

Notice of Meeting

Northern Area Planning Committee

Date: Thursday 21 September 2023

Time: 5.30 pm

Venue: Conference Room 1, Beech Hurst, Weyhill Road, Andover SP10

3AJ

For further information or enquiries please contact:

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Legal and Democratic Service

Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, Hampshire, SP10 3AJ www.testvalley.gov.uk

The recommendations contained in the Agenda are made by the Officer and these recommendations may or may not be accepted by the Committee.

PUBLIC PARTICIPATION SCHEME

If members of the public wish to address the meeting they should notify the Legal and Democratic Service at the Council's Beech Hurst office by noon on the working day before the meeting.

Membership of Northern Area Planning Committee

MEMBER WARD

Councillor J Budzynski (Chairman) Andover St Mary's

Councillor Z Brooks (Vice-Chairman) Andover Millway

Councillor I Andersen Andover St Mary's

Councillor C Borg-Neal Andover Harroway

Councillor C Donnelly Andover Downlands

Councillor A Gillies Andover Winton

Councillor L Gregori Andover Harroway

Councillor L Lashbrook Charlton & the Pentons

Councillor P Lashbrook Bellinger

Councillor N Lodge Andover Downlands

Councillor J Neal Andover Millway

Councillor K North Andover Romans

Councillor J Sangster Andover Romans

Northern Area Planning Committee

Thursday 21 September 2023

AGENDA

The order of these items may change as a result of members of the public wishing to speak

1	Apologies	
2	Public Participation	
3	Declarations of Interest	
4	Urgent Items	
5	Minutes of the meetings held on 20 July 2023 and 1 August 2023	
6	Information Notes	4 - 9
7	21/03760/FULLN - 10.01.2022	10 - 43
	(OFFICER RECOMMENDATION: REFUSE) SITE: Land at Lains Farm, Cholderton Road, Quarley, AMPORT CASE OFFICER: Emma Jones	
8	23/01336/FULLN - 24.05.2023	44 - 63
	(OFFICER RECOMMENDATION: PERMISSION)	

(OFFICER RECOMMENDATION: PERMISSION)
SITE: The River Test Distillery Ltd, River Barn Cottage,

Southside Road, LONGPARISH CASE OFFICER: Katie Nethersole

ITEM 6 TEST VALLEY BOROUGH COUNCIL

NORTHERN AREA PLANNING COMMITTEE

INFORMATION NOTES

Availability of Background Papers

Background papers may be inspected up to five working days before the date of the Committee meeting and for four years thereafter. Requests to inspect the background papers, most of which will be on the application file, should be made to the case officer named in the report or to the Development Manager. Although there is no legal provision for inspection of the application file before the report is placed on the agenda for the meeting, an earlier inspection may be agreed on application to the Head of Planning and Building.

Reasons for Committee Consideration

The majority of applications are determined by the Head of Planning and Building in accordance with the Council's Scheme of Delegation which is set out in the Council's Constitution. However, some applications are determined at the Area Planning Committees and this will happen if any of the following reasons apply:

- (a) Applications which are contrary to the provisions of an approved or draft development plan or other statement of approved planning policy where adverse representations have been received and which is recommended for approval.
- (b) Applications (excluding notifications) where a Member requests in writing, with reasons and within the Application Publicity Expiry Date, that they be submitted to Committee. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (c) Applications submitted by or on behalf of the Council, or any company in which the Council holds an interest, for its own developments except for the approval of minor developments.
- (d) Applications where the Head of Planning and Building Services recommends refusal of an application solely on the basis of failure to achieve nutrient neutrality where a Ward Member requests in writing, with reasons, within 72 hours of notification of the recommendation for refusal that they be submitted to Committee for determination. A Member can withdraw this request at any time prior to the determination of the application to enable its determination under delegated powers.
- (e) To determine applications (excluding applications for advertisement consent, certificates of lawfulness, listed building consent, and applications resulting from the withdrawal by condition of domestic permitted development rights;

Schedule 2, Part 1, Classes B, C, D, E, F, G, and H of the Town and Country Planning (General Permitted Development) (England) Order 2015 or as amended) on which a material planning objection(s) has been received within the Application Publicity Expiry Date and which cannot be resolved by negotiation or through the imposition of conditions and where the officer's recommendation is for approval, following consultation with the Ward Members, the latter having the right to request that the application be reported to Committee for decision.

Public Speaking at the Meeting

The Council has a public participation scheme, which invites members of the public, Parish Council representatives and applicants to address the Committee on applications. Full details of the scheme are available from Planning and Building Services or from Democratic Services at the Council Offices, Beech Hurst, Weyhill Road, Andover. Copies are usually sent to all those who have made representations. Anyone wishing to speak must book with the Democratic Services within the stipulated time period otherwise they will not be allowed to address the Committee.

Speakers are limited to a total of three minutes per item for Councillors on the Area Committee who have personal interests or where a Member has pre-determined his/her position on the relevant application, three minutes for the Parish Council, three minutes for all objectors, three minutes for all supporters and three minutes for the applicant/agent and relevant Ward Members who are not Committee Members will have a maximum of five minutes. Where there are multiple supporters or multiple objectors wishing to speak the Chairman may limit individual speakers to less than three minutes with a view to accommodating multiple speakers within the three minute time limit. Speakers may be asked questions by the Members of the Committee, but are not permitted to ask questions of others or to join in the debate. Speakers are not permitted to circulate or display plans, photographs, illustrations or textual material during the Committee meeting as any such material should be sent to the Members and officers in advance of the meeting to allow them time to consider the content.

Content of Officer's Report

It should be noted that the Officer's report will endeavour to include a summary of the relevant site characteristics, site history, policy issues, consultations carried out with both internal and external consultees and the public and then seek to make a professional judgement as to whether permission should be granted. However, the officer's report will usually summarise many of the issues, particularly consultations received from consultees and the public, and anyone wishing to see the full response must ask to consult the application file.

Status of Officer's Recommendations and Committee's Decisions

The recommendations contained in this report are made by the officers at the time the report was prepared. A different recommendation may be made at the meeting should circumstances change and the officer's recommendations may not be accepted by the Committee.

In order to facilitate debate in relation to an application, the Chairman will move the officer's recommendations in the report, which will be seconded by the Vice Chairman. Motions are debated by the Committee in accordance with the Council's Rules of Procedure. A binding decision is made only when the Committee has formally considered and voted in favour of a motion in relation to the application and, pursuant to that resolution, the decision notice has subsequently been issued by the Council.

Conditions and Reasons for Refusal

Suggested reasons for refusal and any conditions are set out in full in the officer's recommendation.

Officers or the Committee may add further reasons for refusal or conditions during the Committee meeting and Members may choose to refuse an application recommended for permission by the Officers or to permit an application recommended for refusal. In all cases, clear reasons will be given, by whoever is promoting the new condition or reason for refusal, to explain why the change is being made.

Decisions subject to Completion of a Planning Obligation

For some applications, a resolution is passed to grant planning permission subject to the completion of an appropriate planning obligation (often referred to as a Section 106 agreement). The obligation can restrict development or the use of the land, require operations or activities to be carried out, require the land to be used in a specified way or require payments to be made to the authority.

New developments will usually be required to contribute towards the infrastructure required to serve a site and to cater for additional demand created by any new development and its future occupants. Typically, such requirements include contributions to community facilities, village halls, parks and play areas, playing fields and improvements to roads, footpaths, cycleways and public transport.

Upon completion of the obligation, the Head of Planning and Building is delegated to grant permission subject to the listed conditions. However, it should be noted that the obligation usually has to be completed sufficiently in advance of the planning application determination date to allow the application to be issued. If this does not happen, the application may be refused for not resolving the issues required within the timescale set to deal with the application.

Deferred Applications

Applications may not be decided at the meeting for a number of reasons as follows:

- * The applicant may choose to withdraw the application. No further action would be taken on that proposal and the file is closed.
- * Officers may recommend deferral because the information requested or amended plans have not been approved or there is insufficient time for consultation on amendments.
- * The Committee may resolve to seek additional information or amendments.
- * The Committee may resolve to visit the site to assess the effect of the proposal on matters that are not clear from the plans or from the report. These site visits are not public meetings.

Visual Display of Plans and Photographs

Plans are included in the officers' reports in order to identify the site and its surroundings. The location plan will normally be the most up-to-date available from Ordnance Survey and to scale. The other plans are not a complete copy of the application plans and may not be to scale, particularly when they have been reduced from large size paper plans. If further information is needed or these plans are unclear please refer to the submitted application on the Council's website. Plans displayed at the meeting to assist the Members may include material additional to the written reports.

Photographs are used to illustrate particular points on most of the items and the officers usually take these. Photographs submitted in advance by applicants or objectors may be used at the discretion of the officers.

Human Rights

The European Convention on Human Rights" ("ECHR") was brought into English Law, via the Human Rights Act 1998 ("HRA"), as from October 2000.

The HRA introduces an obligation on the Council to act consistently with the ECHR.

There are 2 Convention Rights likely to be most relevant to Planning Decisions:

- * Article 1 of the 1st Protocol The Right to the Enjoyment of Property.
- * Article 8 Right for Respect for Home, Privacy and Family Life.

It is important to note that these types of right are not unlimited - although in accordance with the EU concept of "proportionality", any interference with these rights must be sanctioned by Law (e.g. by the Town & Country Planning Acts) and must go no further than necessary.

Essentially, private interests must be weighed against the wider public interest and against competing private interests. Such a balancing exercise is already implicit in the decision making processes of the Committee. However, Members must specifically bear Human Rights issues in mind when reaching decisions on all planning applications and enforcement action.

The Natural Environment and Rural Communities (NERC) Act 2006 and Environment Act 2021

The Council has a duty under the Environment Act 2021, from the 1st January 2023, to ensure consideration is given to what can be done to conserve and enhance biodiversity through the exercise of its functions, agree policies and specific objectives based on those considerations and to act to deliver these policies and achieve objectives.

Previously the Council had a duty under the Natural Environment and Rural Communities Act 2006 as follows: "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity".

It is considered that this duty has been properly addressed within the process leading up to the formulation of the policies in the Revised Local Plan. Further regard is had in relation to specific planning applications through completion of the biodiversity checklists for validation, scoping and/or submission of Environmental Statements and any statutory consultations with relevant conservation bodies on biodiversity aspects of the proposals. Provided any recommendations arising from these processes are secured either by condition or, where appropriate, legal Obligation as part of any grant of planning permission (or included in reasons for refusal of any planning application) then the duty to ensure that biodiversity interest has been conserved and enhanced, as far as practically possible, will be considered to have been met.

Other Legislation

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination of applications be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the Borough comprises the Test Valley Borough Revised Local Plan (2016), and 'made' Neighbourhood Plans. Material considerations are defined by Case Law and includes, amongst other things, draft Development Plan Documents (DPD), Supplementary Planning Documents (SPD) and other relevant guidance including Development Briefs, Government advice, amenity considerations, crime and community safety, traffic generation and safety.

In July 2021 the Government published a revised National Planning Policy Framework (NPPF). The revised NPPF replaced and superseded the previous NPPF published in 2018. The revised NPPF is a material consideration in planning decisions.

So that sustainable development is pursued in a positive way, at the heart of the revised NPPF is a presumption in favour of sustainable development. Decisions should apply a presumption in favour of sustainable development. This does not change the statutory status of the development plan as a starting point for decision making. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Where a planning application conflicts with an up to date development plan, permission should not usually be granted. Local planning authorities may take decisions which depart from an up to date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

For decision-taking, applying the presumption in favour of sustainable development means:

- Approving development proposals that accord with an up to date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
 - The application of policies in the revised NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the revised NPPF when taken as a whole.

Existing Local Plan policies should not be considered out of date because they were adopted prior to the publication of the revised NPPF. Due weight should be given to them, according to their degree of consistency with the revised NPPF (the closer the policies in the Local Plan to the policies in the revised NPPF, the greater the weight that may be given).

ITEM 7

APPLICATION NO. 21/03760/FULLN

APPLICATION TYPE FULL APPLICATION - NORTH

REGISTERED 10.01.2022

APPLICANT Novus Renewable Services Ltd

SITE Land at Lains Farm, Cholderton Road, Quarley,

AMPORT

PROPOSAL Installation of a solar farm and associated

development

AMENDMENTS Amended/additional plans and information submitted:

• 28.01.2022

• 09.02.2022

• 10.02.2022

• 01.03.2022

• 03.03.2022

• 07.04.2022

• 11.04.2022

• 12.04.2022

23.05.202219.01.2023

23.01.2023

• 07.03.2023

• 14.04.2023

• 27.06.2023

• 29.06.2023

• 24.08.2023

• 30.08.2023

• 31.08.2023

CASE OFFICER Emma Jones

Background paper (Local Government Act 1972 Section 100D)
Click here to view application

1.0 **INTRODUCTION**

1.1 The application is presented to Northern Area Planning Committee at the request of a Member for the reason that it raises matters more than just general public interest.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The site is located in the countryside to the north east of the village of Quarley, and adjacent to the A303 dual carriageway. The site contains an existing solar farm, which is a partial implementation of the planning permission granted in 2015 (see paragraph 4.2 below), with the north part of the site not yet having been built out, but now forming part of this current application. The existing solar farm is surrounded by agricultural fields which are partially now subject of this current application.

3.0 **PROPOSAL**

- 3.1 The proposed development consists of the construction, operation and decommissioning of ground mounted solar panels with a capacity of 22.5MW, and ancillary equipment. The proposal would have an operational lifespan of up to 40 years. The proposal comprises the following elements;
 - Ground Mounted Solar PV Arrays (highest edge of the panels would be approximately 3.1m above ground level and the lower edges of the panels would be between approximately 0.8m and 1.1m above ground level)
 - Transformers
 - Customer Sub-station
 - Distribution Network Operators (DNO) Compound
 - Spares Storage Containers
 - Temporary Construction Compound
 - Stock Proof Perimeter Fencing (mesh with wooden posts at approximately 2.2m high)
 - CCTV poles (placed at intervals along the inside of the perimeter fencing at approximately 3m high)
 - Landscape and Ecological Mitigation
- 3.2 Amended/additional plans and information have been received during the consideration of the application, in respect of the following matters;
 - Noise:
 - Glint and Glare/aviation impacts;
 - Landscaping;
 - Heritage;
 - Trees:
 - Ecology;
 - Removal of battery storage element of proposal (application description has been amended to reflect this)

4.0 **RELEVANT HISTORY**

- 4.1 21/01411/SCRN; Screening opinion under the Environment Impact
 Assessment Regulations 2017 Installation of solar farm EIA Not Required 01.06.2021
- 4.2 14/03017/FULLN; Installation of 5MW ground mounted photovoltaic solar arrays with transformer stations; internal access track; biodiversity enhancement; landscaping; stock fencing; security measures; access gate; and ancillary infrastructure Permission 17.07.2015
- 5.0 **CONSULTATIONS**
- 5.1 **Landscape**; No objection subject to conditions
- 5.2 **Conservation**; No objection
- 5.3 **Ecology**; Comments (summarised);
 - Ongoing discussions around the details and recommendations relating to ground nesting birds. This includes the production of a Ground Nesting bird Mitigation Strategy which is still to be submitted. The

strategy will also outline the barrier requirements around the nesting area on which discussions are progressing.

- 5.4 **Trees**; No objection
- 5.5 **Environmental Protection**; No objection subject to conditions
- 5.6 **Highways**; No objection subject to conditions
- 5.7 **Archaeology**; No objection
- 5.8 **Rights of Way**; No objection;
 - The solar farm is proposed north of an existing solar farm and Public Rights of Way are not directly affected by the proposals. We therefore have no objection.
- 5.9 Minerals and Waste; No objection
- 5.10 **Lead Local Flood Authority**; No objection subject to condition
- 5.11 **Environment Agency**; No objection
- 5.12 **Defence Infrastructure Organisation**; No objection
- 5.13 Civil Aviation Authority Airfield Advisory Team; Comments, summarised;
 - Despite its very narrow scope (2 nautical miles straight in approach), the first assessment carried out by Neo Environmental concluded that the proposed scheme would have an unacceptable impact on aviation operations at Thruxton aerodrome;
 - Following AAT support, each subsequent assessment undertaken by Aviatica has adopted an improved assessment methodology although they have remained limited in scope. Despite limitations, each has shown an increase in yellow glare which has the potential to produce an after-image effect;
 - It is important to highlight that any comparison to other aerodromes with solar development in their proximity should be taken with caution. What may suit one aerodrome's operating environment may not suit another for a variety of reasons including type of operation, scale and position of solar development in relation to aerodrome and circuit pattern etc.;
 - There are numerous reports of large solar arrays having an adverse impact on general aviation aerodromes. In January 2023, a large solar scheme was refused planning permission. One specific reason for the refusal was because the scheme posed unacceptable safety risk due to the potential for yellow/green glare. This scheme was located close to a small, unlicensed general aviation aerodrome with a flight training scene;
 - Due to the close proximity of the proposed scheme to Thruxton Aerodrome, the impact to aviation safety as a result of the scheme should be assessed;

- We came to this proposal by commenting on the suitability of the
 assessment and continue to consider its robustness. It is not within our
 remit to determine the scope for assessing the impact, but instead, to
 comment on the suitability of such a scope and the relevance of
 assessment outcomes;
- Such assessments can identify how much yellow glare could be present because of the proposed scheme. It is widely accepted throughout industry, even for airports with more linear airborne tracks, that yellow glare is not acceptable. Despite the lack of robustness of the current assessment process, yellow glare is concluded to be present at certain receptors where pilots fly their aircraft. At this point, this could be enough to conclude that suitable mitigation measures need to be proposed in order to reduce this level of impact.

5.14 **National Highways**; Recommended condition

5.15 **Natural England**; Comments, summarised;

- We consider that the proposed development is unlikely to lead to significant long term loss of best and most versatile agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by metal frames with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the development is undertaken to high standards. Although some components of the development, such as construction of a sub-station, may permanently affect agricultural land this would be limited to small areas;
- However, during the life of the proposed development it is likely that
 there will be a reduction in agricultural productivity over the whole
 development area. Your authority should therefore consider whether
 this is an effective use of land in line with planning practice guidance
 which encourages the siting of large scale solar farms on previously
 developed and non-agricultural land;
- We would also advise your authority to apply conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.

5.16 **Ramblers Association**; Objection, summarised;

 Object to this application unless a compensating action were taken to meet the National Planning Policy Framework July 2021 and TVBC Local Plan requirements.

6.0 **REPRESENTATIONS** Expired 21.07.2023

- 6.1 Amport Parish Council; No objection
- 6.2 **1 x letter**; Objection from Test Valley CPRE, with comments raising (summarised);
 - We do not consider that there are any landscape issues with the proposed site which is not in a location where it can viewed from many public roads or paths;

- We wish to raise the issue of the quality of the agricultural land which, by the applicant's own analysis, is 54% grade 3a or higher and this component is officially categorised as 'good' quality land. TVBC has given approval for many solar farms on good quality farmland in recent years, but TVBC should now give consideration as to whether Test Valley is playing its part in contributing to the sustainability of UK's food supply as well as contributing to the UK's renewable energy supply;
- Attention drawn to NPPG (Paragraph: 013 Reference ID: 5-013-20150327) and Minister for Energy and Climate Change, the Rt Hon Gregory Barker MP's Written Ministerial Statement 25 March 2015. This advice clearly discourages solar farms on good quality land and also encourages grazing on land allocated to a solar farm;
- CPRE objects to the inclusion of Grade 2 and 3a land in the proposed site and also suggests that a condition of approval for solar panels on the remaining land is that grazing should be required in parallel with generation.
- 6.3 **2 x letters**; Objections from Western Air (Thruxton), with comments;
 - Western Air (Thruxton) Ltd operate Thruxton Aerodrome and surrounding land, located to the north of the Application Site (north of the A303);
 - Thruxton Aerodrome is an active licenced airfield which is used for private charter flights but also heavily used for training for both fixedwing and rotary-wing aircraft. It is also used by the Hampshire Air Ambulance (HAA). On an average 8-hour period the Airfield can experience up to 220 movements on the runways which is not insignificant. As a licenced airfield, our Client has a regulatory obligation for safeguarding the Aerodrome. This includes protecting aircraft from the risk from glint and glare (e.g. solar panels);
 - Having reviewed the submitted Glint and Glare Assessment (GGA) dated 3rd March 2022, our client is significantly concerned by the potential impacts of the Proposed Development on the safe on-going operation of the Airfield. The GGA acknowledges at paragraph 6.3 that 'yellow glare is anticipated to impact only Runway 07 and Runway 30 at Thruxton Airfield, which is an <u>unacceptable impact</u>' (our emphasis). Whilst an attempt has been made at paragraph 6.35 to mollify this, our Client is concerned about the sole reliance on pilot behaviour in order to mitigate this 'unacceptable' impact. As noted above, a significant amount of training takes place at the Airfield and there is therefore a real risk that less experienced pilots may struggle with the additional workload of trying to mitigate the distraction caused by glare. We would add that the stated view from an 'instructor' lacks substance and is ultimately an opinion which is not shared by our Client as operator of the Airfield:
 - There appears to be no assessment within the GAA of the potential risks posed to the pilots of rotary-wing aircraft which rarely fly the approach paths to the runways and to whom the risk of significant distraction would be increased by the scale of the Proposed Development. This is a critical issue which requires due consideration;

- Our Client is also concerned by the sheer extent of the solar array proposed and what the means of emergency access would be should an aircraft come down and crash into the middle of the Proposed Development;
- We duly request that no decision be made on this application until such a time that our Client has been able to undertake a full Safeguarding Assessment of the potentially hazardous effects of the Proposed Development on Thruxton Airfield (including for both fixed-wing and rotary-wing aircraft). This is currently underway and we should be in a position to provide a further response once completed.
- Western Air (Thruxton) Ltd is for the purposes of the Air Navigation Order (ANO) 2016 Article 212 the Aerodrome Operator and therein holder of a UK National Aerodrome Licence. Legal obligations placed upon Western Air (Thruxton) Ltd for the safety of aircraft, pursuant to Article 212, includes not only land under its control (which forms the aerodrome) but also "the airspace within which its visual traffic pattern is normally contained". In Thruxton's case this airspace extends for a 2 Nautical Mile (approximately 3.7km) radius. This includes the proposed development site;
- As the Aerodrome Operator has no legal ability to prevent development outside of land under its control it relies upon the Local Planning Authority to protect its interests in order to not cause a situation whereby a development may endanger an aircraft in flight and thereby the potential for prosecution of the developer for contravention of ANO Article 240, as recognised in the submitted Glint and Glare Assessment (GGA);
- As the Aerodrome Operator, Western Air (Thruxton) Ltd considers that the submitted GGA does not provide robust evidence that the potential for glint and glare will not impact on the safety of aircraft flying within the visual traffic pattern. Indeed it is acknowledged at paragraph 6.3 that 'yellow glare is anticipated to impact only Runway 07 and Runway 30 at Thruxton Airfield, which is an unacceptable impact' (our emphasis). The GGA relies solely on pilot ability to mitigate this impact. Given the significant amount of training which takes place at the Airfield, there is a real concern about the extent to which less experienced pilots would be able to satisfactorily mitigate the impact which therefore raises a principle concern over safety;
- In addition to fixed winged aircraft that may use runway 07 or 30 there
 is extensive helicopter flying south of the aerodrome making
 approaches over/adjacent to the proposed development site to two
 helicopter landing areas referred to as "Heli South" and "Heli North".
 The GGA is entirely silent on potential impacts on rotary-winged aircraft
 using the airfield.
- 6.4 **147 x letters**; Support from (Andover) 29 & 53 Suffolk Road; 5 & 13 Arundel Court; 1 & 17 Ferndale Road; 17 Bourne Court; 2 Manor Copse; 50 Constable Court; 76 South Street; 332 Picket Twenty Way; 58 Woodlands Way (x2); 42b London Street; 14 Meadow Heights; 43 Junction Road; 22 The Elms; 84 King George Road; 55 Armstrong Rise; 14 Foal Close; 14 Olaf Close; 15 & 30 Hanover House, King Meadow; 11 Wolversdene Road; 17 & 43 Boulter Road;

16 Hockney Green (x2); 15 Herons Rise; 34 Lynwood Drive; 17 (x2) & 49 Launcelot Close; 144a Camelot Close; 11 Drummond Road; 99 Charlton Road: 3 Cricketers Way: 29 Whitebeam Close: 25 Acre Court: 35 Beckett Road; 24 Porchester Close; 19 Sutherland Court (x2); 28 Westfield Court (x2); 26 Nelson Walk; 15 Kingfisher House; 6 Barnfield Rise; 7 Flower Dew Court; 31 Garden Close; 2 & 17 Galahad Close; 6 Lillywhite; 28 McEvoy Gardens; 80 & 120 Old Winton Road: 16 Earls Road: 23 Farrs Avenue: 23 Batchelors Road: 3 Livia Close: 10 Gould Close: 6 Bremen Gardens: 58 Borkum Close: 15 Weyhill Road; 8 Cross Lane; 26 Woodcutters Court; 8a Croye Close; 10 Portland Grove (x2); 7 Locksbridge Road; 12 Barton Close; 81 Highlands Road; 38 Lynwood Drive; 42 Orchard Road; 3 Sidmouth Road; 1 Charles Dalton Court; 1 Ashlawn Gardens; 12 Sycamore Walk; 126 Merino Road; 11 The Close (x2); 44 Wolversdene Road; 1 & 9a Millway Road; 68 Mylen Road; Clanville House; 2 The Signals; 19 St Thomas Close; 32 Camelot Close (x4); 4 Bachelors Barn Road; 9 Eleanor Court; 34 Bridge Street (x2); 6 Kennet Court; Love Lane (x2) (unknown property numbers); 24 Constable Court; (Anna Valley) 196 Bury Hill Close; 1 White Oak Way; (Ludgershall) 6 & 10 Taylor Crescent; (Weyhill) 16 Lodge Drive; Westmead; (Amport) Brook House; Crofter's Heron; (Monxton) Monxton Manor (x3); (Abbotts Ann) Teal; 1 Hillside; (Over Wallop) 10 King Lane Cottages (x2); (Middle Wallop) 3 Cottage Road; (Goodworth Clatford) 8 Burdock Close; 7 St Peters Close; (Vernham Dean) 2 Hatchbury Lane; (Hurstbourne Tarrant) Springwell; (Broughton) Ancestors; (Kings Somborne) Harvest Cottage; (Whitchurch) 24 Micheldever Road; 22 Station Road; 17 Bicester Close; (Basingstoke) 95 Cambrian Way; (Sparsholt) 18 Woodman Close; (Twyford) 4 Prystock; (Pewsey) Owen Sound, Marlborough Road (x2); (Thimbleby, Lincolnshire) Windmill Cottage (x2); (Newark) 4 North End; (Ryde, Isle of Wight) 100 Sherbourne Avenue; (Milton Keynes) 12 Grizedale Heelands; (Wellington, Somerset) 63 Bovet Street; Unknown addresses in Salisbury; Marlborough (x2); Great Shoddesden; summarised as follows:

- These letters are intended as individual submission and not as a
 petition. We told people doing the letters that they would be received
 as individual submissions. Part of the exercise was to show just how
 popular solar power is. Climate change is an urgent problem and we
 need renewable energy solutions;
- Climate Change is one of the greatest threats facing our planet, it's a climate emergency, and we need urgent action on the issue. We need renewable technology solutions, such as this proposed solar farm, to tackle climate change;
- This solar farm could provide enough electricity to power around 5467 homes a year, equivalent to approximately 10% of homes in the Test Valley district;
- The proposed solar farm will save approximately 5271 tonnes of carbon dioxide per year:
- This supports Test Valley Borough Council's Climate Emergency declaration;
- The solar farm provides a significant Biodiversity Net Gain;
- The project would generate significant local and national economic benefits:

- The UK has set a target to fully decarbonise the electricity system by 2035. Solar helps to meet this low target;
- Solar is a low-cost source of energy contributing to our energy security, helping to make the UK more energy independent;
- Want action on climate crisis;
- Take action;
- Would love to see financial support for solar panels on social housing;
- Go solar;
- Rooftop solar is ideal, but a field is a good 2nd best;
- We need as much help for this planet as possible. Thank goodness we are not in Europe/USA (heat wave!);
- Son works in s/power and more jobs, also climate change;
- It's a climate crisis;
- Close down the nearby airport;
- Happy to see solar panels in fields;
- Do it/something now;
- I want action on the climate crisis;
- Yes to solar, yes to wind;
- Important to have community funding;
- To help mother earth;
- The planet is the most important thing, when it goes we go. No one is immune;
- Get on with it;
- Fully support the transition to green energy as quickly as possible;
- For the future:
- Why aren't we doing more about this now. Really important and we need to do something more now;
- Good luck. Anything we can do to support our future;
- To help people save money and to help save the planet;
- Support renewable initiatives;
- While there could be valid debate about the merits of installing solar panels on medium grade agricultural land, that is not at issue here and solar energy is a key part of the UK's net zero goals;
- The application has been well thought out and the plans amended to take account of landscaping/visibility issues and the site has good proximity to the local grid connection point;
- It appears that the only substantive point of contention is the potential impact of the installation on flying activities at Thruxton. Believe this concern should be dismissed;
- Western Air (Thruxton) do not appear to have reported or suffered any adverse effects from the immediately adjacent existing solar installation, which has been operational for several years, nor to my knowledge objected to the recently approved Kimpton installation;
- The comments from the Airfield Advisory Team about the potential impacts from glint and glare appear nebulous and unsubstantiated by any specific objections or recommendations. Furthermore they acknowledge that "to date the CAA has not received any detrimental comments or issues of glare at these established sites" [where SPV cells have been established close to aerodrome boundaries];

- Importantly the Air Ambulance Service, which appears to be the most regular flight activity from the aerodrome and presumably has limited operational adaptability) has confirmed that the installation would have no adverse impact on its activities;
- Private aircraft for the type frequently flown from the aerodrome must already be adversely constrained by potentially dangerous flying conditions such as storms, low visibility and high winds; to the extent at there may be a few hours a year where glint and glare could conceivably be a material problem, there is no reason why flying patterns cannot be managed to mitigate any perceived risk;
- The planning decision rests on balancing the positive ecological benefits of the solar farm against unsubstantiated concerns of a farfrom-green (and noise-polluting) leisure activity;
- As a local Council Taxpayer, I am concerned that any refusal to grant planning will be overturned on appeal at substantial additional cost to TVBC.
- 6.5 **3 x letters**; Neutral stance from 133 Camelot Close; 1 Wooley Square, Cricketers Way; 134 South Street.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

SD1 – Presumption in favour of Sustainable Development

COM2 – Settlement Hierarchy

E1 - High Quality Development in the Borough

E2 – Protect, Conserve and Enhance the Landscape Character of the Borough

E5 – Biodiversity

E7 – Water Management

E8 – Pollution

E9 - Heritage

LHW4 – Amenity

T1 – Managing Movement

T2 – Parking Standards

7.3 Hampshire Minerals and Waste Plan (2013) (HMWP)

Policy 26; Safeguarding – waste infrastructure

7.4 <u>Supplementary Planning Documents (SPD)</u>

National Policy Statement for Energy – EN3 (renewables)
Revised (Draft) National Policy Statement for Energy – EN3 (renewables)
Test Valley Renewable and Low Carbon Energy Study.

8.0 PLANNING CONSIDERATIONS

- 8.1 The main planning considerations are:
 - The principle of development
 - Landscape and visual impacts
 - Heritage
 - Biodiversity
 - Amenity and pollution
 - Highway network
 - Water management
 - Other matters

8.2 The principle of development

Planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. The RLP was adopted in January 2016. There are no specific policies within the RLP relating to renewable energy. Policy SD1 of the RLP has a presumption in favour of sustainable development. It states that where there are no policies relevant to the application the Council will grant planning permission unless material considerations indicate otherwise – taking into account whether;

- a) Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole or;
- b) Specific policies within that Framework indicate that development should be restricted.
- 8.3 The site is located within the countryside, outside of any settlements as defined by the RLP inset maps. RLP policy COM2 sets out that development would be permitted provided that it is appropriate within the countryside as set out in other relevant RLP policies, or it is essential for it to be located within the countryside. The relevant policies set out in RLP policy COM2 do not cover the creation of solar farms. Consideration therefore needs to be given to whether it is essential for the proposal to be located in the countryside and whether there are any relevant material considerations.
- 8.4 The National Policy Statement for Energy (EN-1) sets out how the Government is going to reduce its carbon emissions by 2050 as at present the UK is heavily reliant on fossil fuels, which has an impact on global climate. To keep rising global temperatures to below 2 degrees there needs to be a move away from the use of fossil fuels. As part of its strategy the Government has set out its need for new low carbon energy infrastructure to contribute towards climate change mitigation.
- 8.5 The NPPF (2021) states in paragraph 158 that when determining planning applications for renewable and low carbon development local planning authorities should not require applicants to demonstrate the overall need for renewable or low carbon energy and recognises that even small-scale projects provide a valuable contribution and that the application should be approved if its impacts are or can be made acceptable.

8.6 Site selection

The proposal is for a solar farm covering approximately 25 hectares. Sourcing viable sites is dependent on a number of factors including connection to grid, and the submitted Planning Statement sets out that "the site was selected in reflection of the primary site criteria for solar farms, which are:

- A suitable electrical connection -it must be technically and economically viable to connect the site to the local electrical distribution system;
- There is a suitable solar resource -taking into account site orientation and absence of excessive shading;
- Land is available- the landowner supports the development and is prepared to enter into an arrangement to accommodate the proposal;
- Site sensitivities and potential impacts of development-there must be no clear barriers to potential development and a relatively low impact on the local area.
- Road access -there must be adequate access to the site from the national road system for delivery and construction purposes."

The submitted Planning Statement also sets out that "the applicant has secured a grid connection nearby, the landowner is supportive, and the level of irradiation is good. Road access is excellent, via the adjacent A303. The site is not designated or particularly sensitive, as confirmed by the EIA Screening Opinion, and the application is accompanied by a range of topic specific assessments and reports which confirm the acceptability of the scheme. The primary locational requirements are therefore met". In addition, the submission sets out that "the applicant has considered the possibility of locating on brownfield land and examined the Council's Brownfield Register. This shows only fifteen sites, the largest of which is 3.78 ha which is too small for the proposed solar farm".

8.7 Use of agricultural land

The National Planning Practice Guidance (NPPG) on Renewable and Low Carbon Energy advises that where possible solar farms should be located on previously developed land. Where a proposal involves greenfield land consideration should be given to "Whether (i) the proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and (ii) the proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays."

- 8.8 Agricultural Land is classified into 5 grades. Grade 1 is best quality and Grade 5 is the poorest quality. The NPPF defines the Best and Most Versatile (BMV) agricultural land as being those in Grades 1, 2 and 3a and that LPA's should recognise the economic benefits of this land and steer significant development towards poorer quality land.
- 8.9 The application is supported by an Agricultural Land Classification (ALC) report, which advises that the site comprises a mixture of Grades 2 (4%), 3a (50%) and 3b (46%) agricultural land. Therefore the proposed development would be constructed on land that falls under the category of Best and Most Versatile Land. The submitted ALC report sets out that the agricultural land classification maps and Natural England "predictive best and most versatile" land quality maps show that the general area is predicted to contain a

moderate (20-60%) or mostly high (>60%) proportion of BMV land, and therefore development in the wider area is very likely to involve BMV land, with limited poorer quality land (Grades 4 and 5) available. The submitted ALC report highlights the above by setting out that the existing solar farm adjacent to the application site, and another solar farm recently granted planning permission in Hatherden, also resulted in the loss of Grade 2 and 3a BMV.

- 8.10 Natural England has been consulted on the application, and has advised that the proposed development is unlikely to lead to significant long term loss of best and most versatile agricultural land, as a resource for future generations. They have advised that this is because the solar panels would be secured to the ground by metal frames with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the development is undertaken to high standards, and although some components of the development, such as construction of a sub-station, may permanently affect agricultural land, this would be limited to small areas.
- 8.11 Biodiversity enhancements are proposed as part of the application and could be secured via condition. The application submission also sets out that it is proposed that the land would continue to be used for sheep to graze. In addition, the proposed development is a temporary and reversible use of the land with no permanent loss of agricultural land. Accordingly, the 40 year/temporary loss of the ability to farm the land for arable purposes is considered acceptable. A condition could be recommended in respect of decommissioning the proposed development and returning the land to its former condition, in the event that planning permission were to be granted.
- 8.12 In conclusion on the principle of the proposed development, the agricultural land that would be utilised by the proposed development is a mix of Grade 2, Grade 3a and 3b land and would be temporarily taken out of agricultural use to facilitate the provision of renewable energy. It is considered that it has been shown that to create a viable solar farm it is essential for it to be located within the countryside and as such accords with Policy COM2 of the RLP.

8.13 Landscape and visual impacts

Policy E2 of the RLP requires development to protect, conserve and enhance the landscape of the Borough. The NPPG on Renewable and Low Carbon Energy recognises that "The deployment of large-scale solar farms can have a negative impact on the rural environment, particularly in undulating landscapes. However, the visual impact of a well-planned and well-screened solar farm can be properly addressed within the landscape if planned sensitively".

8.14 The site lies to the south of the A303 and sits between the villages of East Cholderton, Amport and Quarley, all of which are designated Conservation Areas. To the southwest of the site is Quarley Park, which is on the Hampshire Register of Historic Parks and gardens (local list). To the southeast of the site is Amport Park found on the English Heritage Register of Parks and Gardens of Historic Interest (grade II). Further southwest is Quarley Hill, an iron age fort.

There are a number of Public Rights of Way (PRoW) within the vicinity of the site, including Amport:28 and Amport:31, to the east and north east, Amport:12b, Amport:13 and Amport:27, to the south, and Amport:24 to the south west. Public views of the proposed development from a number of these vantage points would be possible.

8.15 The site comprises of an agricultural field which rises up from the south. An existing smaller solar farm is located within the field, and the proposal would effectively wrap itself around this. The application is supported by a comprehensive and detailed LVA, and includes a detailed visual assessment. It is considered that the submitted LVA provides an accurate representation of the impacts of the proposed development. The proposed solar farm is a relatively vast development, and would have a substantially larger impact upon the character of the landscape, although it is noted that the landscape has been changed somewhat by the introduction of the existing solar farm. It is accepted that due to the topography of the site, and the proximity of PRoWs and other vantage points (adjacent highways etc), it would not be possible to fully screen the proposed development. However it is considered that with the appropriate mitigation (which is characterful of the local landscape), from a landscape perspective, the proposed development could be achieved without considerable landscape harm, and would result in a positive response to the landscape. In particular, the southern boundary of the site is proposed to be planted up robustly, together with the gapping up of existing hedgerows along the roadside. In time this would provide a strong landscape buffer to the proposed development when viewed from lower ground to the south, as well enhancing the local and wider landscape. A detailed landscaping plan, together with details of its implementation and long term management and maintenance, could be secured by condition in the event that planning permission were to be granted.

8.16 *Trees*

The application is supported by arboricultural impact reports and method statements, which detail how existing trees and hedges to be retained would be protected during the construction and operation of the proposed development. This is considered to be acceptable, and would ensure that the health and future retention of important landscape features is not likely to be prejudiced, and that existing landscaping and landscape features would enable the proposed development to positively integrate into the landscape character of the area, in accordance with RLP policy E2. In the event that planning permission were to be granted, a condition could be recommended in respect of the tree protection measures.

8.17 The proposed development would result in short term landscape impacts, however this impact would diminish in the longer term as a result of the proposed mitigation planting. It is considered that, subject to conditions, the proposed development would not have a long term detrimental impact on the appearance of the immediate area and the landscape character of the area, and would ensure that the health and future retention of important landscape features would not be prejudiced, and that existing and proposed landscaping and landscape features could be accommodated within the site that would

enable the proposed development to positively integrate into the landscape character of the area. The proposed development would thereby comply with policy E2 of the RLP.

8.18 Heritage

RLP policy E9 requires development to make a positive contribution to sustaining or enhancing the significance of heritage assets, taking account of their character, appearance and setting.

8.19 The statutory duty of section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the LPA to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

8.20 Listed buildings and Conservation Areas

The application is supported by a Heritage Assessment report. On the basis of the assessment, and the separation distances and limited degree of intervisibility, it is considered that the proposed development would not have any significant effects on the settings of any nearby heritage assets. It is considered to be important to maintain/improve the existing level of screening at the site, particularly at the edges of the site nearest to Quarley, and this is proposed.

8.21 Archaeology

The application is supported by an Archaeological Assessment report, which identifies the site of a Bronze Age burial mound that has been ploughed down and indicates that the proposed mitigation strategy is to preserve that site by an exclusion zone. This is identified on the submitted plans, and is considered to be acceptable. The report also indicates that the site has a high archaeological potential relating to both prehistoric and Roman activity, and that it is possible that archaeological evidence of these periods may be encountered during groundworks associated with the proposed development. However, during the course of a recent aerial photograph review, a further probable ploughed down Bronze Age burial site has become apparent, just to the south west of the existing site being preserved, suggestive that it was part of the same complex which is a little larger than previously understood. As this has only recently been noted it is not reflected in the archaeological assessment nor in previous comments regarding the site from the County Archaeologist. Nonetheless, at the time of considering the application, it is a material consideration.

8.22 It is considered that the site of the burial mound should be subject to some confirmation by trial trenching, and the issue/options of preservation by design (whether exclusion or surface mounting) or mitigation by excavation ahead of development addressed. It is considered that this could be dealt with by condition, in the event that planning permission were to be granted. The submitted report also sets out that the substantive ground impacts of the

proposed solar array would also need to be mitigated (although noting that this excludes in general the installation of the arrays where the impact is 'pin cushion' and is more addressed to substantive groundwork such as access tracks, cable runs and compounds). A condition could also be recommended to secure a level of archaeological mitigation appropriate to the scale, location and impact of the installation ground works, in the event that planning permission were to be granted. It is considered that, subject to conditions, the proposed development would sustain the significance of heritage assets, in accordance with RLP policy E9.

8.23 **Biodiversity**

Policy E5 of the RLP requires development to conserve, and where possible restore and/or enhance biodiversity. The application is supported by ecological assessments of the site.

8.24 Ground nesting birds

The submitted surveys identify that ground nesting birds (eg lapwing and skylark) are present on the site. In addition, Stone Curlews are one of the rarest ground nesting birds in the UK and are protected under Schedule 1 of the Wildlife and Countryside Act 1981. It is an offence to intentionally or recklessly disturb birds and their young on or near an active nest and also to disturb a breeding attempt. Stone Curlews are a migratory species and breed in limited areas within the UK. Salisbury Plain is a known area where they do breed and the application site is in close proximity of the Plain. Salisbury Plain has a Special Protection Area (SPA) where stone curlews are a notable species. The submitted surveys and assessments also consider Stone Curlews, and discussions have taken place between the applicant and the RSPB in respect of this species, confirming that the assessments carried out are appropriate.

8.25 Details have been provided with the application in relation to the provision of a new habitat to the north east of the application site (edged in blue on the site location plan) for ground nesting birds. It has been suggested by the applicant that a mitigation strategy for this land could be dealt with by condition, and further discussions are ongoing in respect of the appropriateness of this with the Council's Ecologist. Further consideration in respect of this will provided in the Update paper to Committee. A condition could be recommended to secure the provision and retention of this mitigation, in the event that planning permission were to be granted.

8.26 Dormice

The submitted assessment considers it unlikely that dormice would be present on the site, due to the lack of hazel and honeysuckle within the existing hedgerows, and lack of connectivity to suitable woodland habitat. Whilst this does not necessarily rule out the presence of dormice, it is noted that no hedgerow removal would be required to facilitate the proposed development, and new hedgerow planting and enhancements are proposed. It is therefore not considered that the proposal would impact adversely on dormice.

8.27 Overall it is considered that subject to conditions, the proposed development would conserve biodiversity at the site and would accord with RLP policy E5.

8.28 Amenity and pollution

Policy E8 of the RLP sets out that development will be permitted provided that it does not result in pollution which would cause unacceptable risks to human health, the natural environment or general amenity, and that development that would or could potentially generate pollution will only be permitted if it can be demonstrated that there would not be any adverse impact on human health, the natural environment or general amenity. For the purposes of this policy, pollution includes noise and vibration, light and air. The main considerations in respect of this proposal relate to noise emission from static plant and equipment; the risks to amenity and aviation from glint and glare from the solar panels; and the risks posed by the construction phase.

8.29 Noise from static plant

The application is supported by a noise assessment report, which assesses the risk of noise impact upon residential receptors located to the West and East of the site. It is understood that the some of the equipment/plant associated with the proposed solar farm may operate at night time hours. The conclusion from the assessment is that that the impact upon residential amenity from the operation of the proposed development would likely be one of low impact. This outcome would, however, be reliant on the equipment/plant meeting the emission outputs contained within the submitted assessment, and the position of the plant. In the event that planning permission were to be granted, a condition could be recommended to ensure that the equipment/plant is installed and operated in accordance with the noise assessment.

- 8.30 Glint and Glare Residential amenity
 It is stated in the application details, that external lighting will not be installed on site, but details of this could be secured by condition to ensure that it is appropriate in respect of amenity.
- 8.31 Consideration is therefore limited to the risk of sunlight reflecting off the solar panels giving rise to glint or glare impacts to residential properties. A glint and glare assessment has been submitted with the application. The report concludes that 19 residential receptors are located within 1 km of the development and positioned where glint and glare impacts are possible, due to the orientation of the solar panels. Prior to consideration of any physical barriers (the so called 'bald earth' scenario); the impact significance is described as 'high' for 10 receptors; 'medium' for 7 receptors; 'low' for 2 receptors and 'none' for 8 receptors. Taking account of physical barriers currently in place, the assessment of significance was that 1 receptor only, that being Bush Farm to the south east, still had a 'high' significance and all others were of no significance. Remediation is proposed in respect of this receptor, consisting of a soil bund and hedgerows to obscure the view of the solar panels. The report also concludes that there is sufficient mature vegetation to screen the development, and therefore there would be no impact from glint and glare. It is considered that the risk of a significant impact on this receptor is unlikely. In the event that planning permission were to be granted, a condition could be recommended to ensure that the mitigation measures are provided and retained.

- 8.32 In addition to the above, the submitted construction management plan sets out arrangements for controlling noise and dust impacts from the construction phase of the proposed development.
- 8.33 Overall it is considered that the impacts of the proposed development on nearby residential properties in respect of noise, lighting, glint and glare, and construction activity would be acceptable, and could be controlled by conditions.

8.34 Glint and Glare - Aviation

The Civil Aviation Authority (CAA) has been consulted on the planning application, and has reviewed the submitted glint and glare assessments, particularly in respect of impacts on the adjacent Thruxton Airfield (operated by Western Air Thruxton), which is located to the north. The operator of the airfield has raised an objection to the proposed development, as set out at paragraph 6.3 of this report. Discussions have taken place between the CAA and the applicants during the consideration of the application. The CAA advise LPAs in respect of general aviation (GA). Paragraph 106 f) of the NPPF sets out that "planning policies should recognise the importance of maintaining a national network of GA airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the government's General Aviation Strategy".

- 8.35 It is understood that Thruxton Airfield operates 7 days a week with two runways, enabling the aerodrome to operate throughout the year in variable wind conditions and caters for a mix of aircraft types, including flight training and commercial operations. The CAA advise that circuit training is a fundamental part of flight training which involves repetitious take off and landings designed to familiarise student pilots with the most dynamic and critical phases of flight. All successful landings are predicated on accurate circuit flying for which the maintenance of a visual reference to ground features and other airspace users is crucial.
- 8.36 In respect of the submitted glint and glare assessments, the CAA advise that they do not accurately consider the general aviation environment at Thruxton Airfield and in particular, the flight training environment. They set out that advice that they have provided throughout the application process has sought to ensure that adequate assessments were undertaken to ensure that glint and glare, and in particular yellow glare, was not present as a result of the proposed scheme. Yellow glare has the potential to cause visual disturbances (after image effect) on receptors. The CAA cites that the criteria used for the applicant's assessment was too narrow in scope to accurately assess the potential impact of the proposed scheme, and that whilst the assessment methodology has improved in later submissions, each subsequent assessment has shown an increase in yellow glare.

- 8.37 The CAA advises that only assessing the final approach track is an inadequate assessment of potential impact when considering the flying environment at Thruxton. This is due to the variable positions of aircraft within the circuit pattern at Thruxton, and the need for student pilots to orientate themselves visually with local features in order to facilitate accurate circuit flying, as well as to see and avoid other airspace users and sequence themselves with other traffic. The CAA advises that, owing to the nature of the flying environment, it would be prudent to assess the impact of the proposed scheme on the tracks flown over the ground by aircraft operating at Thruxton, rather than a short final approach track only. Additionally, as a training environment, various heights should be assessed too. The CAA also highlights that any comparison to other aerodromes with solar development in their proximity should be taken with caution, in that what may suit one aerodrome's operating environment may not suit another for a variety of reasons, including type of operation, scale and position of solar development in relation to aerodrome and circuit pattern etc.
- 8.38 Despite the limited scope of the submitted assessments, each has shown an increase in yellow glare, which has the potential to produce an after-image effect which could be detrimental to the safe operation of Thruxton Airfield. Without a more robust assessment, it is not possible to conclude what mitigation would be required in order to address the impacts identified, and indeed those that remain unknown. It is considered that insufficient information has been submitted to demonstrate that the proposed development would not have an unacceptable impact on the safe operation of Thruxton Aerodrome.
- 8.39 The applicant has cited within their submitted assessments the Government's revised National Policy Statements, and in particular EN-3 (renewables). This is still a draft policy, and the second round of consultation on this has recently closed. Paragraph 3.10.150 of the latest draft of EN3 sets out that "Whilst there is some evidence that glint and glare from solar farms can be experienced by pilots and air traffic controllers in certain conditions, there is no evidence that glint and glare from solar farms results in significant impairment on aircraft safety. Therefore, unless a significant impairment can be demonstrated, the Secretary of State is unlikely to give any more than limited weight to claims of aviation interference because of glint and glare from solar farms". As discussed already, it is considered that insufficient assessment has been undertaken to demonstrate that there would not be a significant impairment as a result of the proposed development. Therefore whilst this NPS is still in draft form and therefore carries limited weight, it is not considered that the proposal would comply with this paragraph.
- 8.40 It is important to have regard to paragraph 187 of the NPPF, which sets out that "planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities...Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established". This is referred to as 'the agent of change', and essentially requires any new development to mitigate the impacts of that development, as opposed to existing businesses and facilities having to mitigate for the new

development. As set out above, in the absence of a robust assessment in respect of the impacts of glint and glare on Thruxton Airfield, it is not possible to conclude what mitigation would be required in order to address the impacts identified, and indeed those that remain unknown, and it would not be reasonable to rely on the airfield altering their existing operations to address any impacts caused by the proposed development, which may have implications for them, for example in respect of safety or commercial interests.

8.41 Overall, the Civil Aviation Authority (CAA) maintain concerns about the scope of, and methodology used in the submitted glint and glare assessments. Therefore it is considered that there is insufficient information submitted with the application to demonstrate that the proposed development would not have an unacceptable impact on the safe operation of Thruxton Airfield, contrary to RLP policy E8. Furthermore, as the 'agent of change', the proposed development has failed to demonstrate (including providing suitable mitigation) that unreasonable restrictions would not be placed on the operation of Thruxton Airfield, contrary to paragraph 187 of the NPPF.

8.42 Highway network

Policy T1 of the RLP requires development to not have an adverse impact on the function, character and safety of and accessibility to the local and strategic highway network or the rights of way network. It is considered that during the operational phase, the proposed development would be an extremely low traffic generator. Therefore any highway impacts to consider would be in respect of the construction and decommissioning phases of the proposed development. The application is accompanied by a Construction Traffic Management Plan.

8.43 Site Access

The site would be accessed via the existing Lains Farm access junction on Quarley Road. The visibility splays provided are acceptable to the Highway Authority, which includes approximately 14.4 metres of hedgerow to the south of the access being trimmed to a height of one metre in order to achieve the required visibility. The applicant has provided acceptable vehicle tracking of 16.5m articulated lorry demonstrating construction vehicles can safely enter the access. Furthermore, the applicant proposes to provide temporary signage during the construction phases to inform the public of the construction works. Once the construction phase is complete, it is stated that maintenance vehicles (transit van or similar) would enter the site once or twice a month.

8.44 Construction Vehicle Routing

The designated route for construction vehicles provides safe and adequate routing for large construction vehicles. Large construction vehicles accessing and egressing the site from the west would travel along the A303, B3084, and Quarley Road, and from the east, large construction vehicles would utilize the A303 and Quarley Road. The proposed temporary designated route signage to direct construction traffic and inform other drivers is proposed in acceptable locations. The management of deliveries has been provided and proposes adequate operation arrangements which are acceptable to the Highway Authority. The Highway Authority would also accept the proposed routing set out in the Construction Traffic Management Plan.

8.45 Contractors' Compound and Internal Routing

The Highway Authority are satisfied that there would be no severe impact to the local highway network from overspill parking or mud/debris on the road, as there is sufficient parking on site for contractors, and wheel washing facilities would be provided.

8.46 Construction Vehicle Trip Generation

The Highway Authority notes that the construction phase of the development would last for approximately 18 weeks and would consist of 4 phases: Enabling Works, Solar Farm, Battery Storage, and Site Clearance. The maximum approximate number of two-way trips for deliveries in the construction phases of the development is a total of 1686 across the 18 weeks, not including the trips for construction workers which would arrive in low numbers and likely outside of peak times. Succeeding the completion of the construction phases, the site would have a low number of trips associated with maintenance of the development of approximately 4 two-way trips per month, and therefore it is determined by the Highway Authority that this would not have a detrimental impact on the local highway network. Additionally, the Highway Authority is satisfied that the number of HGV movements for the 18 week construction period would not have a severe impact on the local highway network.

8.47 Proposed Mitigation Measures

The applicant has provided sufficient proposed mitigation measures which would reduce risk to the safety and operation of the local highway network, and therefore, are deemed acceptable by the Highway Authority. The applicant has also stated that a pre-construction walk-over condition survey would be conducted and agreed with by highway officers at HCC. This is considered to be acceptable. Conditions could be recommended in respect of these measures, in the event that planning permission were to be granted.

8.48 Strategic Road Network

The proposed development would be located a sufficient distance away from the edge of the hard shoulder of the A303 so as not to have any meaningful impact on the safe and efficient operation of the SRN (A303), and National Highways has raised no objections to the proposal in this respect.

8.49 Public rights of way

There are a number of Public Rights of Way (PRoW) within the vicinity of the site, including Amport:28 and Amport:31, to the east and north east, Amport:12b, Amport:13 and Amport:27, to the south, and Amport:24 to the south west. These existing PRoWs would not be directly affected by the proposals.

8.50 The Ramblers Association has identified that the proposed development would be visible from PRoW Amport:12B, and that, as set out in the NPPF (paragraph 100) "planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks...". They have advised that this could be met by either providing a

new ProW from Amport:31 to the Quarley road to the west, resulting in PROWs Amport:31 and Amport:28 being more used, and providing a link from west Amport to the north of the A303; or a new path provided between Amport:31 and Amport:11 along the boundary with the A303, providing a new circular walk. The policy test for RLP policy T1 is whether a proposed development would have an adverse impact on the function, safety and character of and accessibility to the local rights of way network. It is not considered that the proposed development would result in an adverse impact on the ProW network that would justify the suggested mitigation of new routes by the Ramblers Association. The current ProWs would remain unimpeded following the construction of the proposed development, and landscape mitigation is proposed which would reduce the visual impact of the proposed development from these routes.

8.51 Subject to conditions, it is considered that the proposed development would not impact adversely on the highway or rights of way networks and would comply with RLP policy T1.

8.52 Water management

RLP policy E7 requires consideration to be given to the impact of development on flood risk and ground water matters. The site is located within Flood Zone 1, which is the zone with the lowest probability of flooding.

8.53 The application indicates that some elements of the proposed solar farm would be set on gravel pads which would discharge surface water into the ground (infiltration). While infiltration testing has been carried out at the application site, the applicant has not carried out a groundwater assessment which demonstrates that there would be at least a 1m unsaturated zone between the base of the proposed infiltration features and the highest groundwater level recorded including seasonal variations. It is understood that access roads would be formed using gravel to avoid creating impermeable areas across the site. If the proposed surfaces are just for reinforcement to increase the bearing strength of the ground, without any additional construction which would change the underlying soils (such as any impermeable area), this would be considered as permeable. However, if the proposals consider any impermeable surfaces, the applicant should submit additional information to show how the additional surface water runoff would be managed (required attenuation volume, discharge point, hydraulic calculations and drainage layout). In considering the shallow nature of the require infiltration features, the Lead Local Flood Authority has raised no objection to the proposals, subject to compliance with the submitted flood risk and drainage information, or any such amended scheme that shall be submitted to the LPA for approval. Subject to this, the proposed development would comply with RLP policy E7.

8.54 Other matters

Minerals and waste safeguarding

The application site lies within the buffer zone of the safeguarded site Thruxton Airfield operated by Earthline Limited. This area is informed by the safeguarded sites list as defined through Policy 26: Safeguarding – waste infrastructure of the adopted Hampshire Minerals and Waste Plan (2013)

(HMWP). The purpose of this policy is to protect current and potential waste sites from pressures to be replaced by other forms of development, including through 'encroachment' where nearby land-uses impact their ability to continue operating. The application is accompanied by a Minerals and Waste Statement, which sets out that the applicant contacted the operator of the safeguarded site prior to the submission of this planning application, and at the time of contact (September 2021) a no comment response was provided, however the operator did retain their right to make comment once any planning application had been submitted. The applicant made further contact with the operator in January 2022 following the submission of this planning application. No response was received, and no representations in respect of minerals and waste have been submitted to the LPA for consideration. The Minerals and Waste Authority (HCC) has confirmed that the proposed development satisfies the requirements of Policy 26 of the HMWP, and has raised no objections.

8.55 Aerodrome safeguarding

The application site occupies the statutory safeguarding zone surrounding AAC Middle Wallop, MOD Boscombe Down and Netheravon Airfield. The MOD has been consulted on the application and has advised that they have no safeguarding objections to this proposal.

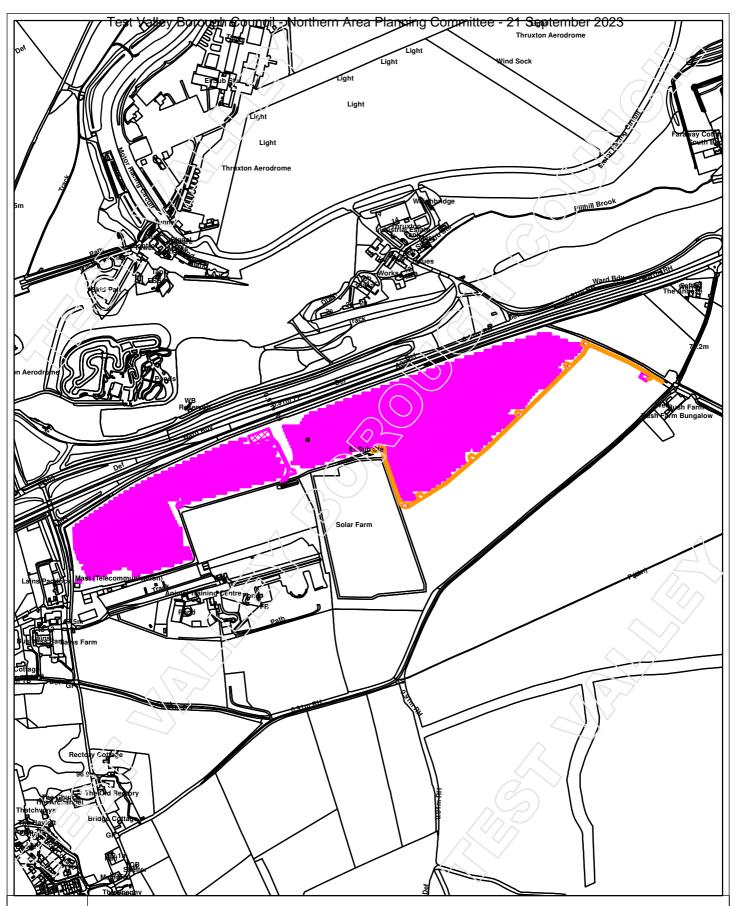
9.0 CONCLUSION AND PLANNING BALANCE

- 9.1 The proposals are considered to be acceptable in respect of the principle of the development, landscape and visual impacts, heritage, residential amenity, the highway network and water management, and would comply with the relevant policies of the Test Valley Borough Revised Local Plan 2016 in these respects. However, it is considered that insufficient information has been submitted with the application to demonstrate that the proposed development would not have an unacceptable impact on the safe operation of Thruxton Airfield, in terms of harmful impacts from glint and glare, contrary to RLP policy E8. Furthermore, as the 'agent of change', the proposed development has failed to demonstrate (through the provision of appropriate mitigation) that unreasonable restrictions would not be placed on the operation of Thruxton Airfield as a result of the proposed development, contrary to paragraph 187 of the NPPF.
- 9.2 Whilst it is acknowledged that the proposed development would result in a number of benefits, including in respect of biodiversity and the generation of renewable energy, it is not considered that these benefits would outweigh the harm that could be caused to aviation safety and the operation of Thruxton Airfield.

10.0 RECOMMENDATION REFUSE

1. Insufficient information has been submitted with the application to demonstrate that the proposed development would not have an unacceptable impact on the safe operation of Thruxton Airfield, in terms of harmful impacts from glint and glare. The proposed development would thereby fail to comply with Test Valley Borough Revised Local Plan 2016 Policy E8. Furthermore, as the 'agent of

change', the proposed development has failed to demonstrate (through the provision of appropriate mitigation) that unreasonable restrictions would not be placed on the operation of Thruxton Airfield as a result of the proposed development, contrary to National Planning Policy Framework paragraph 187.





Siteplan

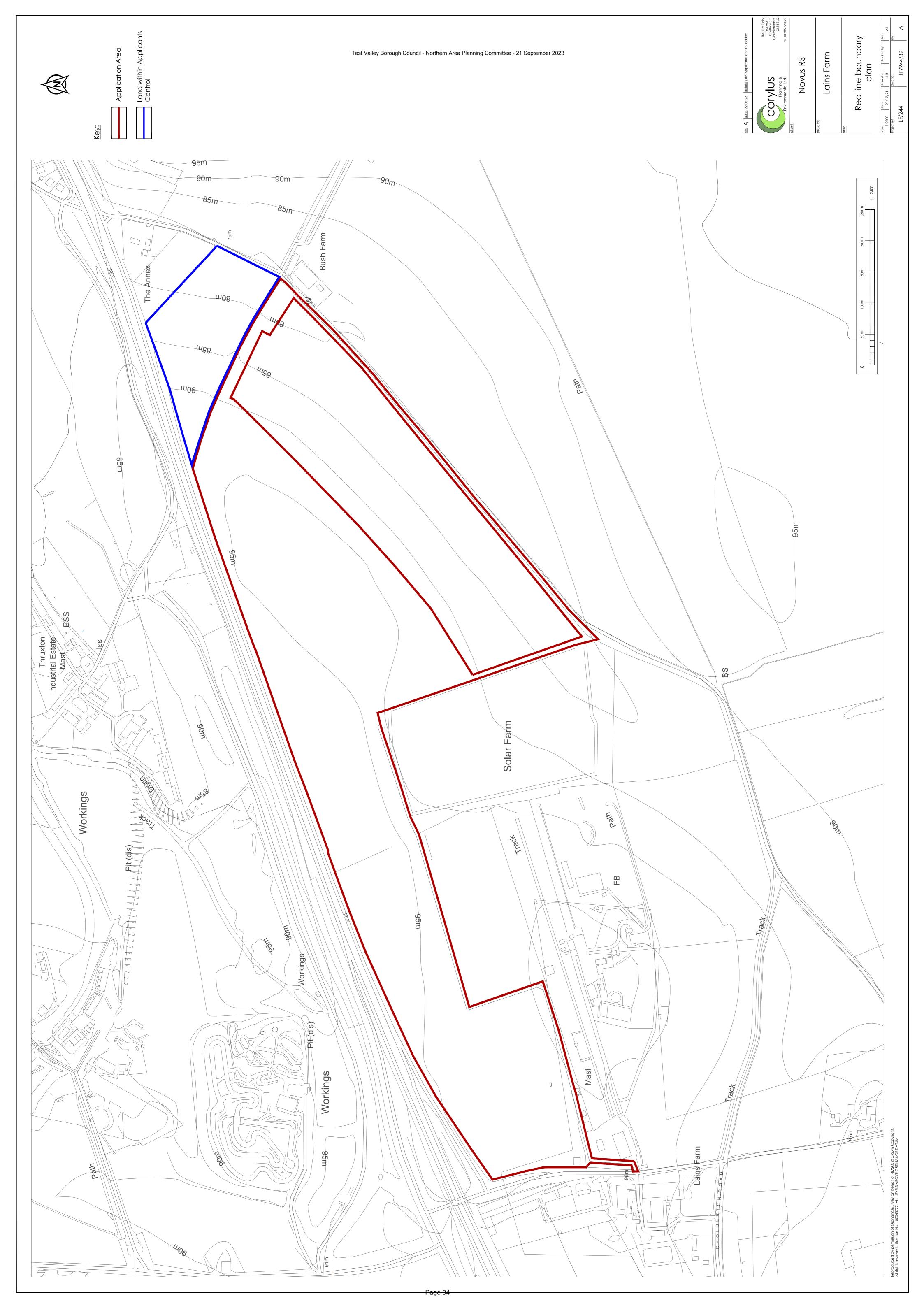


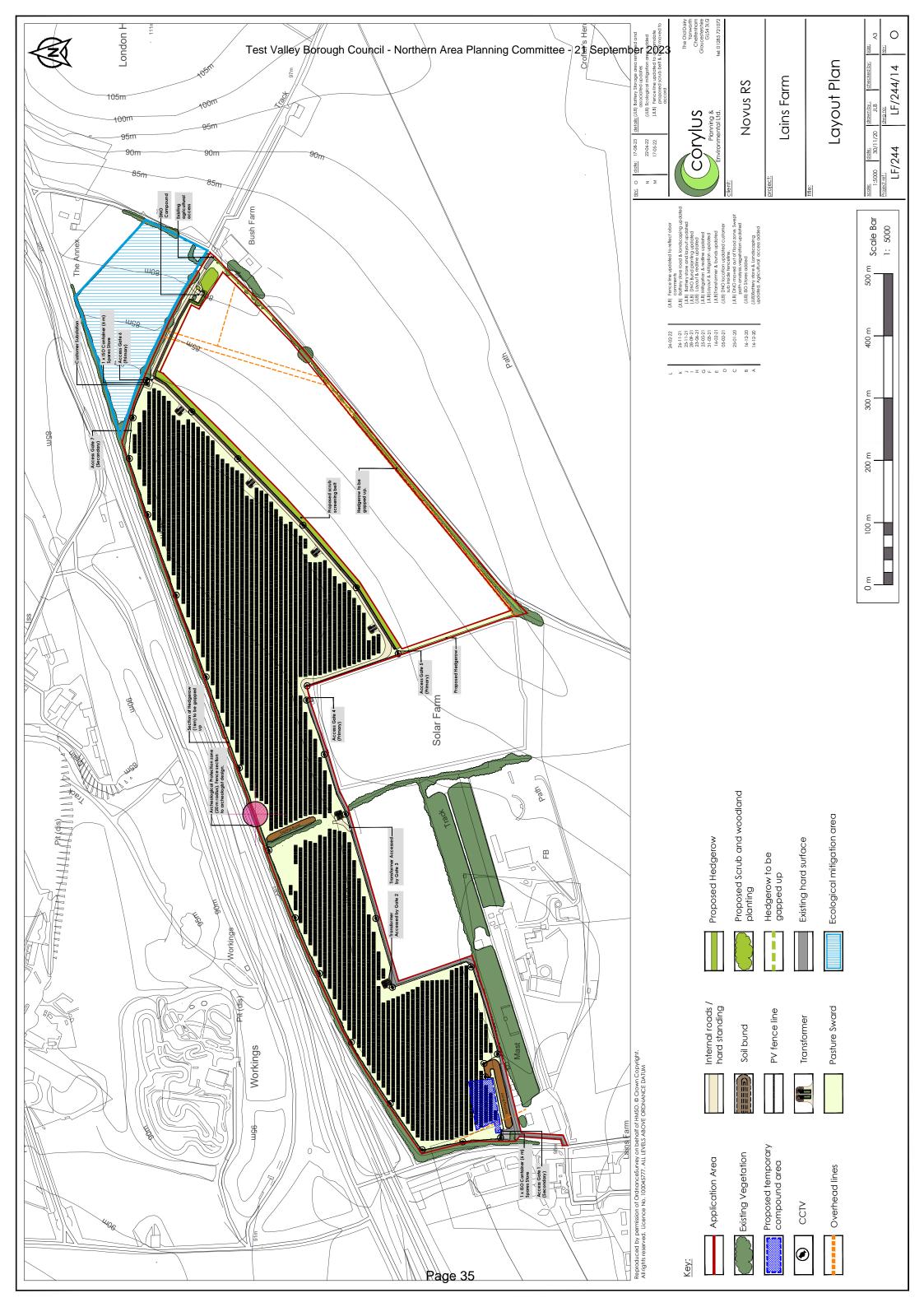
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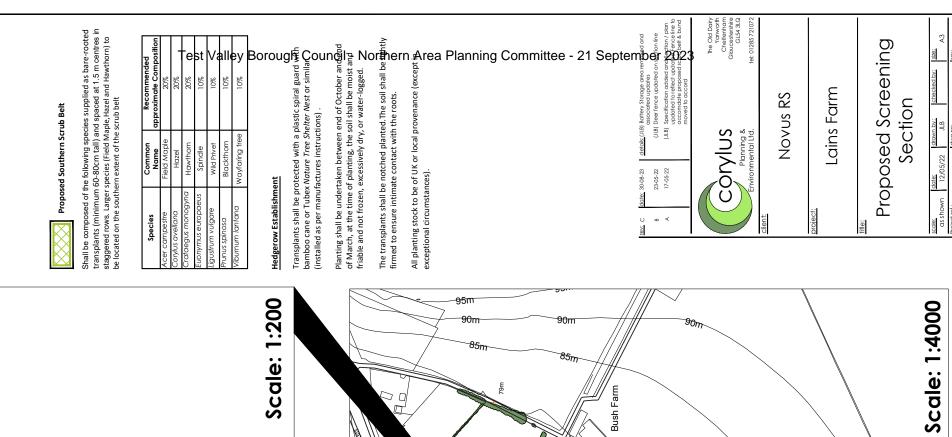
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TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

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85m



- Extent of planning boundary

Proposed permeable internal access track

Deer Fence —— Topsoil bund — -95 m -94.5 m -94 m -93.5 m -93 m

95 m – 94.5 m – 94 m – 93.5 m – 93 m – 92.5 m –

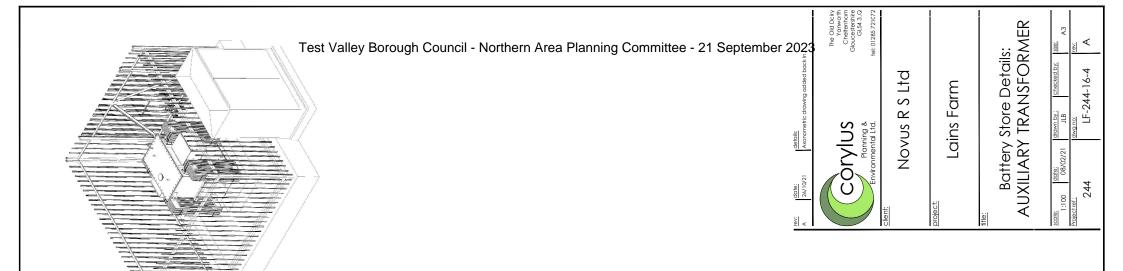
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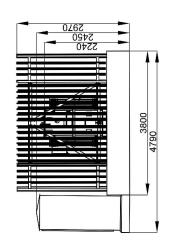
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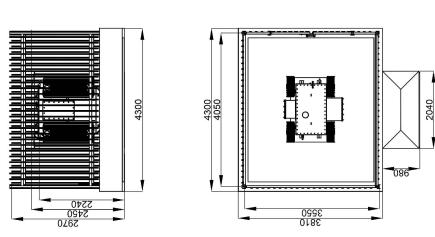
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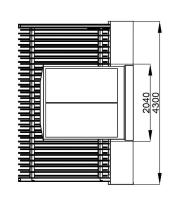
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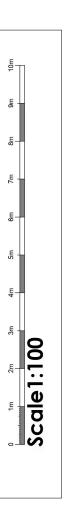
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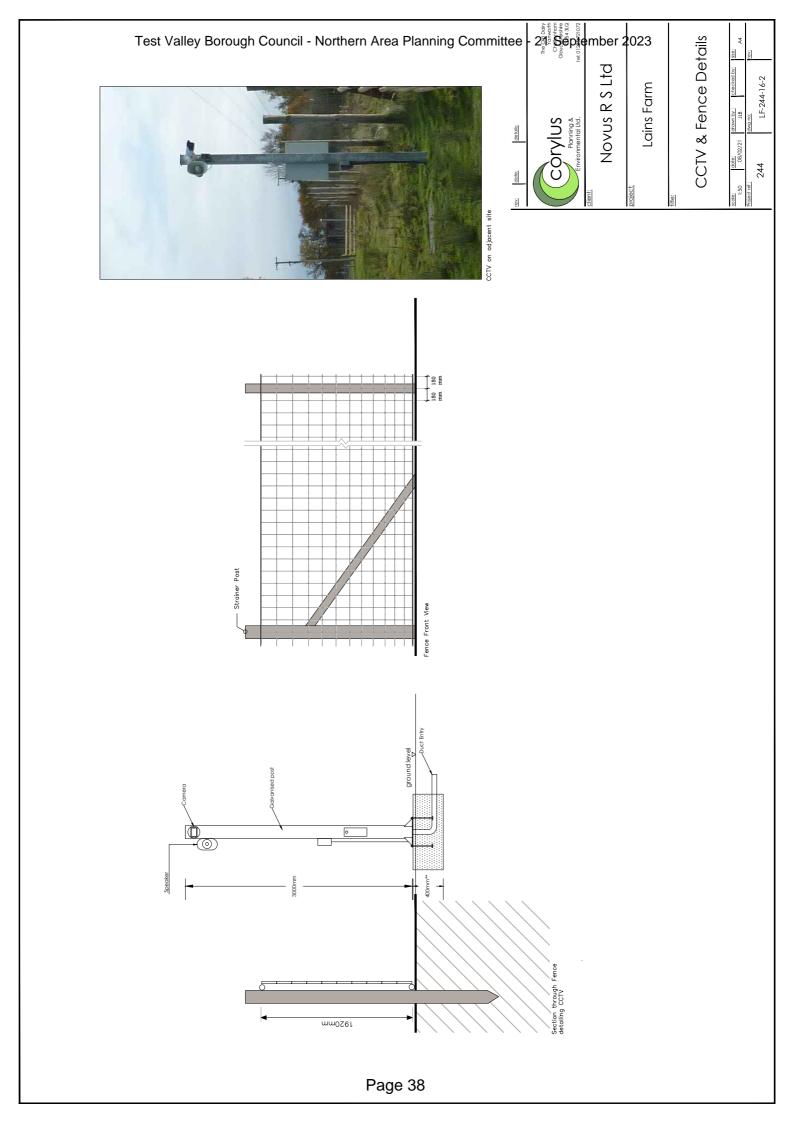


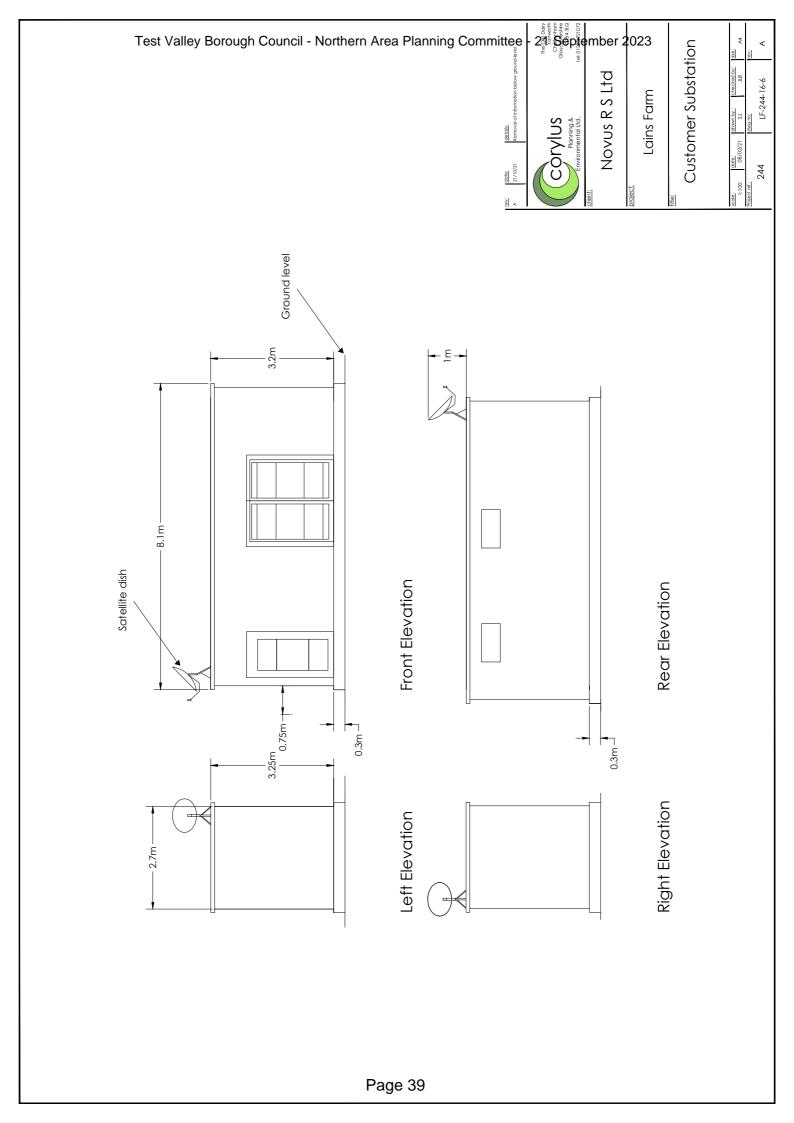


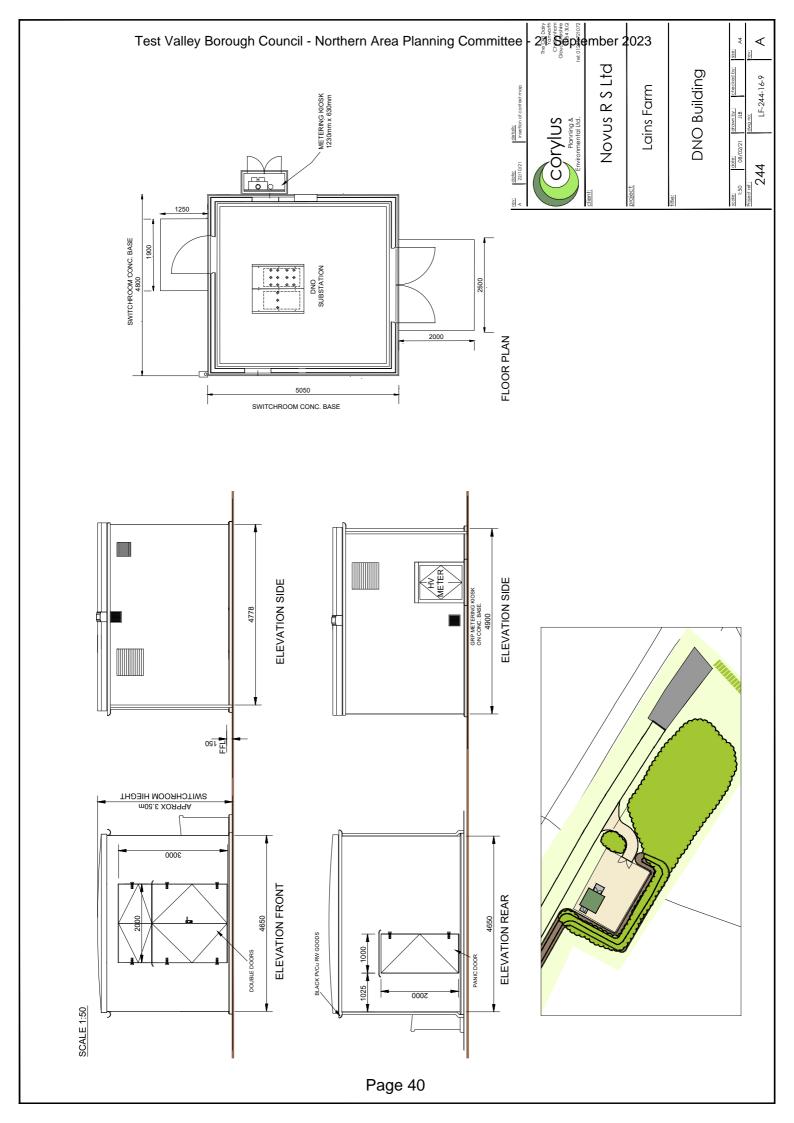


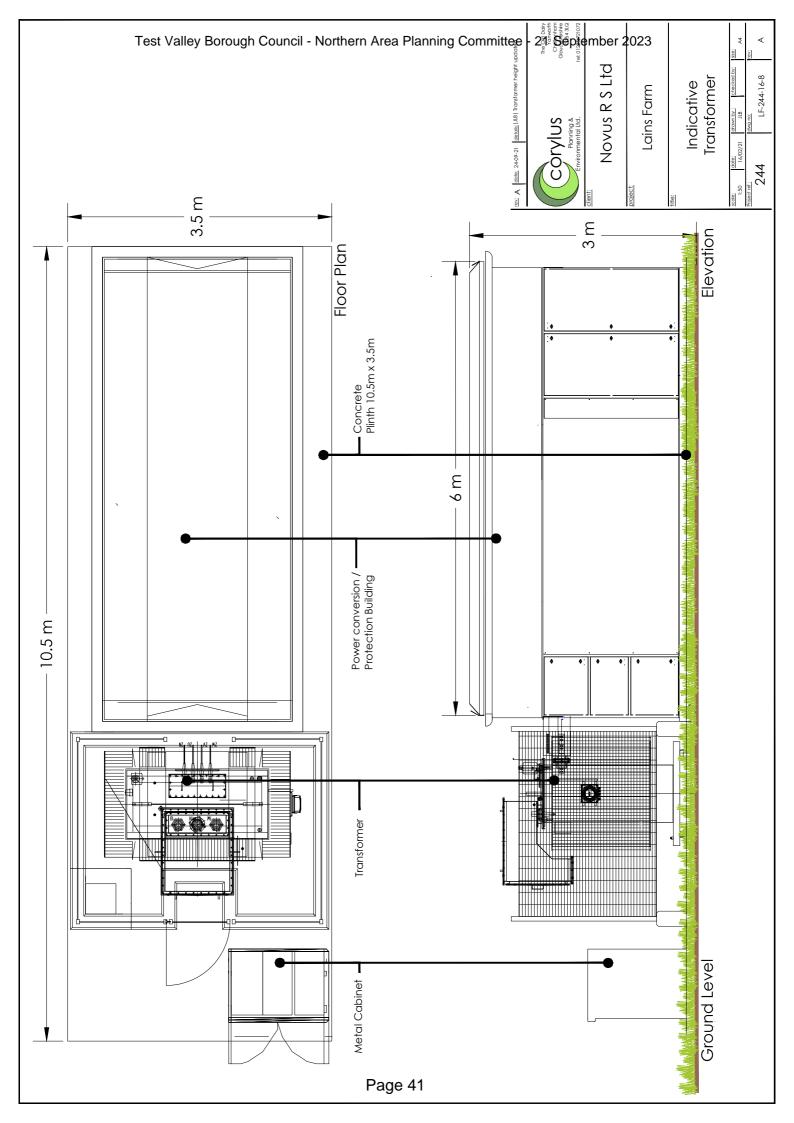


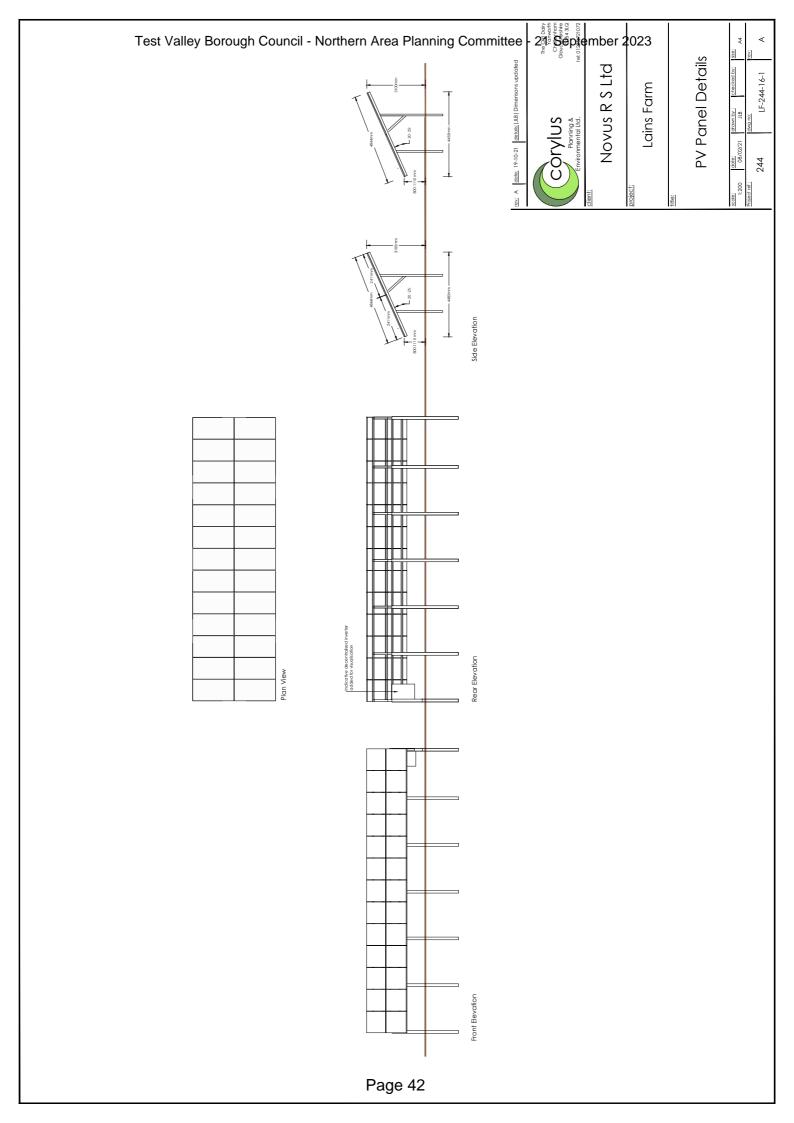
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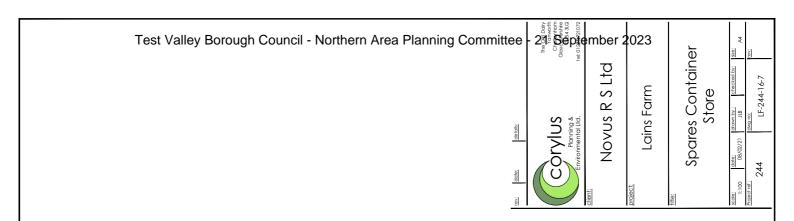


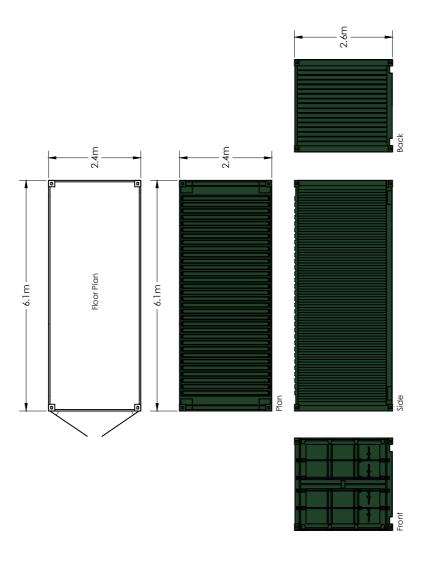












ITEM 8

APPLICATION NO. 23/01336/FULLN

APPLICATION TYPE FULL APPLICATION - NORTH

REGISTERED 24.05.2023

APPLICANT Mr and Mrs Nelson

SITE The River Test Distillery Ltd, River Barn Cottage,

Southside Road, LONGPARISH

PROPOSAL Erection of a new distillery, visitor centre to include a

masterclass experience room, shop and associated

parking

AMENDMENTS

CASE OFFICER Katie Nethersole

Background paper (Local Government Act 1972 Section 100D)

Click here to view application

1.0 INTRODUCTION

1.1 The application is presented to Northern Area Planning Committee because it is contrary to the provisions of the Development Plan, adverse third party representations have been received and the recommendation is for approval.

2.0 SITE LOCATION AND DESCRIPTION

2.1 The application site forms a corner of a field to the south of River Barn Cottage. It forms agricultural land that is currently used for grazing and is classified as poor according to the Agricultural Land Classification. The application site measures 0.3 hectares. The site would be accessed from an existing field access off The Avenue to the south west of the site. To the eastern boundary with Southside Road are mature hedgerows and along the sites boundary with The Avenue are mature trees. The site is situated at a higher level than River Barn Cottage and its associated outbuildings with the land sloping across the site with it falling from north east to south west.

3.0 **PROPOSAL**

- 3.1 The application seeks full planning permission for a new distillery with associated visitor centre including a masterclass experience room and shop with associated car parking. The building would be sited in the south east corner of the field adjacent to River Barn Cottage. It would be single storey with a green sedum roof and would be "L" shaped and would measure 20 metres along its length, with a height of approximately 5 metres and a total floor area of 304 square metres. The access off The Avenue would lead to an area of hardstanding for 9 car parking spaces and turning.
- 3.2 The existing distillery and established business is currently operated from the garage associated with River Barn Cottage and this use has been confirmed through the granting of a lawful development certificate in 2018 (17/03117/CLPN) for the installation of a craft distillery. The business has

outgrown the existing premises and therefore this proposal has been put forward to provide a purpose built building for the distillery and ancillary shop and masterclass with visitor centre.

3.3 The application has been advertised as a potential departure from the Local Development Plan, as it represents a new employment use within the countryside contrary to policy LE17.

4.0 **HISTORY**

4.1 17/03117/CLPN Certificate of proposed lawful development/use - Installation of a craft distillery in the garage. Certificate Issued 31.01.2018

5.0 **CONSULTATIONS**

5.1 **Environmental Protection** – No objections

Two comments received from Environmental Protection with no objection raised in terms of impact on residential amenity from noise and impact on the water supply.

- 5.2 **Trees** No objection subject to conditions
- 5.3 **Landscape** Comment

As previously requested, a Landscape and Visual Appraisal have been submitted within the application. This is considered a robust and accurate assessment of the immediate site and wider landscape. The planning statement, along with the LVA refers to the proposed landscaping along with the existing vegetation which will help integrate the site within its setting, however, there only appears to be very vague indicative hatching for where landscaping is proposed. Further information is required to gain a better understanding on what is proposed and how this would integrate the development into the sites setting. This will need to be submitted as part of the application.

N.B. Officer note – since receiving these comments, the applicant has submitted an indicative landscape plan which the Landscape Officer has reviewed and advised they are happy with, subject to details being secured via condition.

- 5.4 **Conservation** No objection subject to condition
- 5.5 **Ecology** No objection subject to conditions
- 5.6 **Highways** No objection subject to conditions
- 5.7 **Environment Agency** No objection subject to condition relating to foul water drainage details required to protect the underlying aguifer.
- 6.0 **REPRESENTATIONS** Expired 02.08.2023
- 6.1 10 letters of objection from the occupiers of Orchard Cottage Longparish, Church Farm House Longparish, Southside Farm Longparish, Longarish House Longparish, Creel House Longparish, Upper Mill Longparish,

Greenholme Longparish, Middleton Estate Office Longparish and Converted Stables Southside Farm Longparish:

- Concern about impact on wildlife and biodiversity
- Adverse impact on the landscape character of the area and visual impact
- Increase in traffic in an area with poorly maintained roads with few passing places, and concerns about the impact of additional traffic on the surrounding roads
- Countryside location is not appropriate for a distillery, the proposal would be better off on a commercial/industrial site
- Scale of building is substantial and unnecessary
- 10 letters of support from the occupiers of Yew Tree Cottage Abbotts Ann, 3 Norton Cottages Winchester, Burlea Little Ann, Honey Cottages Longparish, 132 Longacre Longparish, West Brook Cottage Longparish, Church Farm Longparish, Orchards Longparish and Post Office Stores Barton Stacey:
 - Positive contribution to local economy and tourism
 - Impact on traffic would be minimal
 - A well thought out proposal
 - Impacts would be minimal
 - Design is sympathetic to the local environment

6.3 **Longparish Parish Council** – Objection

Proposal is contrary to local plan and would lead to industrialisation of the area. Concerns about increase in water extraction. No information on the justification for the shop. Landscaping is lacking in detail. Parking and access concerns.

7.0 **POLICY**

7.1 Government Guidance

National Planning Policy Framework (NPPF) National Planning Practice Guidance (NPPG)

7.2 Test Valley Borough Revised Local Plan (2016)(RLP)

COM2: Settlement Hierarchy

LE11: Main Town Centre Uses

LE17: Employment Sites in the Countryside

E1: High Quality Development in the Borough

E2: Protect, Conserve and Enhance the Landscape Character of the Borough

E5: Biodiversity

E7: Water Management

E9: Heritage

LHW4: Amenity

T1: Managing Movement

T2: Parking Standards

8.0 PLANNING CONSIDERATIONS

- 8.1 The main planning considerations are:
 - Principle of Development

- Impact on the Character and Appearance of the Area and Heritage Assets
- Biodiversity
- Water Management
- Residential Amenity
- Access and Parking

8.2 **Principle of Development**

The application site is located outside of any defined settlement boundary and development within the countryside is only permitted if:

- a) It is appropriate in the countryside as set out in Revised Local plan policy COM8 COM14, LE10, LE16 LE18; or
- b) It is essential for the proposal to be located in the countryside
- 8.3 Policy LE17 allows for the redevelopment, extension of buildings or erection of new buildings on existing employment sites for employment use provided that:
 - a) It is contained within the lawful employment site; and
 - b) The proposal is well related to any retained buildings; and
 - c) It does not include outside storage where this could be visually intrusive
- 8.4 The proposal is for a new employment site and therefore policy LE17 is not relevant as this policy seeks to encourage the redevelopment, extension or new buildings on existing employment sites. It is therefore important to consider the proposal against policy COM2. There are no other relevant policies listed within part a) of COM2, so the consideration is whether it is essential for the proposal to be located in the countryside.
- 8.5 Part b) of policy COM2 allows for development in the countryside where it is considered essential. The application has been supported by justification as to why it is essential for the proposal to be located in the countryside. The gin distilling process makes use of the water borehole on the site, as well as the botanicals that are harvested from the site. The name of the gin is based on the fact that the water is sourced from the River Test and so it is important to have direct access to the water source in this location. There are two key botanical ingredients used in the production of the gin that are grown within and adjacent to the site. One is the meadowsweet flower which is a key ingredient to the classic London Dry Gin, and is grown on the site. The applicant explains that this has a short picking window meaning that it is essential that the picking takes places as soon as possible to retain the quality of the ingredient in the process of distilling the gin. The applicant states that the flower has to be picked in a four week window in July/August time and needs to be picked when it is dry as if there is any moisture in it the flower rots. There should be three consecutive days of dry sunny weather before the flower is picked. The other key botanical is the Maris Otter Barley which is grown and harvested in the fields north of the site. It is important to the distilling process to have these three key ingredients located within close proximity to the site.
- 8.6 It is considered that relocating the business to an existing industrial or commercial site would lose the unique selling point of the business and the visitor experience of a gin being distilled using locally sourced natural ingredients which gives credence to the name, River Test Gin. The proposal

- would support the rural economy and would attract people to the rural area who are likely to spend money in the local pubs and other facilities which would support village services and facilities.
- 8.7 In terms of sustainability, the nearest available commercial/industrial units are in Andover and Romsey which are located at some distance from the site. This would require transportation of the required raw material, the water and botanicals, to an off-site industrial unit which would be unsustainable and would result in a significant increase in HGV movements daily to and from the site and through the village of Longparish. It has been suggested that this would require in excess of 100 HGV movements a year based on the bottling of 168 bottles a day (16,800 bottles a year). This would have a significant adverse impact on the local highway network.
- 8.8 It has also been cited that from a business perspective, taking the water off site and producing gin away from the water source would have a significant impact on the cash flow of the business. This is because duty is paid as soon as the gin is bottled. The duty that is paid is a tax that is charged at the point of production which works out at around £9.52 per bottle which is a significant cost. At present, the business keeps stock levels at a manageable level but if the business were to be located away from the water source, the applicants would need to try to solve water movement in a more efficient way which would have a knock on effect on the business needing to hold a greater amount of bottled stock than they do at present, which in turn would require a greater level of storage space.
- 8.9 The applicant has also provided reasoning for why the business cannot be located on an existing industrial or commercial estate. They have stated that units on the market are within existing industrial estates some of which would not have sufficient car parking. Further to this existing commercial or industrial buildings on the market are not of a suitable design, with buildings tending to be large empty shells which would require significant works to make them fit for purpose. They consider that these buildings are not the right design or layout that would suit the applicant's needs nor do they have the right level of storage that is required. In contrast, the proposed building would be purpose built and designed to meet the specific needs of the business and the proposed use. The applicant considers that the option of locating the business on an existing commercial or industrial estate would have add prohibitive costs that would be avoided by the proposal as submitted.
- 8.10 Policy LE11 of the RLP seeks to ensure that main town centre uses such as retail are concentrated within the town centres of Andover and Romsey. The proposal includes a small ancillary shop within the visitor centre. The policy states that development of main town centre uses that exceed 280 square metres outside of the defined town centres are not permitted if following a sequential assessment they could be accommodated firstly within a town centre, or secondly on the edge of the town centre. The proposed shop would measure 45 square metres and therefore is under the threshold for requiring a sequential assessment. It is clear that the retail element of the proposal is

ancillary to the main use and a condition has been recommended to limit the floor space given to the retail element. It would be unreasonable to not allow any retail space, as this would help to support the business and the wider rural tourist economy.

8.11 It is therefore considered that there is sufficient justification has been provided to demonstrate that it is essential for the proposal to be located in a countryside location due to the proximity to the raw ingredients and the sustainability of the location, in accordance with part b) of policy COM2 of the RLP.

8.12 Impact on the Character and Appearance of the Area

Policy E1 and E2 seek to ensure that development is of high quality design, respects and complements the character and appearance of the area and does not have a detrimental impact on the wider landscape.

8.13 Landscape Impact

The application site is located within the south east corner of the field adjacent to River Barn Cottage and is well screened from the road by existing mature hedgerow and tree planting. From Southside Road there would be limited views of the proposal with the road being at a lower level than the site and the presence of a mature hedgerow to the roadside boundary which would be retained. There would be more views afforded from The Avenue, however the existing mature trees along the boundary would provide some screening to the site, particularly during the summer months when the trees are in full leaf.

- 8.14 Further to this the proposed building would be single storey in scale with a green roof and natural materials (timber cladding and stone) and would be partially set into the ground to limit its visual impact on the wider landscape. The application has been supported by a Landscape and Visual Appraisal which has been assessed by the Landscape Officer and has confirmed that this is a robust and accurate assessment of the immediate site and wider landscape. An illustrative landscape plan has been provided which shows that additional planting would be incorporated to bolster the existing planting on site. Native shrub planting is proposed along the north east and south east boundaries, with woodland tree planting to the south west and north west boundaries of the site to help the proposed building assimilate into its surroundings.
- 8.15 In terms of design, the building would be of a contemporary design utilising horizontal timber cladding, stone and a green roof. It is considered that the building is of an interesting and innovative design which would integrate into the context of the site. Added to this, it would be partially set into the slope of the site to minimise its visual impact of the site. The design and materials of the building would help the building to assimilate with its natural and open surroundings and its impact would be lessened by the existing planting to the boundaries as well as the levels of the site being utilised. Due to its sensitive design and use of natural materials it is considered that the proposed building would have a limited adverse impact on the landscape character.

8.16 Impact on Listed Buildings

River Barn Cottage, River Barn and Southside Farm are all Grade II listed buildings and therefore it is important to consider the proposal in accordance with policy E9. This policy seeks to ensure that development affecting a heritage asset makes a positive contribution to sustaining or enhancing the significance of the heritage asset, taking account of its character, appearance and setting.

- 8.17 It is considered that the proposal would have a neutral impact on the setting of the listed buildings at River Barn Cottage. The application site rises away from the farm complex, and is visually separate from the listed buildings. The proposal would be seen from the listed buildings but it is not considered that it would harm their setting. A heritage statement has been submitted to support the application which provides commentary on the significance of the listed buildings and the contribution to their setting. It is considered that the proposed building would not detract from the setting of the listed buildings, due to the siting, scale and design of the building which would ensure that it would sit quietly within its context and would not be visually dominant.
- 8.18 The proposal is therefore considered to accord with policies E1, E2 and E9 of the RLP. It is concluded that the proposal would have a neutral impact on the setting of the listed buildings and the wider landscape due to its design, scale and materials.

8.19 **Biodiversity**

Policy E5 of the RLP seeks to ensure that development conserves and where possible restores and enhances biodiversity. The application has been supported by an Ecological Impact Assessment. The application site is part of a field that is used for grazing cattle and the proposal would result in a loss of grassland. The assessment has been reviewed by the Ecology Officer who has advises that whilst the site has the limited potential for reptiles, great crested newts and dormice, the measures included in the report are considered to be appropriate. The mitigation measures include the avoidance of vegetation clearance during hibernation season (November to March), the removal of scrub to be carried out in a two stage process, any excavations to be covered overnight, and the proposed green roof to include native plant species.

8.20 The River Test SSSI is located approximately 170 metres north-west of the site and is therefore considered to be at a sufficient distance away to not be adversely impacted by the proposal. Conditions have been recommended to ensure that a Construction Environment Management Plan, a scheme of biodiversity enhancements, and a sensitive lighting strategy are submitted prior to commencement of the development. The Ecological Impact Assessment has recommended enhancement measures which are considered to be appropriate and would be secured by condition. It is therefore considered that the proposal would conserve and enhance biodiversity, in accordance with policy E5 of the RLP.

8.21 Water Management

Policy E7 of the RLP seeks to ensure that it complies with national policy and guidance in relation to flood risk. The application site is entirely within Flood Zone 1 which presents the lowest risk to flooding and therefore it is considered that the proposal would accord with policy E7.

- 8.22 It is noted that third party correspondence have raised concerns about the extraction of water from the borehole in the production process. The applicant has confirmed that the water required to make their yearly current volume of gin is 40,000 litres a year and included in this is the water required to make the gin, cut the gin (the process of bringing the gin down to the correct Alcohol by Volume percentage ABV) and for the distillation process. The guidance from the Environment Agency states that if one extracts more than 20,000 litres of water a day then an abstraction licence is required. Therefore the required amount of water (approximately 109 litres per day) for this operation is significantly less than that and is considered an insubstantial amount. The business would therefore not place any unnecessary pressure on the aquifer. The Environment Agency have been consulted and have raised no objection to the proposal.
- 8.23 The proposal would therefore not result in an increase risk to flooding or the safe management of ground water and would accord with policy E7 of the RLP.

8.24 Residential Amenity

Policy LHW4 of the RLP seeks to ensure that development provides for the privacy and amenity of residential neighbours. The proposal would be sited approximately 106 metres away from River Barn Cottage and approximately 123 metres from Southside Farm. It is considered that the proposal would be well set away from residential properties and would be well screened to ensure that it would not result in any significant adverse impact on residential amenity.

8.25 The Environmental Protection Officer have reviewed the application and have raised no concerns on the proposal in respect of its potential impact on residential amenity in terms of noise disturbance. It is therefore considered that the proposal would not harm residential amenity and would accord with policy LWH4 of the RLP.

8.26 Access and Parking

Policy T1 of the RLP seek to ensure that development can be accessed safely and efficiently. The site would be accessed from an existing access off The Avenue to the south west of the site. This would be served by appropriate visibility splays that would ensure that the site can be accessed safely and efficiently.

8.27 The application has been supported by a Traffic Impact Assessment which has been reviewed by the Highways Officer who has confirmed that the proposal would not result in a detrimental impact on highway safety in regard to traffic generation. This is based on the site being operated by pre-booked tours only,

and a condition has been recommended to ensure that visitors would only come to the site through a pre-booked arrangement to control the amount of traffic generation to and from the site. The pre-booked tours would be limited to 20 guests at a time and 2 to 3 tours over the weekend period. This would mean that traffic to and from the site would be evenly distributed throughout the day and would restrict the number of movements to and from the site.

- 8.28 Policy T2 of the RLP seeks to ensure that sufficient parking is provided in association with development. Annex G sets the minimum parking standards according to the proposed use of the development. For the distillery part of the building a total of 6 spaces would be required, and for the shop/tasting room this would require a total of 3 spaces. The proposed site plan shows that there would be a total of 9 car parking spaces and therefore sufficient parking would be provided in accordance with policy T2.
- 8.29 It is therefore considered that the proposal would accord with the requirements of policy T1 and T2 in terms of highway safety and parking.

9.0 CONCLUSION AND CONDITIONS

- 9.1 In conclusion it is considered that sufficient evidence has been provided to justify the building being located in a countryside location in accordance with policy COM2. The proposal would accord with policies E1, E2, E5, E9, LHW4, T1 and T2 in terms of impact on the character and appearance, biodiversity, amenity, highways and parking and is therefore recommended for permission subject to conditions and notes.
- 9.2 It is considered appropriate to condition the use of the building so that it is retained for the use as described in the application, as a gin distillery with ancillary visitor space and shop. A further condition is recommended to restrict the amount of floor space used for retail, as any greater retail space would require additional assessments in terms of a sequential assessment. To ensure that the amount of traffic coming and going from the site is kept to a minimum, a condition is included to restrict the tours to being pre-booked only and for a maximum number of people per tour and a maximum number of tours per week.

10.0 **RECOMMENDATION**

PERMISSION subject to:

- 1. The development hereby permitted shall be begun within three years from the date of this permission.

 Reason: To comply with the provision of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

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(473)2122-GWP-01-XX-DR-A-(PA)-0003 P02,

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(473)2122-GWP-01-GF-DR-A-(PA)-0004 P02, (473)2122-GWP-01-RF-DR-A-(PA)-0005 P02, (473)2122-GWP-01-ZZ-DR-A-(PA)-0006 P02, (473)2122-GWP-01-ZZ-DR-A-(PA)-0007 P03, (473)2122-GWP-01-ZZ-DR-A-(PA)-0008 P02, (473)2122-GWP-01-ZZ-DR-A-(PA)-0009 P03, (473)2122-GWP-01-GF-DR-A-(PA)-0010 P01, (473)2122-GWP-01-XX-DR-A-(PA)-0011 (473)2122-GWP-01-XX-DR-A-(PA)-0012, JSL4894_700, JSL4894_100A
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Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development shall take place above DPC level of the development hereby permitted until samples and details of the materials to be used in the construction of all external surfaces hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure the development has a satisfactory external appearance in the interest of visual amenities in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1.

- 4. No development shall take place above DPC level of the development hereby permitted until full details of hard and soft landscape works have been submitted and approved. Details shall include:
 - proposed finished levels or contours;
 - means of enclosure;
 - car parking layouts;
 - other vehicle and pedestrian access and circulation areas;
 - hard surfacing materials;
 - refuse or other storage units, signs, lighting, etc.);

Soft landscape works shall include:

- planting plans;
- written specifications (including cultivation and other operations associated with plant and grass establishment);
- schedules of plants, noting species, plant sizes and proposed numbers/densities.

The landscape works shall be carried out in accordance with the implementation programme and in accordance with the management plan.

Reason: To improve the appearance of the site and enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

5. No development shall take place above DPC level of the development hereby permitted until a schedule of landscape management and maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The landscape management plan, including

long term design objectives, management responsibilities and maintenance schedules for all landscape areas and an implementation programme, shall be submitted to and approved in writing by the Local Planning Authority. The approved management plan shall be carried out in accordance with the implementation programme.

Reason: To ensure the provision of amenity afforded by proper maintenance of existing and new landscape features as an improvement of the appearance of the site and to enhance the character of the development in the interest of visual amenity and contribute to the character of the local area in accordance with Test Valley Borough Revised Local Plan (2016) Policy E1 and E2.

- 6. Prior to commencement of work tree protective fencing will be installed in the positions shown and as specified in the RPS tree protection plan job ref JSL 4984 drawing 700 dated June 2023. Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.
- 7. Tree protective measures installed (in accordance with the tree protection condition) shall be maintained and retained for the full duration of works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment what-so-ever shall take place within the barrier.

Reason: To ensure the avoidance of damage to existing trees and natural features during the construction phase in accordance with Test Valley Borough Revised Local Plan policy E2.

- 8. Prior to the commencement of development activities, a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the local planning authority. This CEMP shall include measures to ensure the protection of the River Test SSSI and any retained boundary habitats on site. Reason: To protect biodiversity in accordance with Local Plan policy.
- 9. Prior to commencement, a detailed scheme of biodiversity enhancements to be incorporated in the development shall be submitted for written approval to the Local Planning Authority. Development shall subsequently proceed in accordance with any such approved details.

Reason: To enhance biodiversity in accordance with NPPF and the Natural Environment and Rural Communities Act 2006.

10. Prior to commencement of the development, a Sensitive Lighting Strategy for the operational phase of the development, designed to minimise impacts on bats, shall be submitted to and approved in writing by the local planning authority.

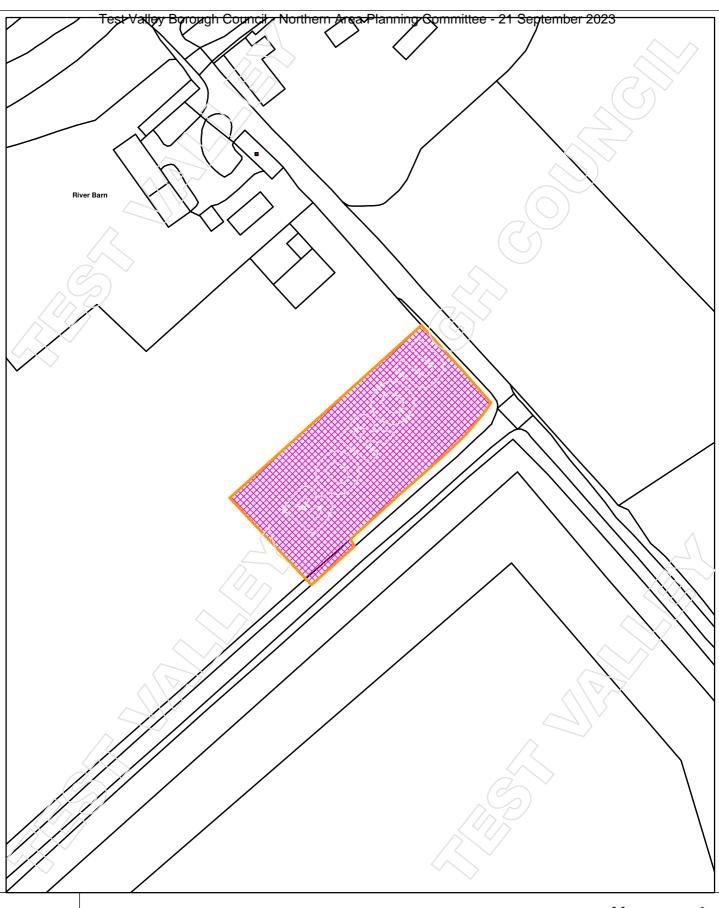
Reason: In order to minimise impacts of lighting on the ecological interests of the site.

- 11. Development shall proceed in accordance with the measures detailed in Section 6 'IMPACT ASSESSMENT' of the Ecological Impact Assessment by Darwin Ecology Ltd (November 2022). Reason: To ensure designated sites, notable habitats and protected species are adequately safeguarded.
- 12. The distillery shall only be open to members of the public through pre-booked tours as detailed within the submitted Transport Assessment by Nick Culhane received 24th May 2023 and as per the details in paragraph 6, page 5 of the report, no more than 20 people shall be booked per tour, and no more than 3 tours shall occur on Saturdays and Sundays. Reason: To restrict vehicle movements to and from the site in
 - accordance with policy T1 of the Test Valley Borough Revised Local Plan 2016.
- No development shall commence until such time as a scheme to dispose of 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: The site is partially located in a Source protection zone 2 for a public water supply abstraction and the entire site is above the chalk principal aquifer, and to ensure the development does not harm groundwater resources in accordance with policy E7 of the Test Valley Borough Revised Local Plan 2016.
- No development shall commence until details, including plans and cross sections, have been submitted to and approved by the Local Planning Authority of the existing and proposed ground levels of the development and the boundaries of the site and the height of the ground floor slab and damp proof course in relation thereto. Development shall be undertaken in accordance with the approved details.
 - Reason: To ensure satisfactory relationship between the new development and the adjacent buildings, amenity areas and trees in accordance with Test Valley Borough Revised Local Plan (2016) Policies E1 and E2.
- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the building and land hereby approved shall only be used as a gin distillery as described within the application and the total floor area used for retail sales within the site shall not exceed 45 square metres as shown in the approved plans.
 - Reason: To protect the amenity of neighbouring residential properties in accordance with policy LHW4 and E8 of the Test Valley Borough Revised Local Plan 2016.

Notes to applicant:

In reaching this decision Test Valley Borough Council (TVBC) has had regard to the National Planning Policy Framework and takes a positive and proactive approach to development proposals focused on solutions. TVBC work with applicants and their agents

- in a positive and proactive manner offering a pre-application advice service and updating applicants/agents of issues that may arise in dealing with the application and where possible suggesting solutions.
- 2. The applicant is advised that they will need to apply to the Highways Authority to create the proposed access and this would require the application for both a Section 184 and Section 171 Licence. The final decision rests with the Highways Operation Centre and the granting of the licence is not guaranteed.
- 3. The applicant is advised that if you intend to abstract more than 20 cubic metres of water per day from a surface water source, e.g. a stream or from underground strata (via borehole or well) for any particular purpose then you will need an abstraction licence from the Environment Agency. There is no guarantee that a licence will be granted as this is dependent on available water resources and existing protected rights. If you abstract water for potable purposes, then this should be registered as a private water supply abstraction with the Local Authority. This will help ensure that the abstraction is appropriately monitored and help ensure that it is granted appropriate protection status.





Siteplan



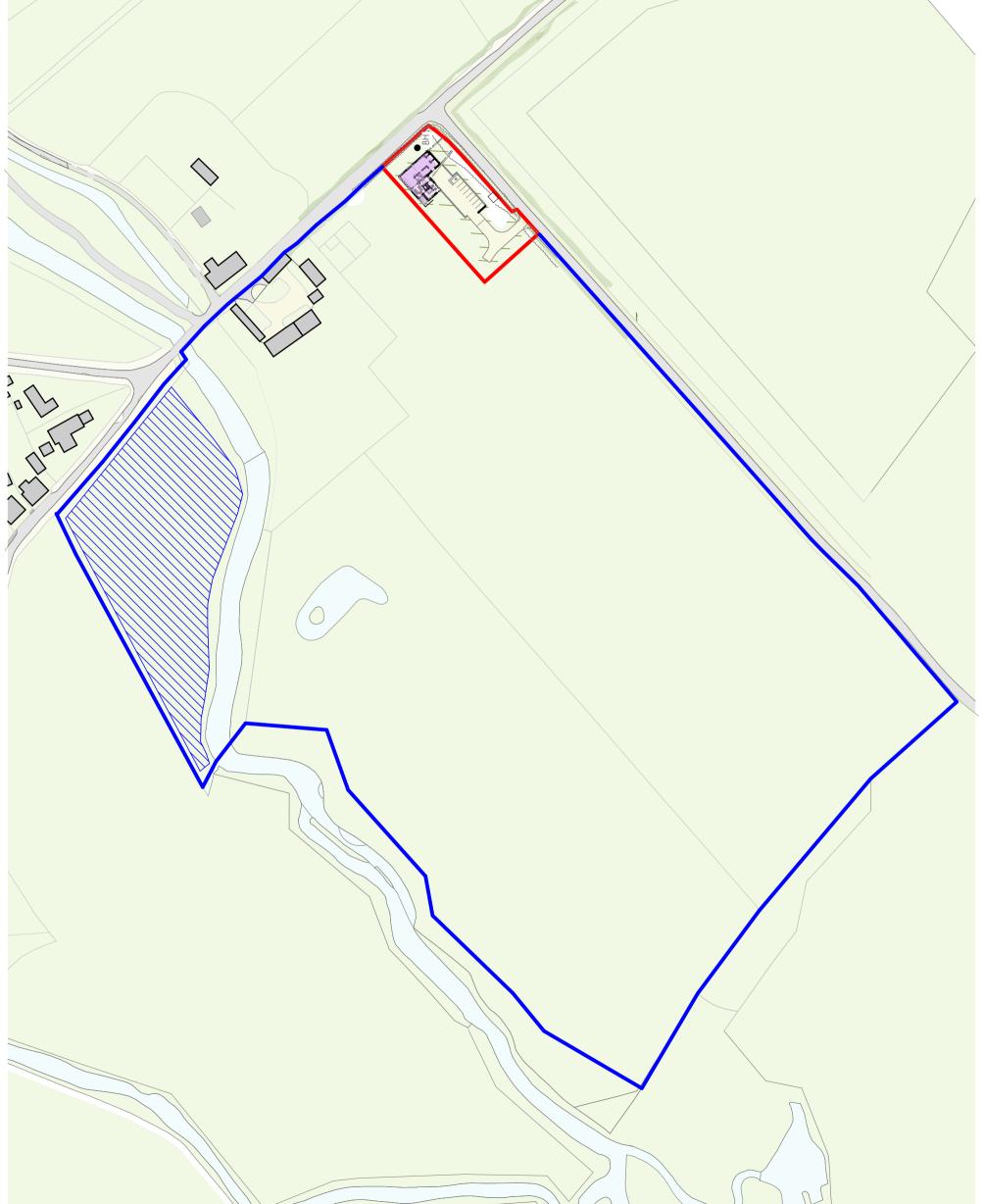
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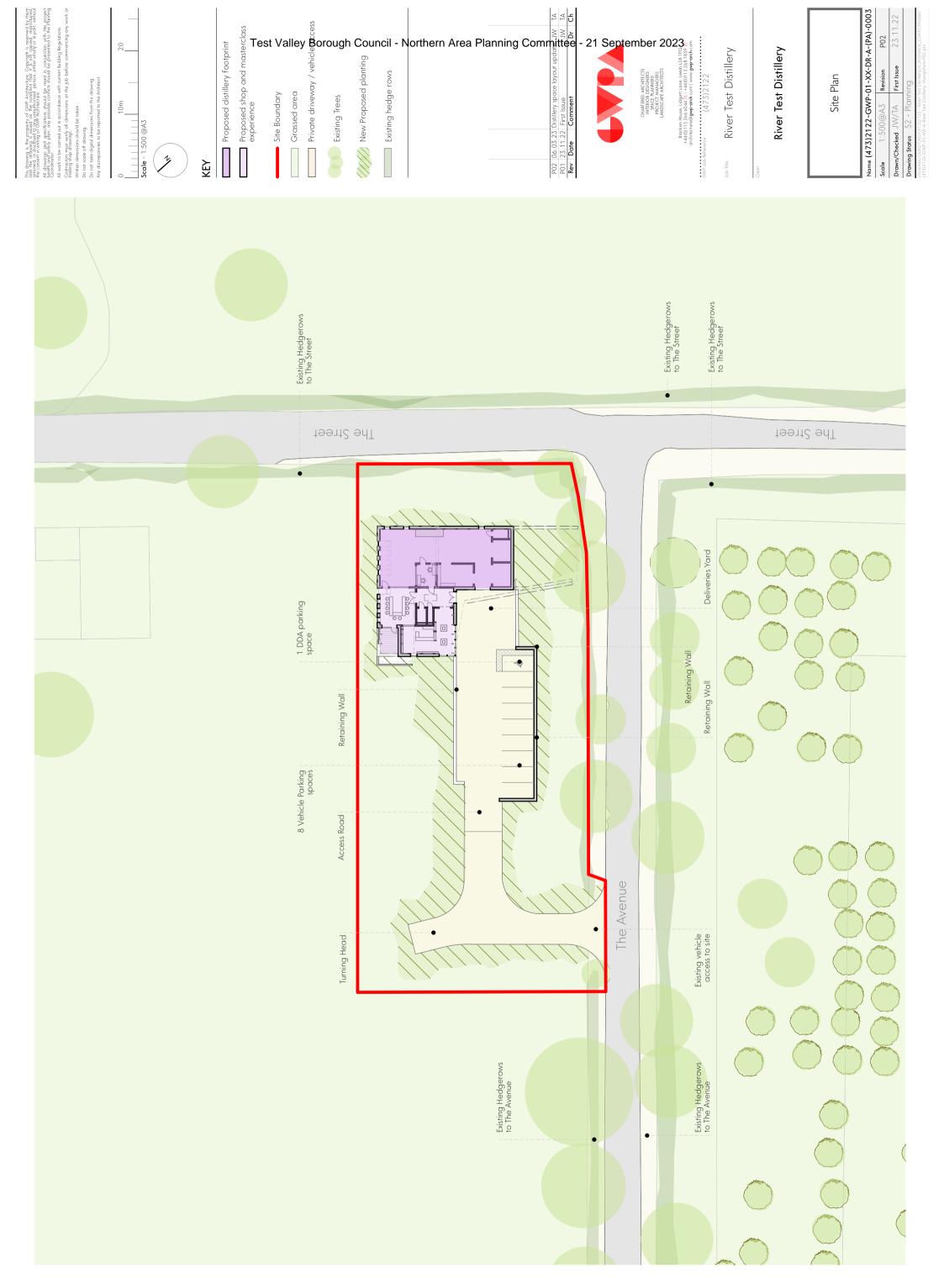
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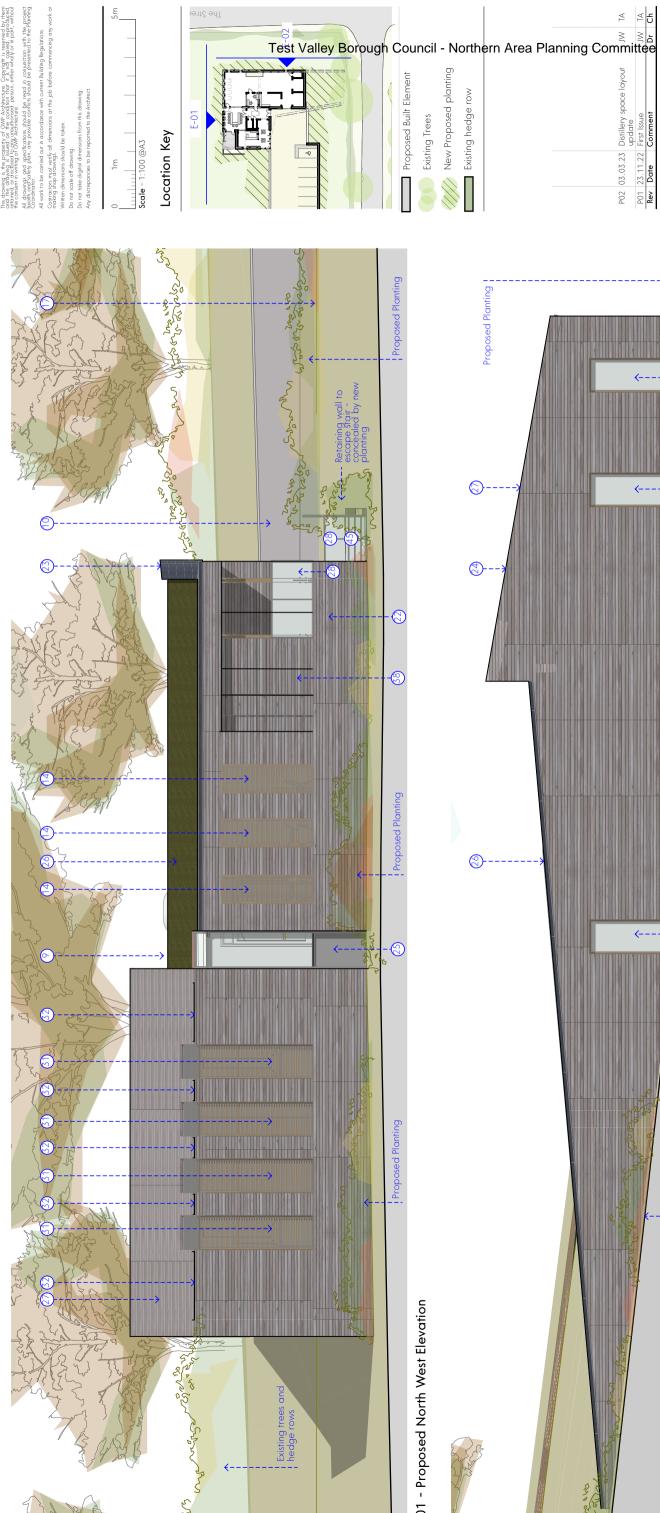
TEST VALLEY BOROUGH COUNCIL LICENCE No. 100024295 2013

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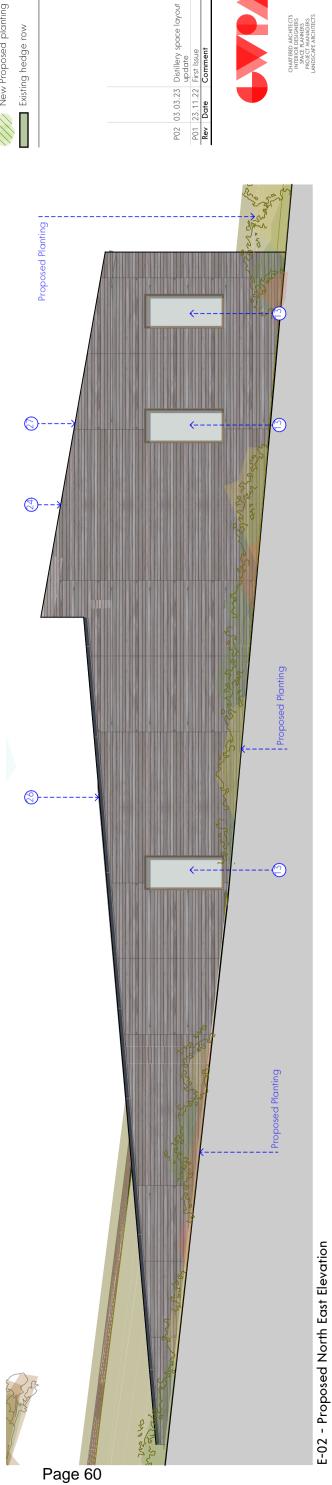




E-01 - Proposed North West Elevation

New Proposed planting

Existing Trees



Кеу							
6.	Skylight.	22.	External wall with weathered horizontal timber cladding	27.	Timber roof to match horizontal timber cladding to external	32.	Hidden gutter.
10.	Gabion retaining wall.		finish.		walls.	38.	Feature sliding timber shutters
13.	Slot window.	23.	Flashing to green roof.	28.	Glazed balustrade.	45.	Access stair to basment level store
14.	Slot window with timber louvres.	24.	Seamless timber roof wall junction.	31.	Feature slot eaves window / roofligh to Stills with timber		
17.	New gravel finish vehicle access road / service yard.	25.	New slot panel with timber frame - incorporating dark grey		louvres. Louvres to match external wall weathered timber		
			spandrel panel at low level.		finish – refer to proposed note 22.		
		26	Green roof				



River Test Distillery	

River Test Distillery

21 September 2023

rroposed Elevation E-01 & E-02	1011 F-0-1 &	70-
Name (473)2122-GWP-01-ZZ-DR-A-(PA)-0006	01 -ZZ-DR-A-(PA	9000-(
Scale 1:100@A3 Revision	Revision P02	2
Drawn/Checked JW/√TA	First Issue 23	23.11.22
Saidan CO	5	

drawings and specifications should be read in conjunction with the project and safety plan, any possible conflicts should be presented to the Planning

Scale - 1:100 @A3

Location Key

Test Valley Borough Council - Northern Area Planning Committee The Stree

Proposed Built Element

E-03 - Proposed South West Elevation

Page 61

TOWN WINDOWS

Existing Trees

New Proposed planting

Existing hedge row

P02 03.03.23 Distillery space layout update

21 September 2023 Bracken House, Lidgert Lane, Leeds L +44(0)113 266 6044 (t) | +44(0)113 26 architecture@gwp-arch.com | www.gwf

GWP Job Reference (473) 2122

Timber roof to match horizontal timber cladding to external

--(3)

Clerestory external window to office and distillery space

Roof Overhang

Feature sliding timber shutters

28. 38. 39.

Glazed balustrade.

Timber column with metal column footing.

External wall with weathered horizontal timber cladding finish.

Flashing to green roof.

Green roof.

19. 22.

23.

New earth works – to integrate sloping green roof into

Timber framed glazing

Slot window.

Feature timber sliding door to distillery spaces

Gabion retaining wall.

Key

E-04 - Proposed South West Elevation

New gravel finish vehicle access road / service yard.

River Test Distillery

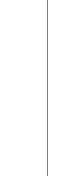
River Test Distillery

Proposed Elevation E-03 & E-04

Name (47	Name (473)2122-GWP-01-ZZ-DR-A-(PA)-0007	·01-ZZ-DR-	.A-(PA)-0007
Scale	1:100@A3	Revision	P02
Drawn/Che	Drawn/Checked JW/TA	First Issue	23.11.22







23.

26.





Existing Tree (Retained) **Existing Hedge**

Proposed Meadow Grass

Proposed Woodland Tree Planting

Proposed Native Shrub Mix

Proposed Mown Grass

Proposed Native Hedge

be booke:

9 Planting & Management Notes:New woodland tree planting (all heavy standard stock, 12-14cm

Elm (DED resistant) Field Maple

Proposed native shrub planting (all 60-90cm bareroot stock, ex-

cept Holly 2L potted stock):
• Hawthorn
• Blackthorn

Hazel Holly

Common Privet Dog Rose Field Maple

All planting to be completed and maintained to good horticultural standard, following guidance in BS7370, BS3936 and BS8545.
All planting to receive appropriate support, watering and rabbit / deer protection. Hedgerows are maintained at 1.5 metres to help screen the lower section of the building.

Existing hedgerow management:
The existing hedgerow following the sites' eastern boundary
(along The Street) will be retained in full, it shall only receive a
continuation of its current management processes, which consists
of an annual trim / fail in winter.

The hedgerow which follows the southern boundary (along The Avenue) is poorer in quality, and it shall be enhanced using the following management operations:
a. Coppice standing dead shrubs
b. Coppice poorer quality Elder shrubs
c. In winter, clear to ground level areas heavily infested with nettle, ivy and bramble vegetation only
d. In winter, 'gap up' the hedgerow vegetation (and cleared nettle/bramble areas) with new native hedgerow shrub planting,

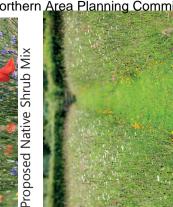
KEY











Proposed Meadow Grass

River Test Distillery

River Test Distillery Longparish

Title Lan	Landscape Strategy	
Status For Planning	Drawn By PL	PWChecked b
Job Ref	Scale @ A3	Date Created



06.23 Rev ▼

RPS Dr