

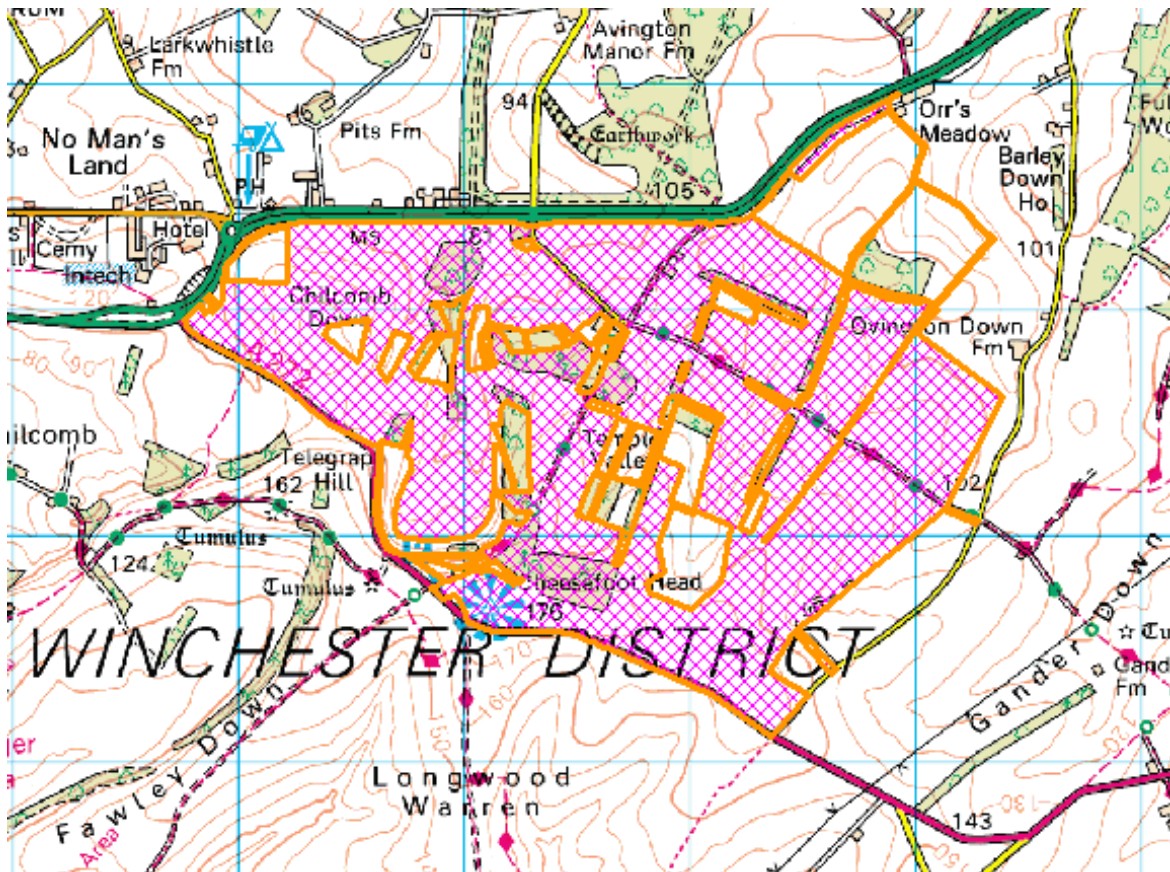
Report to	Planning Committee
Date	8 May 2025
By	Director of Planning
Local Authority	Winchester City Council
Application Number	SDNP/24/05303/FUL
Applicant	Boomtown Festival Ltd
Application	Change of use of land from agriculture to mixed agriculture and holding of one music festival event to occur once a calendar year.
Address	Matterley Farm, Alresford Road, Ovington, Winchester, Hampshire, SO24 0HU.

Recommendation:

- I. That authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant temporary planning approval (for 5 years) subject to:**
 - i) A Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee to secure:**
 - A Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan incorporating benefits in relation to Biodiversity Net Gain, the landscape and ecology of the application site;**
 - Retention of all the improvements secured as part of Planning Application SDNP/18/06249/FUL and through the Section 106 Agreement dated 16 December 2019;**
 - A Wastewater Strategy together with monitoring regime and evidence ensuring scheme achieves nutrient neutrality;**
 - ii) The satisfactory resolution of technical matters relating to highways;**
 - iii) The conditions set out at paragraph 9.1 which may be amended by the Director of Planning in consultation with the Chairman of the Planning Committee to accommodate any necessary minor changes;**
- 2. That the Committee confirm in reaching their decision that they have taken into account:**
 - The environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;**
 - All matters referred to in the Director of Planning's report including comments received from statutory consultees and other interested parties, and**
 - All other material considerations.**

3. 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 8 May Planning Committee meeting.

Site Location Map



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Executive Summary

A temporary approval recently expired allowing one music festival (for up to 64,999 people) and one sports endurance event (for up to 30,000 people) to be held each year on the Matterley Estate. The temporary approval was for a limited period expiring on 31 December 2024 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. The applicant has now submitted the current application for permission to hold one music festival in any calendar year and to increase the attendance numbers to 75,999, for a temporary period expiring in 5 years (end of 2029). The application has been accompanied by an Environmental Statement, given that the need to address Nitrate/Phosphate Neutrality means that an Environmental Impact Assessment was required. The current application also seeks the retention of the existing wooden structures in association with the festival and for the first time includes a Parameter Plan indicating specific areas within the site having specific uses and activities and details of maximum heights of key components.

The application is considered to be Major for the purposes of Paragraph 190 of the National Planning Policy Framework and Policy SD3 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 stated in the NPPF the consideration of the application should therefore include an assessment of a number of criteria. It is considered that the proposals meet these tests having regard to all the circumstances.

The main issues for consideration in respect of the application are:

- The impact of the proposals on the landscape character of the area.
- The impact of the proposals on the ecology of the application site, given the submitted ecological evidence.
- The impact on the Purposes of the Park (with regard to the above matters).
- Nitrate/Phosphate Neutrality.
- The impact on tranquillity and light pollution.
- The impact on the highway network.

The application requires a balance of considerations in relation to impacts upon tranquillity, ecology and biodiversity, vehicular activity and highway considerations, light pollution and landscape impact with the temporary nature of the event, the enjoyment and understanding of the National Park, the cultural and economic benefits to the area and the environmental benefits which could be secured in the long-term, were the application to be approved.

This needs to be considered against the backdrop of the reason for the current temporary approval given in 2019 that was to allow the impact of the number of attendees (originally 64,999) on the amenity of the area and the qualities of the National Park to be reviewed.

The applicants were inevitably hampered in being able to fully collate a detailed baseline from which to assess the overall impacts on the festival over a prolonged period within the timeline of the temporary festival through no fault of their own, due the cancellation of the festivals in both 2020 and 2021 due to the Coronavirus pandemic. Whilst ecological surveys have been undertaken they are not as expansive as originally envisaged. The applicants, in acknowledging this have only sought a temporary permission to allow a further period for the Authority to review the impact of the festival on ecological and landscape interests.

The site now falls within the areas affected by the matter of nitrate and phosphate neutrality. Consideration must be given to whether Nitrate/Phosphate Neutrality can be achieved.

In addition, it is pertinent that the recent temporary approval included permission for one sports endurance event per year. Since the approval (which was also part of the 2016 approval), this option has not been progressed by the applicant and the current application does not seek permission for such an event.

Officers consider that the removal of the 'sports endurance' event from this proposal is beneficial although it must be noted it was never enacted in the recent permission. Officers have scrutinised

the Ecological evidence submitted with the Environmental Assessment and whilst it was clearly not as comprehensive as originally envisaged it is felt there is sufficient clarity to be confident in allowing an increase in numbers on this particular issue, but with the proviso that the permission remains temporary and comprehensive ecological work and surveys continue to form part of conditions should approval be granted.

Officers have considered, in discussions with the applicant and the landowner, that a Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan (BLEMMP) could provide benefits, such as to result in long-term enhancements, whilst acknowledging the Festival clearly has short-term adverse impacts in a number of ways such as landscape, noise, tranquillity and increased traffic.

The applicant has put forward a solution to achieve nitrate/phosphate neutrality which would form part of a S106 agreement in the event that members are minded to approve the application. The solution is considered to be acceptable and Natural England have raised no objection on this particular matter.

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 is Rodfield Lane. The northern parcels of land beyond the A31 Hampage Woods do not form part of this application. The red outline of the application site differs from earlier applications in that whilst access to Rodfield Lane and some land to the eastern part of the Estate beyond the Motocross Track now forms part of the site, there are effectively areas excluded from the outline within the Estate (partly in order to be protected for ecological reasons during the festival).
- I.2 The site includes numerous key characteristics of the wider landscape character area including: the distinctive rounded coomb of the Devil's Punchbowl (Matterley Bowl) which is a striking landmark landscape feature with areas of species rich unimproved chalk grassland on its steep sloping sides; Cheesefoot Head and its long reaching panoramic views – which is one of the South Downs National Park's identified viewpoints; the distinctive hill top beech clump at Cheesefoot Head; and branching dry valley
- I.3 The estate continues to farm both a dairy unit, an arable enterprise and also 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,), permission to hold two motocross events a year (in Matterley Basin) and tank driving experience days. The music festival has largely been concentrated in the natural amphitheatre known as 'Matterley Bowl', but several venues have occupied 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.
- I.4 The South Downs Way (SDW) runs through the application site, being accessed to the immediate northwest of the Cheesefoot Head Car Park and going in a northeasterly direction across the Estate until turning towards the southeast (and Rodfield Lane) by the main group of agricultural buildings which are located to just north of the centre of the site.
- I.5 The site is at its highest to the south at the top of Cheesefoot Head with the levels dropping significantly to the northwest 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.
- I.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 northeast 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 December 2019 – Approved – 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 December 2019 – Approved – 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
 - **SDNP/18/06249/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 including retention of wooden structures within**

woodland and minor alterations to existing access on A31, both associated with festival use – Temporary Permission for a limited period expiring on 31 December 2024 – Approved – 17 December 2019. (This permission allowed up to 64,999 attendees for the music festival)

- SDNP/19/06160/CND – Variation of Condition 2 of Planning Consent
SDNP/18/06249/FUL – Withdrawn – 7 May 2020
- SDNP/21/00290/FUL - A change of use of land from agriculture to mixed agriculture and holding of one music festival event for a number of attendees not exceeding 75,999 (plus 1,000 attendees on the Sunday for local residents) in any calendar year including retention of wooden structures within woodland and minor alterations to existing access on A31, both associated with festival use. Storage containers (storage use associated with music event) on site throughout rest of the year – Withdrawn – 5 December 2022
- SDNP/22/01333/CND –Variation of condition 2 relating to planning approval
SDNP/18/06249/FUL for an extension to setting up and dismantling period from 9 to 14 weeks – Withdrawn – 12 April 2022

2.2 In addition, there has been a long history in relation to the use of **Matterley Basin** for Motocross events. This dates back to an approval gained on appeal in March 2010 for two events per year. There have been subsequent temporary approvals for the events to be held earlier in the year and some temporary amendments to other conditions. At present, those temporary approvals have expired and the permanent permission reverts to the conditions set on the original appeal decision. A current application seeks permission to hold a Motocross event outside the dates allowed under the original appeal decision. This is still being considered.

2.3 There has also been a history of approvals in relation to **Avington Wellsite**, which is located within the site, close to Matterley Basin. The most recent approval was granted on appeal for the retention of the wellsite and existing surface and sub-surface infrastructure for a further period of five years in order to allow for further appraisal of oil and gas (SDNP/2/01255/CM). Appeal allowed on 10 December 2021 for a temporary period of five years.

3. Proposal

3.1 The application seeks temporary approval for one music festival per year for five years (until the end of 2029). The applicant seeks a limit of 75,999 attendees for the music event (plus 1,000 local residents on Sunday) which would include 63,000 ticket holders (plus 1,000 on Sunday). The proposal also seeks retention of the wooden structures currently located in the woods within the Estate. The proposal also allows for a set up period before the event of up to five weeks and a period of three weeks for taking down subsequent to the event. The event itself would be five days – open from Wednesday to Monday with entertainment ceasing at Sunday night and the campsites closing on Monday.

3.2 The temporary approvals in 2016 and 2019 allowed for the use of the site for one music festival and one sports endurance event, however the current proposal only seeks use of the site for one music festival. It is important to note that the previous decision in 2019 was subject to a Section 106 (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. Most importantly, the most recent Agreement for the extant temporary approval, secured the implementation of a Landscape Environmental Management Plan (LEMP), which included a number of ecological, landscape and environmental benefits across the Estate. The applicant is willing to enter into a S106 agreement securing similar benefits in relation to this application and it has been considered prudent to draft a similar document to the LEMP previously secured, but in order to be more holistic and manageable, will now encompass Biodiversity Net Gain and Ecological matters and would be referred to as a Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan (BLEMMP).

- 3.3 The 2019 permission provided for 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. In addition, the use of an area as a coach pad by the A272/A31 with reseeding taking place after each festival continues to form part of the current approval.
- 3.4 The application is also accompanied by an Environmental Statement in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended). Further details are set out in Sections 6 and 7 of the report.

4. Consultations

4.1 Access and Rights of Way – Comments

- Proposals present challenges for conserving and enhancing the amenity value, tranquillity and views from the South Downs Way. Disruption mainly arises from vehicles movements during the set up, and takedown phases, particularly outside the designated rights of way closure period. During the festival itself SDW users are diverted on to a temporary route around the festival site. Despite these provisions, many users find the diversion route confusing.
- The transport assessment acknowledges the guidance provided by Sport England, Active Travel England and the Office for Health Improvement and Disparities in their publication, 'Active Design'. This guidance emphasises that development proposals should encourage more physically active and healthy lifestyles by creating active environments. However, the assessment states that, despite meeting the relevant thresholds, and Active Travel Assessment has not been deemed necessary due to the temporary nature and rural location of the site.
- Given the scale and its impact on the transport network, including local rights of way, proposals should include an active travel assessment. The provision of long-term active travel measures should also be considered to support the festival's growth in a sustainable way.
- Should permission be granted, encourage the applicant to develop an active Travel Assessment and consider the following actions as part of their active travel strategy: Identification and evaluation of current non-motorised travel routes to and from the Festival site, including safety, accessibility and usability. Improve existing routes or establish new attractive, functional and accessible non-motorised travel routes to the site. Promote active travel among attendees, staff and suppliers, such as incentives or infrastructure improvement. Wayfinding signage and information to address confusion caused by temporary diversions, ensuring clarity for SDW users. Analysis of the environmental impact of vehicle movements compared to potential benefits of enhancing travel options. Long-term strategies for encouraging a shift towards sustainable and active travel for future iterations of the event.

4.2 Archaeology (WCC) – No objection subject to conditions

- Safeguarding conditions are felt to be necessary but would only be implemented where required in line with previous permissions.

4.3 Beauworth Parish Meeting – No Comments Received

4.4 Bramdean & Hinton Ampner Parish Council – No Comments Received

4.5 Cheriton Parish Council – Objection

- **Failure to comply with Purpose 1 and Policy SD6** – Applicants do not show their proposals would conserve and enhance the natural beauty and how views would be safeguarded. Photos with application do not show any taken during the five-week construction phase or three-week decommissioning phase. Majority of photos during the festival show almost nothing of the thousands of tents and other structures and none of the observation towers. No photographs of the Matterley Bowl. No photographs after dark. Attempt to hide or downplay failure to comply with Purpose 1 and Policy SD6 (photographs supplied in support of this objection).

- **Failure to comply with NPPF and Policy SD3** – Requirement in NPPF and SD3 to assess developing outside the Park. No such assessment has been undertaken. Statement says “It simply could not take place elsewhere let alone outside of the designated area”. Festivals of similar sizes take place in other locations which proves the sites of the size needed exist elsewhere outside of SDNP.
- **Failure to reference Previous Application SDNP/21/00290/FUL** – Applicants claim material differences between this application and SDNP/18/06249/FUL but omit any meaningful reference to SDNP/21/00290/FUL. Report for that meeting recommended refusal.
- **Same Site as in SDNP/21/00290/FUL** – Applicants claim site is so different from that granted permission in 2019. Parameter Plan attempts to explain this. Reduction in site size has been achieved by removing those parts of the larger site which were never used for Boomtown or are surplus to requirements. Larger site was estimated by CPC to be able to accommodate up to 150,000 which has now been vindicated. Parameter Plan includes a reduction in heights of structures but this has never been part of either of the two previous temporary permissions and never covered by planning conditions. Similarly stage locations and character areas have never been controlled in previous permissions.
- **Safety Risks for Public Ticketholders** – Statement shows a ratio of 4.8:1 which would be significantly worse than the 2.2:1 ratio which they informed the Authority was the industry ‘norm’. Based on the 2018 representations an inference can be drawn that this would have adverse implications for the safety of ticket holders.
- **Non-Compliance with National Planning Guidance on use of conditions** – Guidance states granting a second period of temporary permission should be rare. Previous temporary permissions have already been granted. A third period would pose serious questions about the Authority’s interpretation of the NPPG. The Authority has no means of verifying independently that the conditions relating to numbers of people on site have been complied with.
- **No economic benefits for Local Communities as required by the SDNPA Duty** – Economics study not supported by reliable evidence. During operational phase 111,250 of the crew total are only employed for five days. No reference to disbenefits for local businesses within SDNPA. Few, if any benefits accrue to local communities and the Duty is not complied with.
- **Ecology** – CPC requested data from HBIC in late 2024. Conclusion is that differences reflect the long-term negative impact of cumulative festivals on breeding birds. Local ornithologist undertook surveys of Skylark numbers in 2023 and 2024. Evidence that the number of skylarks on adjoining farms outnumber those on Matterley by 5:1. EPR (advisors to Boomtown) recognition that the festival does have an influence on land immediately adjoining the festival location. Assumed therefore that it would be hard for them to argue against the comparing data. EPR impact assessment confine their analysis to the site itself. Conclusion is that bird species have not been conserved or enhanced.
- **National Parks and Access to the Countryside Act, 1949 (as amended by Section 245 of the Levelling UP and Regeneration Act 2023).** – SDNPA must seek to further the statutory purposes of the Park. The Sandford Principle Applies. That a National Park is an inappropriate venue for a major music festival should be axiomatic. Festival attendees are not “accessing” the Park for any of the reasons that national parks exist. Even if there were any serious ambiguity, application of the new active duty would favour the event not being held in a National Park. Given even the lack of offsetting economic benefits, it is not clear why this should be disregarded.
- **Noise** – In Chapter 9 no reference to Relative Tranquillity (SD7). Chapter 9 does not assess operational music noise impacts on local amenity relative tranquillity. All assessments are based on predications using software modelling for a height above 1.5m which is not first-floor height. SDNPA made clear in Scoping Opinion that an assessment

of the impacts of music noise on tranquillity is required but has not been provided.

- CPC commissioned a company to take noise measurements in the village before and during the recent festival. Consultants conclusion was that the music noise levels specified in the premises licence do not conserve and enhance relative tranquillity and are inappropriate for planning purposes, being non-compliant with SD7. They said that, although it would be acceptable for music to be just audible outside residences during nighttime hours (after 11pm) it should not be audible inside any homes. Additional control measures are reasonable and necessary for planning purposes in the National Park. The applicants have not complied with the requirements to assess impacts of music noise and local amenity relative tranquillity, Parish Council considers that this is a good reason to refuse. However, if approved the Parish Council requests amplified music should cease at 11pm or at the latest midnight on all nights.

Conservation Officer (SDNPA) – No objection

4.6 No direct effect on significance of designated or non-designated heritage assets. Archaeology may be affected and it is advised to follow the comments of the Archaeology Officer.

- Indirect effects on off-site assets are considered unlikely to be significant from a heritage consideration due to the temporary nature.

4.7 **Drainage (WCC) – No comments Received**

4.8 **Ecology – Initial Comments**

- Summary: It is essential that all information in relation to avoidance, mitigation, compensation and enhancement in relation to protected species, notable habitats and designated sites, BNG, and a 30-year management and monitoring programme, is submitted as a single document to provide all the necessary information.
- Designated Sites: Designated sites will be fenced off. An elevated walkway across the SSSI will be fenced off on each side. A consent from Natural England will be required.
- Notable Habitats: Priority Habitat Lowland Calcareous Grassland has been identified on site within Cheesefoot Head SSSI and other parcels. Other notable habitats such as other calcareous grassland, woodland, hedgerows, etc. have also been identified on site. In relation to Priority Habitat Lowland Calcareous Grassland, a brief comparison of their extent and condition between the previous years, and the most recent survey work has been carried out to provide some information in relation to the impact of the proposals, ability of the habitats to recover and the effectiveness of management measures. BT03b would not be protected by Herras Fencing and will be adversely affected by the proposals. Mitigation measures are proposed in the form of habitat management. Not convinced a two-cuts a year management, will result in condition uplift/restoration and how would the proposed management be different from the existing management of these habitats as part of the ongoing Matterley Estate management. Furthermore, given the annual occurrence of the festival, this recurring impact should be taken into account. Therefore, further information is required.
- Biodiversity Net Gain: An Outline Biodiversity Gain Plan has been submitted. Section 2.13 of this report states “Many areas of the Site are routinely subject to an annual cycle of temporary disturbance and deterioration in habitat condition to varying degrees over the festival period, followed by recovery to their original condition, ...”, followed by Section 2.14 which states “The Metric does not include a function to account for temporary disturbance and deterioration in habitat condition, only for ‘unauthorised degradation’ since 30 January 2020, which does not apply in this case as the festival has been operating with all relevant permissions in place.” It should be noted that there is provision for deterioration in habitat condition in the Metric and to address the degradation of condition likely to arise from a development, the habitat should be recorded as lost, and then created in ‘poor’ condition with 30+ habitat created in advance – this is in accordance with the BNG User Guide (Defra, 2024).
- Whilst temporary habitat loss (DEFRA, 2024) with the baseline habitat type and

condition restored within two years of the initial impact, can be entered as retained, I do not agree that this is the applicable to the proposals due to the festival occurring on an annual basis.

- Furthermore, Section 2.19 of the report states “The Biodiversity Metric, however, does not include ‘other calcareous grassland’ as a habitat type, only ‘lowland calcareous grassland’ which is a High Distinctiveness habitat with strict trading rules. EPR’s view is that recording these grasslands as ‘lowland calcareous grassland’ would overestimate their value, and they have therefore been entered as ‘other neutral grassland’, a Medium distinctiveness habitat which better represents their relative value.” Unfortunately, I do not agree that ‘other calcareous grassland’ could be classed as same distinctiveness as ‘other neutral grassland’; a ‘medium’ distinctiveness habitat.
- Barn Owls: Barn owls have been recorded roosting on site within a single building and six permanent wooden structures. No breeding barn owls have been recorded. A comparison of the previous and most up-to-date survey results indicates yearly fluctuations from no records to 19 records in 2013 and 2021. It has been concluded that the high numbers recorded in 2021 is indicative that barn owl populations have not been significantly affected by prior events at the site. The increased levels of lighting, noise and vibration during the construction, operational and decommissioning phases may temporarily deter barn owls from using the site and therefore to mitigate for this, it has been stated that at least 30 days before the start of the construction stage in the first year (2025), alternative provision will be made nearby the existing roost structures, with a barn owl nest box erected within 200m of the structure within a suitable tree or on a pole. Based on Sections 4.21 & 4.22 of the Outline Ecological Mitigation and Management Plan (EMMP), two boxes will be erected as a way of mitigation and another barn owl box as a way of enhancement. This is not considered to be sufficient, and further information is required as to how the proposed number of boxes have been calculated. Details of the boxes, most importantly the locations, description of surrounding habitat, etc. should be provided at this stage.
- Reptiles: To prevent impact to reptiles, erection of Heras fencing around all areas that have been found to support reptiles during presence/likely absence surveys, will be carried out. This is acceptable.
- Badgers: A copy of the badger survey work has been submitted, and I raise no concerns.
- Bats: Unable to find the results of the dusk emergence bat survey as these structures will be subject to significant levels of noise and lighting as a result of the proposals and whilst the impacts are short-term, due to the predicted levels of disturbance, are likely to result in the abandonment of the roost, if bats are present. Therefore, further information is required.
- Similarly, it is not clear which trees will be subject to high levels of short-term disturbance to potentially result in roost abandonment and in the absence of further survey work, assessing impacts and mitigation would not be possible. Further information should be submitted.
- It has been stated “*During the operational stage, disturbance levels are considered to be high enough to result in potential roost abandonment (if present). To mitigate for this, five bat boxes are to be installed within the Matterley Estate, outside the area of direct impact.*” It is not clear how in the absence of surveys to identify the presence/absence of roosts, this number has been selected as mitigation. Therefore, further information is required.
- The submitted EMMP also states “*A five further bat boxes are to be installed by way of enhancement.*” Considering the length of the construction, operational and decommissioning phases, size of the site and the extent of suitable features/habitats for roosting bats, this number is not considered to be sufficient and therefore a significantly larger number of boxes will be required. However, it should be noted that habitat creation to increase the area of suitable habitat and increase ecological connectivity and creation of different habitat types (e.g. ponds) should be considered as mitigation, only

to be supplemented by boxes, rather than a complete reliance on provision of bat boxes.

- Raise no major concerns in relation to foraging and commuting bats.
- **Birds:** Have a concern as it has been stated that the results of the previous bird survey work (e.g. breeding bird surveys by ECOSA between 2015 and 2020) was not available and the conclusions and proposed mitigation is based on breeding bird surveys carried out in 2023 and 2024. This is not ideal as a comparison between the survey data in previous years, pre and during the festival would be useful to ascertain any changes in the number of species recorded or the number of territories held by ground nesting birds, the impact of the festival and effectiveness of any mitigation measures. Further information is requested, and a thorough comparison is made between the 2023/2024 and previous survey results. Nevertheless, the 2023/24 survey data have identified approximately 14 Skylark territories in areas to be affected by the festival. Therefore, in the absence of mitigation there will be a significant negative impact on skylark. It has been stated that a total of 42 skylark plots will be provided, which is acceptable and in accordance with current guidelines. Monitoring of the new skylark plots has also been proposed for a period of 10 years to ensure the mitigation measures are effective. Location and details of the offsite skylark plots however has not been disclosed. Due to the large area needed to provide these plots, this information should be submitted at this stage.
- The Outline EMMP states that 5no. bird boxes will be installed for mitigation or enhancement purposes. Given the magnitude of short-term disturbance, 5no. boxes as mitigation and 5no. as enhancement, are considered to be insufficient, and a considerably larger number of boxes, with the types, numbers and locations justified by the survey results, will be required. However, it should be noted that habitat creation to increase the area of suitable habitat and increase ecological connectivity and creation of different habitat types (e.g. ponds) should be considered as mitigation, only to be supplemented by boxes, rather than a complete reliance on provision of bird boxes.
- Habitats Regulations Assessment – The proposals will not have a likely significant effect on the integrity of the National Site Networks.
- Outline Ecological Mitigation & Management Plan (EMMP) – Whilst this document provides useful information, a detailed EMMP will be required, as the necessary details in relation to management prescriptions and types/locations/details of wildlife features are missing. Furthermore, due to a number of documents submitted/to be submitted in support of this application and potential lack of cross-referencing and providing contradictory information (e.g. re. management regimes, etc.), it is essential that all the information in relation to avoidance, mitigation, compensation, enhancement, biodiversity net gain, management and monitoring is submitted as a single document (e.g. Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan) which will provide all the necessary and detailed information. This document should be accompanied by appropriate plans.
- Section 4.6 of this report states “*All wildlife boxes installed within the Matterley Estate as part of this planning application, for either mitigation or enhancement purposes, are to be checked annually, at least one month prior to the start of the construction stage of each event.*” It is not clear how the proposed check will enable a comparison being made for the effectiveness of the mitigation measures. Therefore, further information is required.

4.9 Environment Agency – Comments

- Query regarding whether any grey water would still be directed to ground via soakaway.
- Query regarding whether, with regard to the composting toilets, there could still be discharges to the ground.
- While these issues remain outstanding, suggest condition requiring a scheme to dispose of wastewater and foul water be submitted prior to commencement.

4.10 Environmental Health – No objection subject to conditions

- Effects of noise on relative tranquillity outside of EH scope and are a matter for the Landscape Specialist of SDNP.
- No adverse comments in respect of assessment of noise from construction and decommissioning, operational generators and tower lights or road traffic. WCC has never received reports of noise disturbances from these sources during the years Boomtown have been holding events at the Estate.
- As regards operational music noise, using sound propagation software, the assessment has modelled night time broadband noise levels up to a distance of 14km from this site and this is presented as contours around the site. The significance of levels within each contour has been related to WHO guidelines as well as the Premises License conditions for the LAeq (which were also originally based on WHO guidelines). Worth noting that the WHO guideline values are based on health impacts from yearly exposure than the type of short-term impacts from a festival.
- Accept the conclusions that there are a limited number of noise sensitive receptors (probably less than 20 properties) that are so close to the site that they may experience a temporary short-term adverse effect. The hours of music are such that the night time impacts are limited to finish on Wednesday at 2300, Thurs and Sun at 0000 and Fri/Sat 0400, so the most noticeable impacts may be for the 2 nights that extend to 044. It is worth noting that those residents may not be affected every year or each night of the event depending on wind direction and these properties are adjacent to the main roads (A31, and A272) so will already be experiencing road traffic noise impacts.
- Vast majority of receptors fall within the low to medium contours with moderate to negligible amenity and health impacts therefore accept the conclusions of this assessment for broadband noise.
- As regards impact low frequency (bass) – it is difficult to accurately model these and there is no recognised methodology for assessing it in relation to music event. Additionally, with large wavelengths, low frequency can propagate over considerable distances, depending on wind conditions. It is the low frequency that poses most challenges. Would have expected more qualitative discussion about this, but as the EH Team have so much experience in monitoring this each night, do not see it as necessary for the applicant to provide further submissions.
- Low frequency can be reasonable controlled through setting limits. The Premises licence issued by WCC currently specifies maximum permitted music noise levels for octave bands with a centre frequency of 63 and 125Hz and see no reason to duplicate this in any permission, (if consent given). However, in order to strengthen control of very low frequency to further protect the amenity of resident’s living in the NP, SDNP may wish to add an additional condition.
- The Premise Licence has a series of additional noise conditions based on requirements for good management and control of noise sources as well as providing information to the public. It also restricts areas of the site for stages, so whilst the audience attendance might increase, areas for entertainment are restricted. See no reason to duplicate or change this if consent granted.

4.11 Esso Petroleum – No comment

4.12 Fire and Rescue – Comments

- Comments made mainly in relation to advice – No conditions suggested

4.13 Health & Safety Executive – Refer to Standard Advice

4.14 Highways Authority – Comments Awaited (Members will be updated)

4.15 National Highways – No objection

- Requested more information about parking provision available during the festival. This

was sent. Additional information requested about profile of trips across the day for each of the key arrival and departure days for the festival. This information was provided and has been reviewed. Data provided was from traffic counts at each access gate during 2023 festival and it is considered a reasonable representation of the trip profile likely to occur in the future.

- This information also confirms that whilst there is an uplift in vehicle number predicted, it is small in percentage terms and would have a minimal impact on the trip profile. Majority of trips occur outside the network peak periods and the trips are likely to spread across the two SRN junctions (traffic to/from South using M3 J10 and traffic to/from North using M3 J9 and A34). In addition to that the site is accessed via local road network, which includes the A31 and is some distance from SRN, M3 and A34.
- Therefore the total trips passing through each junction during the network peak hours is likely to be reasonably low with an infrequent nature of the impact.

4.16 **Itchen Stoke and Ovington Parish Council – Support**

- Requests the SDNPA take serious and formal note of the following qualifying comments:-
- Boomtown admits it is taking a huge risk in continuing to plan operationally for the Festival in late summer 2025 whilst a very large complex application has only recently been submitted. To put this into context, the last application was under review for 22 months before being reviewed by the Committee in December 2022. The LPA should not, under any circumstances be influenced by the Applicant's self-imposed timing pressures.
- Whilst the Parish Council supports the application for a number of broad based largely non-technical reasons, it recognises that none of the Councillors have any formal background in Planning. As such, it is wholly reliant on the professional competence and experience of Planning Authority officers to thoroughly evaluate the huge volume of data within the application and technical positions documented by Consultees such as the Environment Agency, Natural England and local Parish Councils.
- Should permission be granted, conditions should be attached and regular monitoring and reporting carried out to ensure formal obligations are in place throughout the term of the permission to ensure that Boomtown meets and maintains the highest possible standards in respect of the environment, whether flora, fauna, land, noise, light and local populations.

4.17 **Itchen Valley Parish Council – Support**

- If permission is granted, Planning Authority should seek to ensure that Boomtown not merely aspires to, but actually achieves, the highest environmental standards in the management and protection of the land upon which the festival is held.

4.18 **Landscape – Initial Comments**

- Headlines: LVIA has not assessed year on year effects. LVIA suggests all effects are equally reversible from year 1 to year 5. Don't believe this to be the case.
- Avoiding harm is the key embedded mitigation for this scheme. This positive approach follows the mitigation hierarchy however the red line breaches the SSSI. The designation is stated to be outside of the red line as a key mitigation measure, this measure is unlikely to be successful.
- Many areas of calcareous grassland are within the red outline and subject to negative impacts, directly and indirectly in some cases, due to mitigation proposed. This is a downland landscape, not one characterised by trees, hedges and woodlands.
- The scheme relies upon mitigation and enhancements to make the proposal acceptable. These should be secured via a management plan. If done to best practice standards, this could address the effects of the scheme and be successful over a 5-year temporary

period.

- However, submitted mitigation and enhancement measures are currently considered inadequate. These are being negotiated. To deliver an overall enhancement, recommend mitigation is sought for all effect, not only the significant ones.
- Alongside an inadequate landscape baseline, there are conflicts between different parts of the application, making exactly what is being proposed by the scheme and mitigation unclear. This will require resolution through the LEMP.
- Following short-term, and reversible negative effects are agreed: Tranquillity (noise and visual effects), views and visual amenity impacts, DNS, Land use and subsequent change in character, experiential qualities of the landscape for ROW users.
- Significant adverse effects are identified by the applicant upon: The site, the landscape character area, visual impacts experienced by residents of properties, visitors to Cheesefoot Head and users of the rights of way.
- No secondary mitigation or enhancement measures to address these residual significant effects have been proposed in the ES. Without a LEMP it would fail to meet Policy or Purpose 1. Identifying likely effects and incorporating mitigation and then enhancement measures into a useable LEMP will be a key part of the role in S106 negotiations with the applicant.

4.19 Local Lead Flood Authority – No objection

4.20 NHS – South East Hampshire CCG – No comments received

4.21 Natural England – No objection subject to appropriate mitigation being secured.

- Summary - Without appropriate mitigation the application would damage or destroy the interest features for which Cheesefoot Head SSSI has been notified. The following mitigation measures are required (Ecological Mitigation & Management Plan approved by the Ecologist/Biodiversity Officer, operations will be undertaken as specified in the consent dated 13 July 2023). Advise that an appropriate planning condition or obligation is attached to any permission to secure these measures.
- Habitats Regulation Assessment – Note that the shadow HRA has been produced by the applicant. It is responsibility of LPA to produce the HRA. Comments are on the shadow HRA submitted by the applicant. The assessment concludes the proposals can be screened out from further stages of assessment because significant effects are unlikely to occur, either alone or in combination. On the basis of the information provided, Natural England concurs with this view.
- Ecological Mitigation & Management Plan (EMMP) – NE welcome the submission of the EMPP. Provided the works are carried out in accordance with the details of the EMMP, NE is content with the measure set out to minimise environmental impacts upon designated sites.
- Nutrient Neutrality – The Shadow HRA states that wastewater will be removed from site and dealt with outside the River Itchen SAC and Solent SPA and SAC Catchment, therefore avoiding negative impacts on water quality of the Habitats site. NE is of the view that if this measure is implemented, it will be effective and reliable in preventing harmful effects on the Habitats Site for the duration of the proposed development. Advise a condition or Obligation be attached to a permission to secure these measures.
- SSSI Consent – The applicant has NE consent to carry out operations described in their notice attached to the Consent 13 July 2023.
- Protected Landscapes – NE is not confirming there would be significant adverse effect on landscape or visual resources or on the statutory purposes of their area, only that there are no landscape issues which, based on the information received, necessitates NE involvement. Section 245 of the LURA 2023 places a duty on relevant authorities to seek to further the statutory purposes of the area.

4.22 Owslebury Parish Council

- Owslebury Parish Council have no comment to make on this planning application.

4.23 Southern Water – General Comments

- Trade Effluent – Referred to standing advice.
- Disposal of Surface Water – Where surface water is being considered for discharge to the network, require the hierarchy of reuse, infiltration, watercourse, storm sewer, combined sewer (reflected in Part H3 of Building Regulations).
- Would like to engage on design for the disposal of surface water. May negate or reduce need for network reinforcement and allow earlier completion of the development.

4.24 Tree Officer (WCC) – No comments received

4.25 Twyford Parish Council – Neutral

- Concern about lack of certainty around travel routes to the site and potential impact caused by the M3 J9 works which may introduce additional traffic to J11.
- Acknowledge time limit of setting up and dismantling but would welcome a quicker clean-up of litter which affects public footpaths through the site following the festival.
- Satisfied with formalisation of consent for the existing wooden buildings but does not support any further permanent structures.

4.26 Tichborne Parish Council – Comments

- Would like to remind SDNP of comments made during consideration of previous applications. Parish Council is of the view that the arguments made in those statements remain valid up to the present day.
- Recent changes in legislation made in 2023 now impose a legal duty on the planning authority to further the statutory purposes of the SDNP.
- Legislation also states that a planning authority is required to give greater weight to the first purpose than the second. Difficult to conclude that damage caused conserves and enhances. Would appear to only damage the grassland, other vegetation and drive birds and other wildlife away.
- Structures and fencing prevents public from walking the footpaths and from enjoying the beauty of the SDNP. Those attending are not doing so in order to enjoy the beauty but rather to enjoy music light shows and other entertainment.
- Does not confer any economic benefit for those living in the SDNP. On the other hand, event creates significant costs that have to be borne by locals including costs of hospital and other medical treatment, cost of policing and inconvenience caused by traffic jams.
- Light and laser show would seem to conflict with the Dark Sky status. Event has recently coincided with one of best times to observe the Perseid meteor shower, rendering it impossible to enjoy.
- Music is played at high noise levels until 4.00am on certain days. Adversely effects those living locally. SD7 requires relative tranquillity to be preserved and compliance should be enforced.
- No assessment made of development being held outside the SDNP (SD3 and NPPF). Presumably there are other sites outside the SDNP where this could be held.
- Amendments made to the National Parks and Access to the Countryside Act 1949 by the Levelling Up and Regeneration Act 2023 introduce the new legal obligation on the SDNPA to seek to further the Purposes of the SDNP and to give greater weight to furthering Purpose 1 (conservation and enhancement) over Purpose 2 (enjoyment). This emphasis on the importance of Purpose 1 seems to make it difficult for the authority to allow this application. Consider the authority would need to explain clearly and

convincingly in what way it had discharged this legal obligation.

- Application similar to previous one lodged which was recommended for refusal. Reasoning remains valid, it is considered this application should be refused.

4.27 **Dark Skies – Comments**

- Previous response still relevant. “To summarise.....the event is likely to create a significant adverse effect which conflicts with aims of dark sky protection within the National Park. Whilst every effort should be made to ensure that relevant lighting uses dark sky lighting principles to minimise sky glow, glare and spill, the nature of theatrical lighting will create temporary reductions in sky quality. However, given the distance to the core, limited duration and the time of year it is unlikely to threaten the average core values. This is consistent with previous consultations and communications with the developers lighting team and is a realistic solution given the scope of the event. The approach taken is sensible and reflects the complexity of the lighting against the availability of standards. Consequently every effort should be made to minimise the impact of the lighting.”
- The change of use for this purpose will continue to create a significant adverse effect which conflicts with the aims of dark sky protection within the National Park.
- There has been effort to minimise the impact of lighting with relevance to appropriate luminaires. Calculations show that there will be adverse impacts for receptors in light trespass, sky glow and glare. While the effect is temporary, the lighting report shows that although the impact is low, the proposal would not meet the requirements for obtrusive lighting within ILP GN01.
- The Environmental Lighting Report shows that the proposals will produce 30% upward light which is outside the EI environmental zone.
- It is inherently difficult to ensure a EI dark sky compliant music festival and this has been noted in previous responses. Although efforts have been made to constrain light to a minimum during the operation and construction phases, there still remains a significant residual impact which conflicts with South Downs Policy.
- The time and temporary nature of the proposal does mitigate the impact and is unlikely to significantly impact the long-term sky quality of the core. However, as the maintenance of the Dark Sky Reserve requires the avoidance of threats, the proposal will conflict with this aim. As such the proposals will be visible in the surrounding landscape and temporarily reduce sky quality, both in terms of overhead measurements and general experience of darkness.
- Given the multi-purpose lighting required for this proposal, it is still important to ensure quality lighting where it is appropriate and possible. All lighting for construction and general floodlighting should be installed to avoid upward light, glare and be 3000k. This may be difficult to achieve with mobile towers, but mitigations should be considered for all lighting.
- In summary, while the design shows regard for dark skies within the design, the proposal will create significant adverse impacts on dark skies and not be compliant with ILP guidelines. While these are temporary in use there will be no lasting impact on the long-term measurement of sky quality.

5. **Representations**

5.1 **Letters of Support from 163 Respondents received**

- Has become very much a part of Winchester. Vibrant cultural event. Commitment to inclusivity. Positive impact beyond the festival gates. Offers opportunities for growth and expression to the younger generation. Bridges generational divides. Education performances contribute to personal development. Well organised with 24-hour event control centre. Brings thousands of people to appreciate the natural beauty of the area, many of whom might not have visited otherwise.

- Contributes to local economy (local help as well as a spotlight for local artists and work for local vendors). Offers direct employment and skills development. Local taxi and bus services benefit from the event. Boosts tourism, drawing visitors from the UK and abroad. Brings visitors to National Park and showcases Winchester as a vibrant, culturally rich destination
- Beneficial to local community. Outweighs short-lived inconveniences. Grant schemes have provided essential funding for village projects. Particular help for the Local school and pre-school and support for the local church bell tower. Local engagement with communities. Provision of tickets for locals on Sundays. Strong beneficial relationship with University. Invaluable work experience. Contributes to academic enrichment.
- Never caused issues locally. Locals kept informed at all times.
- Proposals align with core values of National Park (protection of landscape, biodiversity, responsible land use) and National and Local policies. Organisers have implemented environmental initiatives (rewilding, habitat conservation, waste reduction strategies). Impact on the fauna and flora of the festival is minimal as the duration of the festival is so short, and less than year-round farming activity. Maintains natural beauty and ecological integrity of the Estate. Impressed by speed and efficiency of clean up team. Proactively informs on ecological issues.
- Strict site restoration protocols and habitat preservation efforts have helped mitigate any potential negative effects on the landscape and wildlife. Often see nesting birds on the Estate. Wooden structures are natural products in unseen surroundings.
- Environmental impact negligible as site is grazed by livestock within a few weeks of the festival, which occurs outside of the bird nesting and breeding seasons. SSSI on the Estate is in excellent order and protected during the event, but also woodlands and hedgerows are also in good order.
- Ample areas for huge nature recovery projects through BNG, Species mitigation projects, which also results in increases in biodiversity outside of the habitat metrics which has to be used to draw up the biodiversity plan.
- National Park is supposed to act as green lung for the populous.
- “Leave no trace” ambition has seen an improvement on residual waste after the event. Also all generators now being run by a vegetable product.
- Limits long-term infrastructure and ensures all temporary structures are removed post-event.
- Highly effective traffic control system. Use of additional access points is a sensible and practical solution to manage the increased traffic. Shuttle buses good way to make carbon footprint more sustainable. Improvements in ingress and egress. Limited congestion on Mondays. Discounts for those attending by public transport. Roads never congested and A31 always open. Transportation initiatives being used to reduce congestion and carbon footprint.
- Allows diversification for Farmer of land. Does not interfere with deer management on neighbouring estate to Matterley. Diversified income helps ensure good management of wider landscape features. Sensible diversification on well managed land which is part of Winchester Farm Cluster prioritising biodiversity, water quality, historic environment, landscape and woodland.
- Impressed by efforts to control the noise spill and work with the local community to minimise the impact. As a close neighbour we were offered and accepted a noise level monitor which was regularly checked before, during and after the main event. Natural amphitheatre does a great job of containing sound.
- Notion of only granting "Temporary" planning permission is quite farcical.
- Happy to tolerate small disruption for a short period of time, if that means many

thousands of people having a wonderful experience in the beautiful countryside.

- Footpath diversion route warnings are clearly displayed in advance of the festival.
- Family friendly festival (*Case officer Comment: The festival is now only an over-18 event from 2024 onwards*).
- Organisers proactive in dealing with alcohol and drugs.
- Earlier issues and concerns regarding blocked access, excessive traffic and litter have been completely rectified and are managed well by Boomtown staff.

5.2 **26 Letters of objection from Respondents received**

Purposes of Park & Policy

- Holding of a festival contrary to purposes of park (conservation of nature and public access to the Park). Festival attendees are not “accessing” the Park.
- Were there any ambiguity application of the Sandford Principle would favour the event not being held within the Park.
- Already been two periods of temporary permission which is contrary to Government Planning Guidance and there should not be a third such period.
- Section 245 of the Levelling Up and Regeneration Act 2023 imposes a legal duty on SDNPA to seek to further its Purposes and to give greater weight to Conservation (Purpose 1) over Enjoyment (Purpose 2).
- LURA 2023 supersedes Policy SD1 and so removes exceptions from consideration (exceptionally benefits outweighing weight attached to those interests, and substantial compliance with other relevant policies).
- Does not comply with the LURA duty to “conserve and enhance the natural beauty and wildlife of the area”. (miles of green fencing, towers, lighting, stages, structures, camping). Scars on the landscape for months afterwards.
- Report for withdrawn application in 2021 confirmed event would not enhance or conserve and proposals were not in public interest and there were no exceptional circumstances.
- It is not considered that nine weeks of disruption is “short-term temporary impact”.
- SDNP Joint Management Plan emphasises need to protect the tranquillity and natural beauty of the Park. Festival would directly contradict these aims.
- Legal Precedent set by Manningtree Station Car park Case confirms a development which does not further purposes of the Park is contrary to law.

Landscape

- Tents, stages, buildings, etc. do nothing for the natural beauty of Matterley bowl.
- Photographs show damage to ground in bowl does not disappear for several months.
- For nine weeks of each of the next five years this whole area will be either a construction site or the site of a five-day event for 77,999 people (*Case Officer Comment: Number incorrect. For exact details on capacity proposed see Section 3 of Report*).
- While a festival might attract visitors, it would do so at the expense of the quiet enjoyment and tranquillity that are essential attributes of the Park. Attendees are not coming to see those attributes.

Procedural Queries

- Boomtown has not made an assessment of developing outside the National Park, contrary to Para 190 of the NPPF and Policy SD3. (Major development).
- Application is very late, considering that Boomtown is scheduled for August 2025, giving

very little time for full and proper consideration to the application.

Ecology

- Significant barrier to mammalian foraging routes by virtue of security fences in place around the site (and not accounted for in EI surveys. Deer/rabbits become unwelcome in a fenced site.
- Fails to conserve and enhance the natural beauty and wildlife of the Matterley Bowl.
- Application for permanent permission in 2021 was recommended for refusal with one reason being absence of ecological evidence (application subsequently withdrawn).
- Current application has absence of historical ecological evidence. Some surveys in 2023 and two in 2024 but not in accord with Industry guidelines (at least six breeding bird surveys between late March and early July).
- Historical data prior to 2023 is available from HCC but has not been utilised.
- Detailed evidence about 4 bird species provided by local resident. Conclusion being that red listed ground nesting birds have not been conserved and enhanced over the years since festivals started. Evidence is that numbers have declined significantly compared with adjacent farms.
- Over eight years since Authority became involved with farm and no historical ecological baseline has been established which effects on wildlife of holding large festivals could be assessed.
- Applicants view that “effect on reptiles and ground nesting birds while adverse are not significant” is not true. Impact on ground nesting birds after 15 years has been adverse and adverse in long-term.
- Before Boomtown began population of Corn Bunting within site was similar to that in surrounding farmland. Has not kept up with neighbouring farmland. No sound reason other than disruption the festival causes. Similar patterns for lapwing, skylark and yellowhammer.
- Need to consider cumulative ecology impact of all activities on the Estate.
- NPPF Section 15 dictates proposal should be declined on grounds of significant harm to wildlife. Proposals for mitigation and 10% BNG do not meet “last resort” test of the Framework.
- Holding festival may contravene Wildlife & Countryside Act 1981, Natural Environment & Rural Communities (NERC) Act 2026, Conservation of Habitats and Species Regulations 2017, Government Circular 06/05 and the protection of Badger Act 1992.
- Mitigation and 10% BNG gains proposals fail to use “conservation Covenant” mechanisms suggested in the Environment Act 2021.
- Have organisers considered impact of drugs on wildlife in the local rivers?
- Boomtown have been downgraded to their lowest category by “A Greener Future” (the industry assessor of sustainability for pop festivals).
- Detailed paper from local resident covering their objection to the application, the detrimental impact of Boomtown on Birds within the site and comparison with immediately surrounding farmland, comments on the application papers, legal, regulatory and statutory matters, impacts on ecology other than birds, key points to be considered if permission is granted, annual ecology report and comments of mitigation and BNG proposals.
- Detrimental impact on some wildlife species lasts all year and is cumulative.
- As part of preparations 200-250 hectares of grassland is mowed before the festival. Birds are susceptible to disturbance, it is necessary to take into consideration bird nesting dates. Clear that a wide range of farmland birds are at high risk of disturbance

throughout construction, operation and decommissioning. Consequence leads to lower reproduction rates for birds on the Estate.

- All ecological analysis should have a data baseline. Should permission be granted, applicant must be compelled to maintain that level of surveying. Ecological baseline database should have been drawn up in 2010.
- Shortcomings in the application papers. Date range for the application covers the whole bird nesting season and breeding season for mammals.
- Applicant proposes use of drones to check for gate crashers. Disastrous impact on all nesting birds. Would also impact on bats and badgers.
- Applicant proposes any future minor changes to the ES and EMMP be unpublished. Must be available so public can track actions against undertakings made.
- Only produced ecological data for the site, but acknowledge festival has ecological implications in zone of influence at 2km and 5km.
- EDR have been selective in choosing nearby sites relating to the HRA but make no impact assessment on 24 SINCS that are within 2km of the site.
- Decision-path matrix: decisions made and weightings are subjective and favour the developer and not the wildlife.
- Contrary to SD1, SD2, SD3, SD9, SD11 and SD45, NPPF Section 15, para 187-193, NPPG Wildlife & Countryside Act 1981(as amended), Natural Environment & Rural Communities (NERC)Act 2006, Bird of Conservation List, Conservation of Habitats and Species regulations 2017, Government Circular 06/05, Protection of Badgers Act 1992, Environment Act 2021.
- Lighting must be switched off at night to protect bats.
- Various reports do not cover mustelids or rare oil beetles which are present locally.
- Approval should ensure continuation/completion of past commitments and new mitigation acts must be put in place.

Noise & Air pollution/Tranquillity/Dark Skies

- Diesel/Petrol generation is most polluting form of electricity production. Air pollution deliberately converted into disruptive sound and light pollution.
- Cheriton is of intermediate or high tranquillity (tranquillity Scores map – Local Plan). Amplified music does not conserve or enhance. It causes harm.
- Acoustic Study commissioned for Cheriton PC concluded Cheriton is very quiet at night and its inappropriate for planning purposes to rely on the levels contained in the Premises Licence granted by WCC. As it is not known by the Authority what would be the appropriate decibel level to conserve and enhance tranquillity it is requested a condition is imposed requiring amplified music to cease at 11pm all nights.
- Amplified music noise from the open-air stages is very disturbing for the villages in the neighbourhood, especially when late at night.
- Low frequency bass noise travels miles from its source. Situation is annoying and intolerable. Music should have been continuously measured and recorded in direct vicinity of Hinton Ampner as well as Bramdean, by calibrated instruments, by qualified independent experts who determine an agreed baseline and whose resources are fully funded by the organisers.
- Application substitutes a desk-top analysis in place of physical measurement and fieldwork undertaken at agreed sites during the festival together with a background noise level check at a corresponding time. Noise is a physical reaction to soundwaves, felt personally and individually – not generated by computer read-outs.
- Policy SD7: Proposals do not conserve or enhance. SDNPA must clearly define the noise

levels it finds acceptable for relative tranquillity zones in its plan. There would then be no room to challenge prescribed rules on what is acceptable in the Park.

- Causes a public nuisance, with regard to noise, traffic and health & safety.
- Last year necessary to close both windows and curtains to try and muffle some of the bass sound. Doesn't sit comfortably with the 'pop' code.
- Bass music can be heard 7km away.
- Noise reports comprehensively demolished in recent rejection of Brockwood Festival.
- Claims of rogue noise by applicants is unconvincing.
- Light can also be seen for miles around contrary to SD8. Strobe lighting is particularly intensive. Area is designated as a Dark Skies Reserve and lighting is bound to breach that requirement.
- Huge areas of car parks illuminated.
- Event has coincided with the best time to observe the Perseid meteor rendering it impossible to enjoy that spectacle.
- Loud music until 4am on two nights and 11pm or midnight on three others.
- Loud bass beat all day in Avington and deprived of sleep at night.
- Impact of noise on local school retreat centre in terms of noise and relative tranquillity, traffic. Also results in economic loss given guests less inclined to visit during the festival.

Traffic & Transport/Highways

- Congestion caused by restrictions and closures implemented on local roads (which affects local businesses and farms). 30% increase in ticket holders will increase problems on arrival and departure days. Poor recent traffic control at Motocross event. Traffic disruption associated with Boomtown continues for days on either side of the festival. Traffic disruption will be worse due to road works on M3 and closures on A3. Lengthy queues on arrival day. Potential road damage.

Public Footpaths/South Downs Way (SDW)

- Festival divert route of South Downs Way for two months. Requires people to walk for some length beside high protective fencing reducing enjoyment of that section of the walk at a peak time of the year.

Crime & Disorder

- Boomtown imports and generates crime that would otherwise not have taken place in Winchester or the Park.
- Seems to be a degree of tolerance towards drug taking and less serious criminal behaviour. Control of drugs should be more efficient and serious.
- Does not promote the Prevention of public nuisance.
- Police report presented due to concerns over several deaths at Boomtown and MX events. Puts enormous pressure on Winchester Emergency Department.
- Lack of Police cover during festival. Will require more staff to monitor the crowds to avoid deaths.

Economic Benefit

- Economic research indicates festivals are redistributive rather than value-added. The benefits accrue disproportionately to the venue operator.
- Many of the traders/contractors travel from outside the local area. Festival attendees limit their consumption in the local economy.
- Non-Boomtown related work is more profitable and Boomtown is an impediment to

their everyday business.

- The costs are spread across the local community and are not borne by the festival operator.
- The Economic study ignored known disbenefits to local businesses.
- Unclear whether festival provides paid work for local people or benefits local businesses.
- Not much economic benefit for the local communities, as most of the stallholders come from outside the local area.
- Local disruption before, during and after the event has an adverse effect on the local economy with people avoiding the Winchester area.

Climate Change

- Festivals are a celebration of excess, not reduction. Any attempts at mitigation are in the form of recycle at best. Claims otherwise are greenwashing.
- Burden of the significant amount of waste that is brought into the area falls upon local waste handling facilities for disposal.

Other issues

- Environmental costs: Management of the Farm/Estate appears to be increasingly oriented towards event management during the rest of the year. Land is kept uncultivated and closely cut. Internal tracks are more permanent.
- Water conservation Issue has been bizarre. Residents subject to water rationing while thousands of attendees descend on Matterley, depleting the aquifer.
- Been allowed to proceed at time of extreme fire risk.
- Medical practitioner had to close in the two days before Boomtown because his patients were arriving so late that he couldn't run appointments close to time.
- Similar application to previous which Director recommended for refusal in December 2022. Reasons are still valid.
- Urination in watercourses is a big issue. Are limits on dissolved solids and oxygen levels exceeded.
- Will expansion spawn offsite camp sites? Who controls cumulative impact from these apparently independent sites?
- Other festivals there is a risk of helicopters flying close to the site. Landing sites require permission. Is this covered in the application?
- Applicants have breached conditions of earlier approvals.

5.3 **Letter of Objection from Hampshire Ornithological Society**

- Applicant has failed to fully address impacts on farmlands birds and failed to provide suitable mitigation for these species.
- Decline in four bird species compared to surrounding farmland due to the festival indicating a long-term negative impact. Skylark surveys population on site is only one fifth of that on adjoining farmland.
- Farmland bird index shows 61% decline in bird populations since 1970 with the site hosting 16 of the 19 monitored species emphasising the need for conservation efforts.
- 22 red-listed bird species are regularly present on Matterley Farm with additional nine species seen occasionally, highlighting the areas' ecological importance.
- Date window for the festival disastrous for wildlife as it is the whole bird nesting period, breeding period for most mammals and the flowering period for most fauna. As a minimum the date window requested should be declined and the previous date limits

should be re-instated.

- HOC support suggestions for new mitigation and BNG plans, including skylark/lapwing plots bird and bat boxes, bird seed feeding, spring crops, maintenance of buffer zones and consulting with wildlife organisations for a more substantial plan than that on offer.
- Hedge management is currently poor. More planting of native hedgerow required.
- Management of the remaining area of chalk downland flora is a problem. Generally undergrazed.

5.4 **Letter of Objection from Upper Itchen Valley Society**

- Does not conform to purpose 1 of National Parks (Nine week set up and dismantling period, permanent structures in place the whole year).
- SDNP is a Dark Skies Zone – Strobe lights used in Festival.
- Noise is intrusive and prevents sleep for local residents.
- Element of project creep. More attendees and from original two days to five now.
- South Downs Way diverted for two weeks.
- Traffic is a problem with gap closures on A31, particularly on Mondays. Will get worse with major works to M3 – Junction 9.
- Third temporary application which is contrary to Government policy. The South Downs were recommending refusal of the application for a permanent festival and this application is almost identical to that one.

5.5 **Letter with general comments from Councillor Neil Bolton**

- Hope to give you more of sense of what silent majority of residents want the Committee to keep in mind as they adjudicate.
- Impression from most people is they want to see a pragmatic and sensible approach to decision making, balancing needs of farmers to diversify, residents to be able to enjoy the life they chose to live, festival event goes to enjoy the event safely and for the impact Boomtown has on the natural environment to be managed with reasonable care. Must listen carefully to residents' objections and continue to ensure we do what we can to mitigate impact including noise, traffic and environmental impact.
- Along with councillors and other members of the community have lobbied to improve noise management and mitigation, better manage traffic and undertake a more thorough EIA. All have improved and must continue to improve.
- Concern that Boomtown has become infamous for association with drug use. Sad that another fatality occurred last year. Boomtown Licence was called in for review recently. Purpose of the NP is its duty to foster the social wellbeing of local communities within the Park. The social wellbeing of attendees should be a concern to Committee. Ask officers and members to ensure they are satisfied with the measures agreed with Hampshire Constabulary to reduce the risk of another drug related death in the future.

5.6 **Letter with general comments from Jerry Pett (SDNP Member)**

- Frequently lobbied by constituents of all views on the Festival. A majority of constituents overall would either support or be neutral on its continuance. Number of comments received in support reflects this. Incontestable that Boomtown attracts large numbers to this part of the Park. Many having no motivation to visit the site other than the festival but would also fall within scope of those groups regarded as underrepresented among visitors to the Park. There is also a sizeable minority who object to it; some, but not all, because of the personal inconvenience to them in terms of noise and its effect of their routine movement through the surrounding network. Others take a more academic and nuanced approach to counter the arguments put forward to justify the change of use of the land for a large music festival in its context of lying within a protected landscape. All

make a positive contribution to the debate.

- It will likely be judged against the Local Plan and in particular the degree to which it would contribute to the Purposes and Duty of the NPA that underpin it.
- Purpose 1 – Conserve and enhance the natural beauty, wildlife and cultural heritage of the area. Applicant has presented a comprehensive EIA. Appendix 6 addresses impact on breeding birds, noting skylarks are breeding within the site. Proposed mitigation of impact is not to allow grass to grow to extent that it would make the site attractive to these birds for nesting and to install skylark plots offsite. It states the impact cannot be mitigated on-site. Appears to confirm that the conservation of habitat for skylark at this location is incompatible with the change of use. Sufficient benefits need to accrue from the festival overall to justify acceptance that habitats at its location will not be conserved as its consequence. Proposed increase numbers will likely make this balance more difficult to achieve.
- In relation to Singleton/Cocking Tunnels, importance of habitat conservation has carried considerable weight in that decision over opportunity to widen the attraction of the Centurion Way 365 days a year.
- A question to be decided here is whether there is greater benefit from allowing such a long-term inheritance of the festival to be created over an alternative more tranquil cultural heritage of the site that already exists.
- Purpose 2 – Promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the Public. Applicant makes a valid point that individuals make their own choice of how they both interact both with the festival itself and its location within the Park. Little doubt that a number of attendees may be attracted by the opportunity to ‘landscape bathe’ in this unique location. A large proportion of festival goers appear more drawn by content such that they are agnostic to location. One question is whether the specific benefit to individual attendees of the location within the park is sufficient and can be made long-lasting to outweigh any detriment of consideration of Purpose 1. The weight of the purpose 2 benefit would need to be very significant for acceptance for insufficient mitigation of habitat harm.
- Duty – to seek to foster the social and economic well-being of the local communities with the National Park in pursuit of its purposes. Point has been made that the major part of this benefit accrues to the landowner since festival goers are largely captive once arrived on site, served by those vendors contracted by the Festival. Opportunities for local businesses to be represented is limited. Such benefit that the local economy derives is more likely to be delivered by service providers to festival staff across the full set up/festival/strike down cycle. Appears to be insufficient evidence to determine the balance of this benefit between communities within the Park and those beyond its borders. Little consideration of the depressive effect on the local economy of Winchester felt through the disincentive for other visitors during the festival period. The effect on the social wellbeing of residents within earshot sometimes at significant distance from the site, should also be considered. Drawn to the description of the Western Downs in the local plan: “The high relative tranquillity and sense of isolation in this area provides a cultural service to visitors and locals”.
- Whether to grant the application will be matter of balance. The points above are of particular relevance to those living in the vicinity of the site. The degree of weight to be given to each is for the Committee to determine.

5.7 **I letter with general comments received from Friends of the South Downs**

- UK Government Vision and Circular 2010 notes that 'Events with the potential to harm the special qualities of a Park, such as caravan and vehicle rallies and large music festivals, will need to be controlled' so not an automatic presumption against such festivals within National Parks.
- Appropriate for the applicants to apply for a further temporary permission in this case

given the changes to the proposals from those previously approved.

- Increased pressure from an additional 11,000 attendees is of concern, however acknowledge that the increased number reflects the premises licence.
- Proposed significant reduction in the Festival area and in the height of the stages and arenas is welcomed.
- Whilst the Festival causes disturbance to local residents and those who work in or visit the area, it also provides economic benefits, even if those benefits do not all accrue to the Park.
- Main concern, however, is that the applicant appears to have failed to acknowledge the strengthened duty under Section 245 of the Levelling Up and Regeneration Act 2023 to seek to further the statutory purposes of Protected Landscapes; the submitted Planning Statement refers only to the previous duty to have regard to National Park purposes under S.62 of the Environment Act 1995.
- Proposals, particularly the data submitted by the applicant regarding the extent of environmental damage to the site, must be re-assessed in the light of the strengthened duty.
- If minded to approve the application, expect the permission to be subject to stringent controls.

6. Planning Policy

6.1 Relevant Sections of National Planning Policy Framework:

- NPPF02 – Achieving sustainable development
- NPPF06 – Building a strong, competitive economy
- NPPF09 – Promoting sustainable transport
- NPPF15 – Conserving and enhancing the natural environment
- NPPF16 – Conserving and enhancing the historic environment

6.2 Government policy relating to National Parks is set out in English National Parks and the Broads: UK Government Vision and Circular 2010 and the revised National Planning Policy Framework (NPPF) (2024). The Circular and NPPF confirm that National Parks have the highest status of protection. The NPPF states at paragraph 189 that great weight should be given to conserving and enhancing landscape and scenic beauty in national parks and that the conservation and enhancement of wildlife and cultural heritage are also important considerations and should be given great weight in National Parks. It states “the scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.”

6.3 Major development

Paragraph 190 of the NPPF also outlines that “permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) 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;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated”.

6.4 Footnote 67 to paragraph 190 provides further clarification; “For the purposes of paragraphs 190 and 191, whether a proposal is ‘major development’ is a matter for the decision maker,

taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined”.

- 6.5 Having assessed the application and considered relevant case law, the scheme is **considered to be major development** for the purposes of paragraph 190 of the NPPF and its footnote (no.60). This is considered in more details later in the report.

Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)

- 6.6 This application is supported by an Environmental Statement as the proposals fall within the definition set out in Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

- 6.7 As set out in the above-mentioned regulations and the ‘Planning Practice Guidance’ which accompanies the National Planning Policy Framework, there are specific arrangements for considering and determining planning applications, which have been subject to an Environmental Impact Assessment (EIA). This includes the adequacy of the information provided, consultation, publicity, and informing the public of the decision and the main reasons for it. The Local Planning Authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining the application. Further assessment of the submitted Environmental Statement is made in Section 7 of this report.

The South Downs Local Plan Review

- 6.8 The South Downs Local Plan is undergoing a period of review and the First Publication (18 Consultation) was undertaken between 20 January – 17 March 2025. This is the first publication of the Local Plan Review and therefore can only be attributed very little weight. As it progresses through the adoption process, it will gain more weight for the purposes of decision making.

- 6.9 Most relevant Policies of Adopted South Downs Local Plan (2014-2033) (A full list of relevant policies can be found in Appendix 1)

- Core Policy SD1 - Sustainable Development
- Core Policy SD3 - Major Development
- Strategic Policy SD4 - Landscape Character
- Strategic Policy SD7 - Relative Tranquillity
- Strategic Policy SD8 - Dark Night Skies
- Strategic Policy SD9 - Biodiversity and Geodiversity
- Strategic Policy SD19 - Transport and Accessibility
- Development Management Policy SD54 - Pollution and Air Quality

- 6.10 Relevant Policies of South Downs Management Plan (2020-2025)

- Partnership Management Plan Policy 1
- Partnership Management Plan Policy 3
- Partnership Management Plan Policy 5
- Partnership Management Plan Policy 30

- 6.11 Other Relevant Policy Documents (including SPDs and TANs)

- Dark Skies TAN
- Ecosystems Services Statement TAN
- Habitats Assessment Regulations TAN

7. Planning Assessment

Background – Major Development

- 7.1 This application is considered to be major development for the purposes of Paragraph 190 of the National Planning Policy Framework, by virtue of the scale and type of event which is proposed and the proposed number of people that would be attending the event.
- 7.2 Paragraph 190 confirms that permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. It then provides a list of criteria that should form part of consideration of major applications.
- 7.3 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 190 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 proposal in any year. It is acknowledged that there may be some impact on the conservation and enhancement of the National Park. This however has to be balanced by the fact that many impacts are temporary and the applicant is prepared to carry out and secure some works and landscape management which would continue to have a more permanent positive impact on the conservation and enhancement of the National Park, as part of the application. Such ongoing benefits for the landscape, natural beauty and wildlife of the Estate and the Park could all be secured again should permission be forthcoming. The applicant is in the process of preparing a Biodiversity Net Gain, Landscape and Ecological Mitigation Management Plan (BLEMMP) which will seek to secure benefits above and beyond that already achieved by the landowner's stewardship of the land in question.
- 7.4 Notwithstanding, it must be noted that the Authority took a careful approach with the most recent application by granting a temporary permission to allow a greater evidence base to be collated to greater understand the level of impact the festivals have on the landscape, ecology and wildlife of the area. Unfortunately, due to the Coronavirus pandemic and the cancellation of two festivals during the period of the temporary permission, the applicant has only been able to provide a limited amount of ecological data. Therefore the full extent (or even presence) of any impact under the numbers previously permitted, has not been evidenced as desired. However it must also be noted that it has been evidenced through the monitoring of the LEMP secured in 2019 and that Conservation and Enhancement of the Park has been achieved through actions secured by way of a Section 106 Agreement.
- 7.5 **Given all the above, whilst there remains a need to continue to build up a greater evidence base to assess the impact or otherwise on the landscape and ecological interests, it is considered that the Conservation and Enhancement of the Park was met by the previous permission. It must be acknowledged however that the need for a greater ecological and landscape evidence base is such that only a temporary permission for five years could be supported.**
- 7.6 It must be recognised that a key public interest is in relation to the second purpose of the Park specifically relating to the opportunity provided for a significant number of 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, which has occurred.
- 7.7 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 there are clearly economic benefits that accrue in the locality during the holding of such events.
- 7.8 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.

- 7.9 The Matterley Estate has been holding a number of events for some years now. Notwithstanding some early issues, the organisation of the events continue to be 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. In addition, it has been a requirement of the temporary permissions to provide an annual event management plan for scrutiny by officers.
- 7.10 Boomtown music festival is of economic benefit to the farm and how it operates year in, year out. Whilst the application has been submitted by the Festival organiser, it is clear that use of the land for the festival also benefits the owner of the Estate in their ongoing stewardship of the land. The need for some form of development is also acknowledged, given the nature of the farming enterprise. There is arguably some economic benefit 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.
- 7.11 In addition it is acknowledged that the events provide recreational opportunities for a wide cross section of the community, regionally and 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.
- 7.12 Given these considerations it is considered that there is arguably 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;

- 7.13 Musical events have been organised for some time at Matterley. 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 earlier applications were, and continue to be, submitted as a diversification scheme to assist with the agricultural activities that take place all year. In this respect that need could not be met elsewhere and have the same benefits 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 arguably 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.
- 7.14 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 in order to allow a meaningful form of diversification to continue. Controls of the nature proposed through this application would not apply if the applicant was to rely solely on his permitted development rights.
- 7.15 Having regard to this element of the assessment it is considered on balance that there are exceptional circumstances to justify the development, and developing elsewhere or meeting the need in the other way would have less merit in terms of public benefits.

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

- 7.16 The report sets out below, the effects on the environment, the landscape and recreational opportunities which are inherently part of the consideration of whether the amended scheme may be acceptable. Whilst there is clearly still some need for greater ecological

evidence to understand the impact, be it adverse, negligible or neutral on ecology and wildlife interests, it is clear that there are some short-term temporary effects on the environment, landscape and recreational opportunities. Whilst final details of how these impacts will be mitigated are still awaited, these will be set out in a Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan and secured via S106. There are also longer terms impacts, albeit to a certain extent, unknown.

- 7.17 Policy SD3 also requires that development proposals should be as sustainable as possible, and in this respect, there are a number of initiatives that the current organisers undertake.
- 7.18 **Given the above it is considered, on balance, that exceptional circumstances exist and it is within the public interest to approve the development and the proposal would therefore comply with Policy SD3 of the Local Plan and Paragraph 190 of the National Planning Policy Framework.**

Environmental Impact Assessment

- 7.19 The Application is accompanied by an Environmental Statement (ES), in accordance with the Town & Country Planning (Environmental Impact Assessment) Regulations (as amended). This describes the 'Environmental Impact Assessment', assessing the potential environmental effects of the development during the set-up, operation and take down (beneficial or adverse), the degree of impact and mitigation measures to avoid, reduce or offset negative impacts. The issues covered are: biodiversity, landscape and visual, lighting, noise, socio-economics and human health; and transport and access. (Some of these issues are discussed further in the report). The statement concludes that, overall, the design of the proposed development, including the build and break periods, has taken into account the potential environmental effects and where necessary, mitigation measures form an integral part of the scheme. This is to ensure that the environment is suitably protected and any impacts from the proposed development are minimised as far as possible.

Principle of development

- 7.20 The matter of compliance with the Purposes and Duty of the Park and Local Plan Policies have been considered in some detail over the course of earlier applications for events on the application site. The assessment against the previous applications still has some relevance however, it is important to measure the proposals against the policies within the Local Plan.
- 7.21 Policy SD1 relates to Sustainable Development and 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 outweigh the great weight to be attached to those interests and there is substantial compliance with the other policies in the plan.
- 7.22 The balance in relation to the purposes remains relevant as it did when earlier temporary approvals were given. The question remains as to whether the short-term impact for such events, is outweighed by long-term benefits that could be accrued for landscape, natural beauty and wildlife together with its contribution to Purpose 2, having regard to the duty. The most recent temporary approval secured some benefits as part of a LEMP, but it was appreciated by members that the absence of a 'steady state' of ecological data arising from festivals meant that the long-term impacts could not be fully ascertained. So a careful approach of a temporary permission was considered appropriate. Through circumstances beyond the control of the applicant, in the absence of a festival for two years, the wealth of evidence desired has not accrued as of yet with the more recent festivals providing more meaningful surveys. Whilst this survey information is helpful it is considered that it is not yet sufficient to provide officers with the confidence to consider a permanent permission for the holding of the festival. It is however clear that the proposal before members removes the original allowance for an additional Sports endurance event for up to 30,000 people. Whilst this was never taken up by the applicant members should be aware that this was considered to be acceptable in addition to the music festival. This being the case, it is considered that the proposals currently being considered, at present would accord with Policy SD1 of the Local Plan, subject to any approval being purely for a further temporary period and subject to numerous conditions.

- 7.23 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. The securing of a fresh land management strategy would embrace and address a number of matters to achieve some positive impacts. It is considered that with such a document and actions secured the proposal would accord with Policy SD2.
- 7.24 Policy SD3 relates to major development. This matter has already been addressed above.
- 7.25 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.
- 7.26 Policy SD7 relates to Relative Tranquillity. It is appreciated that the proposals do not conserve nor enhance relative tranquillity for the duration of the events (or arguably during set up and take-down). Notwithstanding, it is clear that the stewardship of the land by the owner for the remainder of the year serves to conserve the tranquillity of the area. The consideration therefore is the temporary impact on tranquillity and balancing that with 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 which could be accrued, the disturbance is, on balance, even with the additional numbers, acceptable.
- 7.27 Policy SD9 relates to Biodiversity and Geodiversity and specifically requires that proposals should identify and incorporate opportunities for net gains in biodiversity. This is considered and addressed later in the report.
- 7.28 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.
- 7.29 Policy SD16 relates to Archaeology. The County Archaeologist has confirmed that they have no objection subject to suitable conditions.
- 7.30 Policy SD17 refers to Protection of the Water Environment. This is considered in the report, with special consideration to the matter of nitrate/phosphate neutrality.
- 7.31 Policies relating to Traffic, Parking, walking and cycling (SD19-SD22) are considered in relation to highway impact elsewhere in the report.
- 7.32 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 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.
- 7.33 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 and this is discussed more in the section on Eco-system services.

- 7.34 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, whilst submitted by the festival organiser clearly is inextricably linked to farm diversification activity. Whilst there is no formal plan, there is no disruption to the agricultural holding and the proposal is considered subsidiary in terms of its use and overall impact, and contributes to a long-term benefit to the farming enterprise.
- 7.35 Policy SD54 relates to Pollution and Air Quality and this is considered later in the report.
General consideration in relation to review of temporary approval on amenities and special qualities of the Park.
- 7.36 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 permission for the use of land for one music festival per year on a permanent basis at the proposed increased numbers. The applicants acknowledge the need to gather more ecological and landscape data and thus have applied for temporary permission for five years at the attendance levels proposed.
- 7.37 Officers have had regard to advice from external consultees involved in the Safety Advisory Group. It is clear that there have been some ongoing logistical issues over time, 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.
- 7.38 The lack of detailed ecological reports, as required by the temporary approval, over the intervening period is regrettable but unavoidable. It is encouraging that further information and surveys are being undertaken since resumption of the festival and that is evidenced by the information submitted as part of this application in the Environmental Statement. Given this, it is considered that the proposed temporary permission, at the attendance levels proposed could be supported, whilst also allowing the applicant and landowner to continue to collate further ecological evidence during the lifetime of any permission granted.
- 7.39 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 over the years, with changing numbers of attendees, opening days and noise levels. This adds to the consideration that it should be a temporary permission.
- 7.40 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 and Biodiversity, including Appropriate Assessment under the Habitat Regulations
 - Crime & Disorder
 - Archaeology
 - Footpaths/Public Rights of Way
 - Other issues raised in representations

Landscape

- 7.41 The Landscape Officer has acknowledged that there are a number of short-term negative effects as a result of the Festival, such as tranquillity, views and visual amenity, Dark Skies' land use and subsequent change in character and experiential qualities of the landscape for RoW users. It has been acknowledged in previous applications that there is a short-term adverse impact in these respects.

- 7.42 It is clear that a Music Festival has at the very least short-term impact on the Landscape (and does not safeguard important views for short periods around the time of the Festival). It is apparent however that the land generally recovers reasonably well after the events and is well managed for the remainder of the year.
- 7.43 The use of the area at the A31/A272 for a coach pad for the temporary period for the festival continues to be acceptable in the event that it is purely for a limited period and is re-seeded after every event. With ongoing adequate and robust conditions, it is considered this arrangement could certainly continue, were members minded to approve the application.
- 7.44 The retention of structures within the woodland areas are considered to be acceptable in terms of landscape impact.
- 7.45 In overall landscape terms, it is considered that any further approval needs to have the assurance that long-term benefits in terms of land management can be secured. This has been the case with the existing LEMP and progress was made with actions within the earlier LEMP. There is certainly sense in having a holistic approach which addresses the matter of Biodiversity Net Gain, Landscape and Ecological Mitigation and Enhancement in one document (BLEMMP) as mentioned by the Landscape Officer and the Ecologist. Such a document seeks to talk across a number of elements required for the balance to ensure that the overall proposals conserve and enhance the Park.
- 7.46 The applicant is currently working on a Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan which will pull together the landscape management measures required to ensure the scheme delivers an overall enhancement, in accordance with Purpose 1. Whilst final details of these measures are still awaited, and it is acknowledged that the applicant will need to finalise a robust document which talks across the three elements highlighted, officers are confident that the BLEMMP can be secured via a S106 Agreement. The sort of measures envisaged are not peculiar or difficult to secure via condition or S106. The proposal is therefore considered capable of complying with policies SD1, SD4, SD5 and SD25, and the National Park's Purposes.

Noise and Light Pollution

- 7.47 Environmental Health continue to monitor the Festival and no objection has been raised with regard to pollution, subject to appropriate conditions. Environmental Health would necessarily be consulted on the submitted Event Management Plan secured by condition, were the application to be approved. Officers have been minded to revisit the conditions imposed on earlier approvals relating to noise to ensure that there are no conditions duplicated from the licence permission under separate legislation.
- 7.48 It is considered that the issues of light pollution could be monitored and managed by way of the Event Management Plan, were the application to be approved.
- 7.49 It is noted that Cheriton Parish Council provided details of a report in relation to Tranquillity. It has already been acknowledged that there are short-term impacts on the tranquillity of the area and this not denied. It is however considered that appropriate measures within the BLEMMP would serve to conserve the tranquillity across the Estate for the remainder of the year.

Highway Network

- 7.50 Highways England have raised no objection to the proposals.
- 7.51 The Highways Authority have raised queries about whether the access that have been proposed to be used for the festival are existing and whether they have suitable visibility splays. The applicant has been liaising with the Highways Authority to provide clarity on the matter and it is expected that this matter will be addressed to the satisfaction of the Highway Authority. As of yet, the Highways Authority have not confirmed their final position. Members will be updated on this matter should concerns still remain.
- 7.52 The evolving nature of the Festival is such that Highways and Traffic management issues may need to be adapted over time, however this would always be subject to scrutiny by the necessary bodies as part of the Event Management Plan.

- 7.53 It is worth noting that the red outline for the application site includes a vehicular access from Rodfield Lane, which was not part of the earlier applications. This access has been used and formed part of the Event Management Plan for the last three Festivals. Officers were conscious of the fact that the use of the access was technically in breach of a condition attached to the earlier approval (requiring no use of the land in blue for the Festival), but were minded to approve the EMP, given that the Transport and Access arrangements were considered to be acceptable from a Highways point of view and would reduce congestion and aid movement around the local network, to the benefit of local people. The inclusion in the current application seeks to regularise this arrangement together with two other accesses being used for the first time for Festival purposes, and were members minded to approve, this is considered to be acceptable.

Economic considerations

- 7.54 The economic benefits of the events were highlighted on the previous applications. 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. It is, however, considered that economic benefits do accrue in some form. It should also be noted that the concerns raised by residents in relation to businesses being able to function across the road network during the festival has arguably been improved by the more recent 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, albeit they may not be as great as stated by some.

Ecology and Biodiversity, including Appropriate Assessment under the Habitat Regulations

- 7.55 The County Ecologist has provided some initial comments in relation to the submitted documentation and reports, expressing concern about some details in relation to habitats, species and Biodiversity Net Gain. Whilst the submitted response is detailed and there are clearly areas within the submission which require clarification and further detail, it is noted that the Ecologist considers that the securing of a holistic BLEMMP document should enable these matters to be addressed. On this basis officers are confident that such a document encompassing the issues raised together with suitable mitigation and enhancement where necessary is able to conserve and enhance the special qualities of the Park from an ecological perspective. The comments of Natural England are also noted and who raise no objection.
- 7.56 It is noted that there are significant detailed representations from interested parties in relation to matters such as birds. The ecologist has responded to the information submitted on the application with regard to habitats and species. This is the basis upon which the matters of ecology have been considered. It would be clearly unacceptable to accept surveys undertaken by independent parties without any form of verification and officers are confident that the Ecologist has robustly scrutinised the applicants submitted information, and as can be seen from the response, has sought further information in some cases. Officers are content with this approach.
- 7.57 Since the most recent temporary Approval, there has only been three Festivals at the attendance levels of 64,999. Whilst this data is helpful a further temporary approval would enable a wider evidence base.
- 7.58 The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitats Regulations) places a duty on planning authorities when determining applications that may affect international sites to determine the potential for likely significant effects. Where proposals are likely (without mitigation) to have significant effects on international sites, the planning authority is required to undertake an appropriate assessment in order to ascertain that there would not be adverse impacts on the integrity of the international site, and whether the proposal demonstrates that impacts would be avoided or adequately mitigated against. Accordingly, Policy SD9 requires that development likely to result in a significant impact upon an international habitats site is subject to an Appropriate Assessment pursuant to the requirements of the habitats Regulations.
- 7.59 In the case of this proposal, an Appropriate Assessment is required for the potential significant effects on:

- River Itchen Special Areas of Conservation (SAC) and
 - Solent Coast Special Protection Areas (SPAs)
- 7.60 The proposals have been supported by a Foul Water & Nutrient Neutrality Technical Note by the applicants consultant (Glanville), and a report by EPR “Information for Habitats Regulation Assessment”.
- 7.61 The Solent Marine and River Itchen International sites are known to be vulnerable to nutrient enrichment from elevated levels of nitrogen and phosphorous respectively.
- 7.62 It is recognised that a large contribution of nutrient inputs are from agricultural sources such as fertiliser run off; however, a small but notable contribution comes from human wastewater outputs.
- 7.63 Natural England advises that a likely significant effect from development that increases these nutrients in the Solent or Itchen catchments cannot be ruled out. This applies to all types of overnight accommodation, including tourism attractions and overnight accommodation.
- 7.64 For such development proposals, Natural England advise that a nutrient neutral approach is one which “enables decisions makers to assess and quantify mitigation requirements of new developments. It allows new developments to be approved with no net increase in nutrient loading within the catchments of the affected habitats site. Where properly applied, Natural England considers that nutrient neutrality is an acceptable means of counterbalancing nutrient impacts from development to demonstrate no adverse effect on the integrity of habitats sites”. Natural England has prepared a methodology setting out how this can be achieved. The conclusion of the screening under the HRA is that the proposal could lead to likely significant effects, alone or in combination with other plans or projects.
- 7.65 Currently the assessment shows an overall increase in nutrients being discharged as a result of the proposed development prior to any mitigation/offsetting. The submitted statement confirms that wastewater from the Festival will be removed from the catchment area by transporting it to Basingstoke Sewage Treatment Works, which discharges to a different catchment not subject to nutrient neutrality requirements. The principle of changing the location to one not within a catchment subject to nutrient neutrality is an adequate response and does constitute an acceptable solution. The Authority has undertaken a Habitats Regulations Assessment, the conclusions of which are that the adverse effects on the integrity of the relevant international sites can be ruled out (subject to an appropriate Legal Agreement to secure the above).
- 7.66 As a final point in relation to ecology, it is noted that the festival organisers have always ensured the SSSI surrounding the bowl is adequately protected during the set-up, take down and operation of the festival. This includes an elevated walkway across the SSSI, so as to protect it. In addition, the festival provides information by way of interpretation boards explaining to attendees about the importance of the SSSI and the need for it to be fenced off during the festivals. Officers are content that the proposed increase in numbers, subject to suitable conditions, would not have an adverse impact on the SSSI, given these and other measures described and secured through the SI06.

Eco-system Services/Biodiversity Net Gain

- 7.67 In line with Policy SD2 the proposals would need to have an overall positive impact on the ability of the natural environment to contribute goods and services. The application is statutorily required to demonstrate a minimum 10% biodiversity net gain. SD9 also requires proposals to identify and incorporate net gains for biodiversity.
- 7.68 The applicants submitted an Eco-systems Services statement with the application, setting out Actions to achieve an overall positive impact. These actions included (but are in no way exhaustive):-
- Measures to ensure impacts to groundwater through pollution events does not occur as a result of the events.
 - Protection of the SSSI.

- Grassland management to reduce nutrient levels in the soil.
- Management of all hedgerows and treelines and woodlands.
- Safeguarding of woodland habitats.
- Creation of new habitat on site by way of new bat boxes and bird boxes.
- Retention of existing linear habitats to maintain habitat connectivity.
- A Sustainability policy in place at the Festival.
- Sustainable travel initiatives.
- Sustainable use of materials.
- Resource efficiency management plan.
- Reduction in levels of pollution at the festival.
- Water conservation.

Many of these initiatives and actions are commendable and some will form part of the BLEMP. Given this it is considered that the actions would have an overall positive impact compliance with Policy SD2 has been achieved.

- 7.69 Similarly it is considered that the proposals can demonstrate, with a secured S106 Agreement, biodiversity net gain as required by Policy SD9.

Crime & Disorder

- 7.70 No objections have been raised by the Emergency Services to the current proposals.

Archaeology

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

Footpaths/Rights of Way/Access

- 7.72 The Rights of Way Officer has expressed some concern with regard to disruption along the South Downs Way during the construction and take down periods of the event, and how this might be impacted by the festival. They also note that for the period of the Festival, users of the SDW are diverted to a temporary route, which some find confusing. It is considered that the infrastructure and activity will not increase significantly during this period beyond that in the earlier temporary approvals and the increase in numbers will not affect the impact on the SDW footpath.

- 7.73 It is accepted that the experience for users of the SDW is affected during the diversion; however, it is arguable that some of the benefits secured by way of the LEMP provide benefits for the experience of far greater numbers using the footpath for the remainder of the year.

- 7.74 The comments made about the provision of an Active Travel Assessment are noted. Whilst there are clearly initiatives to encourage arrival and departure by modes other than cars, there is clearly a conversation to be had about further exploring other options, Notwithstanding Highways lack of objection in terms of car parking. Whilst not considered to be a matter that would justify refusal of the application, an informative is added to the recommendation encouraging the applicant to consider preparing an assessment and actions for future festivals.

Other issues raised in representations.

- 7.75 The representations from Parish Councils and other interested parties have been significant and detailed. This section seeks to address the salient points raised in those representations, which have not been addressed elsewhere in the report.

- 7.76 Concern has been raised about whether officers are able to monitor the attendance at any approved festival. Officers have been able to monitor festivals for the earlier temporary permissions and believe any conditions imposed, if minded to approve, would be enforceable.
- 7.77 Some representations have raised concern about any potential further temporary approval being at odds with National Planning Policy Guidance. The Guidance confirms that *“it will rarely be justifiable to grant a second temporary permission (except in cases where changing circumstances provide a clear rationale, such as temporary classrooms and other school facilities). Further permissions can normally be granted permanently or refused if there is a clear justification for doing so.”* In this particular case, it is considered that there are changing circumstances with the proposed increase of number of attendees and the removal of the sports endurance event from the proposals. A further temporary period enables the Authority to gather ecological data to better understand the impacts or otherwise of the festivals at the capacity proposed. It is also common for music festivals of this nature to be subject to repeated temporary permissions, given their fluid nature and time limited impact.
- 7.78 A concern has been raised that the applicant, in their submission have failed to acknowledge the strengthened duty under Section 245 of the Levelling Up and Regeneration Act 2023 to seek to further the statutory purposes of Protected Landscapes. Whilst the acknowledgement of the strengthened duty is not explicit in the submission, it is considered that subject to an acceptable Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan the proposal is capable of furthering the purposes of the Park, and naturally the consideration of the application goes to the core of the Statutory Purposes in seeking to further them through the resolution.
- 7.79 Comments have been made about the application withdrawn previously for a similar number of attendees and inferring that nothing has changed since that application. The application was withdrawn by the applicant prior to consideration by Committee.
- 7.80 Since the submission of the earlier application a further three festivals have occurred and the ecological data continues to be provided. Officers consider that, on the evidence of the submitted details within the application form, reports and Environmental Statement, that the proposals would overall conserve and enhance the natural beauty, wildlife and cultural heritage of the park.

8. Conclusion

- 8.1 In summary, officers are confident, with the securing of significant enhancement and mitigation in relation to Landscape, Ecology and Biodiversity Net Gain, the proposals would conserve and enhance the natural beauty of the Park, notwithstanding the short-term impacts in relation to noise, light pollution and landscape specifically during the operation of the festival. The temporary permission for a further five years would allow the Authority to collate a meaningful set of ecological data to fully understand the impacts of the Festival on such interests.
- 8.2 It is considered that the recommendation to approve for a temporary period furthers the Statutory Purposes of the Park and in doing so meets the Duty under S245 of the Levelling Up and Regeneration Act 2023.
- 8.3 A suitable requirement of a S106 Agreement securing the scheme for removal of wastewater from the site and an appropriate monitoring regime is also proposed in relation to the impact on the integrity of International sites specifically with regard to Nutrient Neutrality.
- 8.4 The following recommendation would be subject to the satisfactory resolution of highways matters and receipt of confirmation of this from the Highways Authority.

9. Reason for Recommendation and Conditions

- I. That authority be delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee, to grant temporary planning approval (for 5 years) subject to:

- i) A Section 106 Agreement, the final form of which is delegated to the Director of Planning, in consultation with the Chairman of the Planning Committee to secure:
 - A Biodiversity Net Gain, Landscape and Ecology Mitigation and Management Plan incorporating benefits in relation to Biodiversity Net Gain, the landscape and ecology of the application site;
 - Retention of all the improvements secured as part of Planning Application SDNP/18/06249/FUL and through the Section 106 Agreement dated 16 December 2019;
 - A Wastewater Strategy together with monitoring regime and evidence ensuring scheme achieves nutrient neutrality;
 - ii) The satisfactory resolution of technical matters relating to highways;
 - iii) The conditions set out at paragraph 9.1 which may be amended by the Director of Planning in consultation with the Chairman of the Planning Committee to accommodate any necessary minor changes;
2. That the Committee confirm in reaching their decision that they have taken into account:
 - The environmental information as required by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017;
 - All matters referred to in the Director of Planning's report including comments received from statutory consultees and other interested parties, and
 - All other material considerations.
 3. 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 8 May Planning Committee meeting.

Planning Conditions and Reasons

1. The permission hereby granted shall be for a limited period expiring on 31 December 2029.

Reason: To allow the impact of the event 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:

One major music festival operating between a Wednesday and a Monday for a maximum of five consecutive periods of 24 hours a day and limited to 75,999 attendees in total 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.

Reason: To protect the amenities, special qualities and landscape character of the South Downs National Park.
3. With the exception of a festival in 2025 (for which the submitted 2025 EMP Document is considered to be acceptable), 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.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2015 (or any Order revoking or reenacting 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.

5. With the exception of a Festival in 2025, a draft Archaeological Management Plan (AMP) 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 (WSI) for any archaeological mitigation works required, is submitted to the Local Planning Authority for written approval no later than 28 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.

6. 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.

7. 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 Policy SD16 of the Adopted South Downs Local Plan (2019) and the National Planning Policy Framework.

8. Between the hours of 1000 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 ranges with a centre frequency of 31.5Hz, 63Hz and 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 Policy SD54 of the Adopted South Downs Local Plan (2019).

9. 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 outside of the red outline on the site location plan.

Reason: In order to protect the amenity of the surrounding area.

10. 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 two 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.

11. No development shall commence until such time as a scheme to dispose of wastewater and foul water has been submitted to, and approved in writing by the Local Planning Authority, The Scheme shall be implemented in accordance with the design and timetable agreed as part of the approved scheme.

Reason: In order to ensure that any foul water drainage arrangements do not harm groundwater resources, in line with the NPPF.

Informatives

1. The applicant is encouraged to consider the preparation of an Active Travel Assessment with actions for future events after 2025. The applicant is encouraged to make contact with the Rights of Way and Access Officer at the South Downs who will be able to provide advice on producing such assessments.
2. Based on the information available, this permission will require the approval of a Biodiversity Gain Plan by the local planning authority before development is begun [and before each phase of development where development is phased] because none of the statutory exemptions or transitional arrangements are considered to apply.

The effect of paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990 is that planning permission granted for the development is deemed to have been granted subject to the condition (“the biodiversity condition”) that development may not begin unless:

- i) A Biodiversity Gain Plan has been submitted to the planning authority, and
- ii) The planning authority has approved the plan.

The planning authority is the South Downs National Park Authority.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These can be found in the legislation.

3. The Biodiversity Gain Plan must relate to development for which planning permission is granted, and specify the following matters:
 - i) Information about the steps taken or to be taken to minimise the adverse effect of the development on biodiversity,
 - ii) The pre-development biodiversity value of the onsite habitat,
 - iii) The post-development biodiversity value of the onsite habitat,
 - iv) Any registered offsite biodiversity gain allocated to the development and the biodiversity value of that gain in relation to the development,
 - v) Any biodiversity credits purchased for the development.

Commencing development which is subject to the biodiversity gain condition without an approved Biodiversity Gain Plan could result in enforcement action for breach of planning control.

TIM SLANEY

Director of Planning

South Downs National Park Authority

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Appendices: Appendix I - Information concerning consideration of applications before committee
SDNPA Consultees: Director of Planning, Legal Services
Background Documents: [SDNP/24/05303/FUL | Change of use of land from agriculture to mixed agriculture and holding of one music festival event to occur once a calendar year. Retention of wooden structures within woodland area, use of additional access points on A31, A272 and Rodfield Lane, all associated with festival use. | Matterley Farm Alresford Road Ovington Hampshire SO24 0HU](#)
[South Downs National Park Local Plan 2019](#)
[National Planning Policy Framework](#)
[Supplementary Planning Documents and TANs](#)
[Partnership Management Plan – South Downs National Park Authority](#)