of the area. Outside the settlement policy boundaries (as this site is) proposals should positively contribute to the Natural beauty, wildlife and cultural heritage of the Park and be closely associated with other established attractions, including rights of way networks and part of farm diversification schemes. It must be added however that the proposals are inherently associated with the rights of way network and are part of a farm diversification scheme, in that the use for such events enables the applicant to continue to farm and manage their land for the remainder of the year.
- 8.29. Policy SD25 (3) mentions that proposals within rural estates and large farms will have positive regard when considering where the scheme delivers multiple benefits in line with the purposes and the special qualities of the Park and in regard to Eco-system services. The proposal is considered to comply with Policy SD25 in this respect.
- 8.30. Policy SD40 relates to farm diversification and confirms that diversification plans should be submitted demonstrating that the proposal would contribute to the first purpose of the Park by providing long term benefit to the farming business, remain subsidiary to the farming activity in physical scale and income stream and not cause severance or disruption to the holding. The proposal is submitted as a farm diversification activity. Whilst there is no formal plan there is no disruption to the agricultural holding and the proposal is clearly subsidiary in terms of its use and contributes to a long-term benefit to the farming enterprise.
- 8.31. Policy SD54 relates to Pollution and Air Quality and this is considered later in the report.  
General consideration in relation to review of impact of Temporary approval on amenities and special qualities of the Park.
- 8.32. It is important to note that the current application technically requires Members to evaluate whether there is sufficient information to give them assurances that the Purposes of the Park are fulfilled in approving permanent permission for the use of land for one music festival and one sport event.
- 8.33. Officers have had regard to advice from external bodies involved in the Safety Advisory Group who have fed into the planning process since the original approval. It is clear that there have been some ongoing logistical issues which appear to have been fine-tuned as the event has progressed, with matters such as traffic and access/egress becoming much smoother over the years.
- 8.34. Notwithstanding, it is clear that there is one area where information has not been able to be adequately gathered over this period. The lack of a thorough ecological report, as required by the temporary approval, over the intervening period is regrettable. This is due to a number of factors, from a management perspective between the applicant and festival operator, partly down to a query in

relation to the optimum time at which to carry out reports, and partly down to condition monitoring issues at the Authority, which are now in hand. Regardless, this has not given the Authority the opportunity to fully assess the impact upon the ecological interests and to be able to give assurances that the impact is such that a permanent approval could be supported.

- 8.35. In addition, Members should note that the temporary approval was for a music event and a sports event. Only the music festival has been operated in the intervening period and therefore it is difficult to review the full impact on amenities and qualities when the full use of the temporary approval remains somewhat unknown.
- 8.36. Finally, it must also be acknowledged that the Authority has had to assess the ongoing impact on amenities against a changing landscape in relation to the nature of the event, with changing numbers of attendees, opening days and noise levels. This muddies the waters somewhat in being able to draw together a clear picture of the impact on amenities.
- 8.37. In the circumstances, in the event that Members were minded to approve the application, officers would recommend that this be for a further temporary period, to further allow a more robust and meaningful review of the impact on the amenities of the area and the special qualities.
- 8.38. 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
  - Footpaths/Public Rights of Way
  - Other Issues raised in representations.

#### Landscape

- 8.39. The concerns raised by local residents concerning landscape impact are noted. It is acknowledged that the proposals have a short term impact but that the land generally recovers reasonably well after the events and is well-managed for the remainder of the year.
- 8.40. The use of the area at the A31/A272 for a coach pad for a temporary period for the festival is considered to be acceptable in the event that it is purely for a limited period. The concern with the previous application was the permanence of such a facility and the landscape impact this would have. With adequate and robust conditions, it is considered that the use of this area for a coach pad would only have an adverse landscape impact for a small number of weeks prior to the event and a small number of weeks afterwards, dependent upon the specific arrangements.
- 8.41. Whilst the continued retention of the widened access on the A31 is considered to have an adverse impact on the landscape character of the site in this particular part of the site, it is not however considered that a refusal could be sustained solely on this point, given the other landscape benefits that would be accrued as part of the approval through the necessary legal agreement and the relatively minor nature of the impact upon an existing A road.
- 8.42. In overall landscape terms it is considered that any further approval, be it temporary or permanent, needs to have the assurance that long term benefits in relation to the land management of the site can be secured. Whilst it is acknowledged that the applicant continues to have a number of initiatives that support the landscape, wildlife and management of the SSSI, there are still elements within the land that could benefit from further land management strategies to address woodland management, event storage, and planting in relation to the estate shoot which is undertaken. Officers consider that, with an appropriate, secured strategy, subject to review and amendment where necessary, the long term conservation and enhancement of the landscape could be ensured.

#### Noise and Light Pollution

- 8.43. Environmental Health continue to monitor the Boomtown Event and have raised no objection to the application as proposed with regard to noise issues. It must however be noted that, albeit relatively

minor, the noise levels have been amended since the earlier temporary approval and have only had one year against which they have been monitored. This adds further weight to the notion of a further temporary approval.

- 8.44. It is considered that the issues of light pollution can continue to be monitored and managed by way of conditions and the Event Management Plan (EMP) as part of this approval.

#### Highways Impact

- 8.45. Highways England have raised no objection to the amendments to the application. Neither have the Police Authority. In addition the Highways Authority have raised no objection. Any festivals would be subject to a comprehensive Management Plan which would be subject to consultation and ratification by the necessary bodies to ensure the event did not have an adverse impact on the surrounding highway network.
- 8.46. The comments in relation to the logistical benefits of continuing to provide a coach pad in the location as previously used, are noted.

#### Economic Considerations

- 8.47. The economic benefits of the events were highlighted on the previous applications. It is noted that concern has been raised as part of this application with regard to the authenticity of the previous information. It is recognised that the full extent or otherwise of the benefits that such events bring to the local economy and that of the National Park are always going to be difficult to fully quantify and that the relevant report may have overplayed the benefits, it is considered that economic benefits do accrue in some form. It must be noted however that the concerns raised by residents in relation to businesses being able to function across the road network during the festival may be improved by the recently approved staggered opening of the festival thus preventing a more intensive amount of activity as currently exists on the Thursday of the festival. In conclusion it is considered that there are economic benefits to the local economy, including charities, albeit they may not be as great as stated by some.

#### Ecology

- 8.48. Natural England raised an objection (concerns of which were echoed by the County Ecologist) in relation to a number of issues with regard to the application. These related predominantly to the SSSI and a lack of event management plan for the Sport event to reassure that the SSSI would be protected. Natural England also raised concern about potential use of an area for camping that is priority habitat grassland. Thirdly Natural England raised a query as to whether any woodland within the site is Ancient Woodland and would be affected by the proposals. In addition, the County Ecologist also raised a concern in relation to the efficacy of the bird deterrence measures proposed in the Ecological Management Plan.
- 8.49. The applicant has since submitted an update Ecological Management Plan and Technical Note in order to provide clarification on the issues raised. On the basis of this information (and confirmation that none of the woodlands concerned are ancient woodland), Natural England have now removed their objection to the proposal, subject to conditions including plans for management of the woodlands, together with monitoring and contingency plans for the areas of chalk grassland priority habitat that are outside of the SSSI
- 8.50. The County Ecologist, at the time of the report, is seeking clarification in relation to the bird deterrence measures. Liaison is ongoing with the applicant to secure this information, but in the meantime the County Ecologist is content for a suitably worded condition to be imposed to address Ecological matters.

#### Crime & Disorder

- 8.51. The Police Authority have not raised an objection to the current proposals.

#### Archaeology

- 8.52. The amendments do not impact on any matters of archaeological concern and were adequately covered by conditions on the original approval. Any approval here would replicate the same conditions to ensure future protection of archaeological interests.

### Footpaths/Rights of Way

- 8.53. The Rights of Way Officer has raised some requirements in relation to footpath enhancements and these are considered to be reasonable and in accordance with Policy SD20 of the Local Plan. These would be secured as part of a S106 Legal Agreement.

### Other issues raised in representations

- 8.54. Officers consider that the Screening Opinion made in respect to this proposal is correct and was published in sufficient time to enable parties to comment and make representations.
- 8.55. Concerns were raised about publicity with regard to the application. Officers ensured that the statutory publicity was carried out. The same parish councils were consulted as on the previous applications for the Matterley Estate.
- 8.56. Concern has been raised by interested parties that the Planning Statement infers that, should consent be secured by the land owner this would essentially be 'inherited' by Boomtown as the 'preferred festival operator' into the future. This infers that Boomtown Organisers would then seek future changes. In this respect it is important to note that any planning permission goes with the land and not the applicant. Any requirements of a permission, be it temporary or permanent, including conditions or a S106 agreement would therefore be enforceable, irrespective as to whom submits the application.
- 8.57. Concern has been raised in relation to the potential for any potential permission to result in what has been referred to as 'mission creep', with additional land in ownership of the applicant being used in connection with the proposed activities. The proposals have been put forward on the basis of the red outline of the site being the application site. Notwithstanding, it is considered prudent to impose a condition ensuring that the additional land shown as being in the ownership of the applicant (outlined in blue on the location plan) is not used in connection with any approved activities as part of the permission.

## **9. Conclusion**

- 9.1. In summary it is considered that the Authority currently does not have the assurances in relation to the impact on amenities and the special qualities of the Park to allow for a permanent approval for the use of the land for a music festival and a sport event. It is considered however that a further temporary approval for 6 years should be given in order for a thorough review to enable to be carried out, and to gather meaningful data in relation (specifically in relation to Ecology/Biodiversity/Landscape impact). This conclusion is, in part due to the lack of 'hard' data in terms of known detriment to the wildlife in the area, and the need to have a 'steady state' period within which to fully assess all impacts, both positive and negative.
- 9.2. This conclusion is subject to the securing of a long term land management strategy encapsulating benefits to the landscape, together with footpath enhancements.

## **10. Recommendation**

- 10.1. The application is recommended for temporary approval subject to the completion of a S106 legal agreement which secures the following:
- i) A Land Management Strategy incorporating benefits to the landscape and wildlife of the application site, together with rights of way maintenance improvements.
  - ii) The retention of the improvements secured as part of Planning Application SDNP/15/06486/FUL and that authority be delegated to the Director of Planning to refuse the application with appropriate reasons if the agreement is not completed or sufficient progress has not been made in securing the agreement within 3 months of the 11 April Planning Committee meeting.

And subject to the following conditions:

- I The permission hereby granted shall be for a limited period expiring on 31 December 2024.  
Reason: To allow the impact of the 2 events as currently proposed 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 between a Wednesday and a Monday for a maximum of five consecutive periods of 24 hours a day and limited to 64,999 attendees in total (the total capacity of 64,999 people shall include a number of ticket holders no greater than 48,000) and an additional 1,000 attendees on the Sunday for local residents 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 Development shall proceed in strict accordance with the ecological mitigation, compensation and enhancement measures detailed within the Ecological Management Plan (ECOSA, March 2019) unless otherwise agreed in writing by the Local Planning Authority. Details of the proposed bird deterrence measures (methods, timing, personnel and their knowledge/experience) shall be provided prior to these being enacted. A report and management plan (which shall include plans for the management of woodlands and areas of chalk grassland priority habitat outside of the SSSI) detailing the ecological monitoring, mitigation, compensation and enhancement measures deployed for each event shall be submitted in writing to the Local Planning Authority within three months of the last publicised date of that event.

Reason: To protect biodiversity in accordance with Conservation Regulations 2017, Wildlife and Countryside Act 1981, the NERC Act (2006), NPPF and with the Emerging South Downs Local Plan, and the 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.

- 9 Subject to condition 2, live music shall only be played at the music festival between the hours of 1100 and 2300 on Wednesday, 1000 and 0000 on Thursday and Sunday and between 1000 to 0400 on Friday and Saturday. Recorded music shall only be played at the music festival between the hours of 1100 and 2300 on Wednesday, 1000 and 0000 hours on Thursday and between 1000 and 0400 Friday, Saturday and Sunday. Between the hours of 0000 and 0400 on Monday mornings of the music festival recorded music shall be limited to the playing of recorded music in the form of a silent disco defined as 'the playing of recorded music with or without a DJ in such a way that it shall only be heard through headsets worn by persons present'.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and Saved Policy DPI0 of the Winchester District Local Plan Review (2006).

- 10 Films and Plays shall only be played at the music festival between the hours of 1100 and 2300 on Wednesday, 1000 and 0000 on Thursday and Friday, 0000 to 0000 on Saturday and between 0000 on Sunday and 0400 on Monday. Between the hours of 00.00 and 04:00 on a Monday morning, the exhibition of a film shall be limited such that the noise emissions from the sound track to any film shown, shall achieve a noise level that is 10dB(A) below the ambient noise level, at the 'premises' boundary, measured as an Laeq 15 min. The ambient noise level as determined, shall be measured at locations on the premises boundary prior to the commencement of the event, with the methodology and locations agreed with the Local Planning Authority. The methodology and locations to ensure compliance with this condition shall be contained within the Event Management Plan.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and Saved Policy DPI0 of the Winchester District Local Plan Review (2006).

- 11 Between the hours of 1100 and 2300 noise levels from the music festival event shall not exceed 55dB Laeq (15 mins) and between the hours of 2300 and 0400 noise levels shall not exceed 45dB Laeq (15 mins). Noise levels from music in the octave band frequency range with a centre frequency of 63Hz and levels from music in the octave band frequency range with a centre frequency of 125Hz shall not exceed:

- Wednesday – Regulated entertainment on Wednesday shall be inaudible at the monitoring locations.
- Thursday – 65dB Leq (15mins) between 1000 and 0000;
- Friday and Saturday – 65dB Leq (15mins) between 1000 and 2100; 68dB Leq (15mins) between 2100 and 2300; and 65 dB Leq (15mins) between 2300 and 0400
- Sunday – 65dB Leq (15mins) between 1000 and 0000

All noise levels from music shall be measured as above in free field conditions and in the absence of significant local noise sources at location to be agreed in writing with the Local Planning Authority no later than 28 days in advance of the event.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and Saved Policy DPI0 of the Winchester District Local Plan Review (2006).

- 12 The sounds systems of the principal stages at the music festival shall be tested to ensure compliance with Condition 11 prior to the commencement of the music festival event. The local Planning Authority shall be notified no less than 24 hours in advance of such testing being undertaken. The applicant shall appoint a suitably qualified noise consultant to monitor and record on-site and off-site noise to ensure compliance with Conditions 9-11.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and Saved Policy DPI0 of the Winchester District Local Plan Review (2006).

- 13 The use of land in association with this permission shall only be carried out within land outlined in red on the approved site location plan. No activities or use in connection with the approved events shall be carried out on land outlined in blue on the site location plan.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and the policies of the Emerging South Downs Local Plan.

- 14 The proposed temporary coach pad shall be formed no earlier than 4 weeks before the music festival each year. The land shall subsequently be reseeded to form grass land within three weeks of the close of each music festival. Details of the layout of the Temporary Coach pad shall be forwarded to the Local Planning Authority at least three months before each music festival for approval. The Coach Pad shall only be formed in compliance with the approved layout details.

Reason: In order to protect the amenity of the surrounding area in accordance with the NPPF and the policies of the Emerging South Downs Local Plan.

*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**

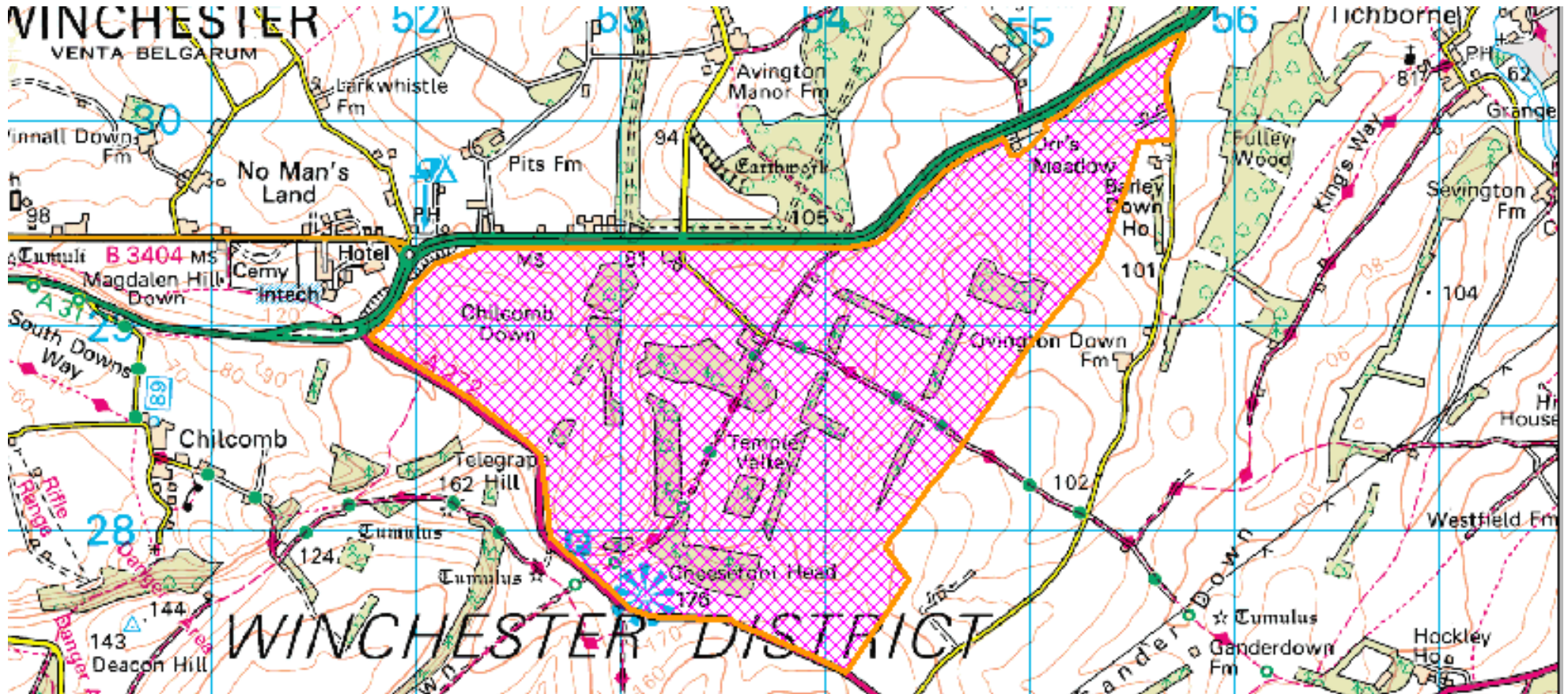
**Director of Planning**

**South Downs National Park Authority**

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Appendices: 1. Site Location Map

2 Application SDNP/15/06486/FUL – Committee Report (9 June 2016)

SDNPA Consultees: 3 Application SDNP/18/00939/CND – Committee Report (10 May 2018)  
 Legal Services, Director of Planning.  
 Background Documents: Public Access, Application Summary and Associated Documents  
<https://planningpublicaccess.southdowns.gov.uk/online-applications/applicationDetails.do?keyVal=PJ9HFMTUI0R00&activeTab=summary>  
 National Planning Policy Framework  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/607721/16950.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/607721/16950.pdf)  
 National Planning Practice Guidance  
<https://www.gov.uk/government/collections/planning-practice-guidance>  
 Defra: English National Parks and the Broads – Uk Government Vision and Circular 2010.  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/221086/pb13387-vision-circular2010.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221086/pb13387-vision-circular2010.pdf)  
 SDNP Partnership Management Plan  
<https://www.southdowns.gov.uk/national-park-authority/our-work/key-documents/partnership-management-plan/>  
 Winchester District Local Plan (First Review) (2006)  
<http://www.winchester.gov.uk/planning-policy/local-plan-review-adopted-2006-and-previous-local-plans>  
 Winchester District Local Plan Joint Core Strategy (2013)  
<http://www.winchester.gov.uk/planning-policy/local-plan-part-1-joint-core-strategy-adopted-march-2013-local-plan-review-2006>  
 South Downs Local Plan Pre-Submission  
<https://www.southdowns.gov.uk/planning/national-park-local-plan/>



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