

POLICY

Ultimately, South Downs has to consider whether this major application meets the exceptional circumstances set out in **paragraph 172 – was 116 until recently – of the National Planning Policy Framework**

172. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads.

The scale and extent of development within these designated areas should be limited. **Planning 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.**

The other important test is whether it serves the aims and two statutory purposes for National Parks

- 1. Conserve and enhance the natural beauty, wildlife and cultural heritage**
- 2. Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public**

When national parks carry out these purposes, they also have the duty to –

Seek to foster the economic and social well-being of local communities

Where the aims and purposes conflict with each other **the Sandford principle applies to give more weight to conservation of the environment, if the conflict cannot be resolved by management**..... and, at Boomtown, South Downs will no doubt claim that the planning conditions that have been imposed constitute proper management of any potential conflicts.

PRECEDENT

The owners of the Boomtown festival site made an application very similar in content – change of an agricultural use to include a number of temporary events – it was also to South Downs and was dealt with by the same case officer: so he has already had a dress rehearsal.

There are many similar circumstances to this application, but also some distinct differences:

- their events are all open ticket public spectator events
- road access is gained from a major road which is closely connected to a motorway
- Winchester City Council support the festival as an economic benefit to the city and the area
- more importantly, the applicant made it clear that the temporary events remain very ancillary to the predominant agricultural use of the land.

In considering that application, Rob Ainslie, in his report to the Planning Committee, had to assess the following issues against **para 172 of the NPPF** : -

- **Did it conserve and enhance the National Park ?**

The conclusion was that it did in this case because there were other proposed beneficial works that would aid public enjoyment – bike repair station, improvements to a public car park, enhancements to the nearby SSSI and woodland management measures.

There don't appear to be any of those types of things currently on offer. The improvements proposed just appear to be righting planning breaches, but, again, there is insufficient detail to give proper consideration to.

- **Is there a need for the development, including in terms of national consideration, and what is the impact of refusing or approving it on the local economy ?**

The conclusion was that the events held are shown to have been of economic benefit to Winchester and the surrounding areas. *Could that be considered to be the case here ?*

It was considered that the events provide recreational opportunities for a wide cross section of the wider community 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.

Could that be considered to be the case here ?

It was considered that the application is part of a diversification scheme to allow the applicant to develop his agricultural enterprise. *Is that relevant here ?*

It was considered that **refusal would have an adverse impact on the local economy.**

Is there any evidence that that would be the case here ?

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

It was considered that the application links the events with a diversification scheme to assist the agricultural activities, and that the owner had no other land outside the National Park. *Is that the case here ?*

It was considered that the need could be met in another way, because the applicant could fall back on the 28 day rule. *That case is the same here*

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

It was considered that, during major events, the natural beauty, wildfire and cultural heritage was neither conserved nor enhanced, but said that to dismiss the proposals on that basis would be premature, particularly as the main event could continue under permitted development rights.

It was also felt that the events might be the first opportunity for some to visit the Park and enjoy the special qualities.

- Impact on the landscape character of the area

The landscape officer highlighted that there would undoubtedly be some detrimental impact...that would be temporary

Ainslie concluded that the larger temporary structures would not be on site for 9 weeks in total and the visual impact would slowly increase the closer to an event and then recede afterwards. On that basis the limitation to a music festival and a sporting event would not have a long term impact on the landscape. *Is that the case here ?*

- The impact in terms of noise and light pollution

The Boomtown festival has to be licensed by Winchester City Council and the timing and limit for amplified music has been set with the involvement of Environmental Health. *Has the Jalsa Salana been monitored or limited in any way previously?*

The Dark Sky Officer was concerned that it had **not** been demonstrated that the proposals would not have an adverse impact on the dark skies.

Ainslie concluded that the impacts, whilst significant, are for a limited period and therefore considered, on balance, to be acceptable.

Would the same case apply here ?

- The impact on the highway network

In this case the Hampshire highways officer was happy that they were working with the organisers and that increases could be achieved without an unacceptable impact on the Highways network. Highways England were initially concerned by the vagueness of the original submission. *This has to be a serious consideration given the local road network serving the event site*

- Ecology

Even with neighbouring SSSI's and chalk downland habitats, the Ecology officer and other groups had no objection to the proposals and Ainslie concluded that the ecology and biodiversity issues could be addressed by a robust condition that ensured that the proposals set out in the Phase 1 Ecological assessment were adhered to. Reports have to be submitted annually to the LPA by a qualified ecologist. *Other ecological groups have identified the likely presence of at least two rare species of bat here, and the Ecological Assessment submitted is short on detail in this respect*

- Drainage

All foul water removed from temporary portable toilets by licensed waste contractors.

Ainslie satisfied that these arrangements could be encapsulated within a comprehensive Event Management Plan, but would also be captured under multiple areas of environmental control and legislation.

The planning application form states that mains sewers will be used for foul and storm water discharge, but there are no mains in the area

- Capacity

The use of the site is restricted to a limited number of events operating for a maximum period and limited to a capped number of attendees (60,000 for Boomtown, 30,000 for the sporting event). An attempt to increase the capacity of Boomtown this year got refused). *Should this be a condition here ?*

- Events Management Plan

This document , which is comprehensive (unlike the Oakland submission), has to be submitted and approved 60 days prior to the start date. *More detail is required than currently submitted by the AMA.*

It should not be forgotten that the Boomtown event is organised and managed by permanent professional staff of 40 people with a crew of 12,000 for the festival itself.

This is the Conclusion to the Planning Committee report: -

9. Conclusion

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

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

9.2 The *short term detrimental impacts* to the landscape and in terms of noise and light pollution are balanced by the long term environmental benefits and enhancement that the applicant is able to carry out as a result of this diversification together with the opportunities to increase understanding and enjoyment of the park by a wide variety of people. It must also be recognised that *the events provide significant economic benefits to the surrounding*

area and the National Park. It is therefore considered on balance that tests under Paragraph 116 of the NPPF and the Purposes of the National Park are met taking all matters into account by these proposals and permission is recommended, subject to controls on the number of events that can take place in any year. Notwithstanding this, given that the proposal for a music festival includes a greater number of attendees than has previously been allowed under the licensing regime, it is considered prudent that a temporary approval be given to allow the impacts of an increase in attendees on the special qualities of the Park and the amenity of the surrounding areas to be monitored.