

Paragraph 8 NPPF sets out overarching objectives of the planning system. These include an environmental objective to 'contribute to protecting and enhancing our natural environment'.

Paragraph 9 states that Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 174 states that 'planning policies and decisions should contribute to and enhance the natural and local environment by (among other things): Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan)'. Paragraph 130 states that policies and decisions should ensure the developments (among other things) 'are sympathetic to local character and history, including the surrounding built environment and landscape setting...'

Paragraph 176 states that 'Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks (this site is very close to the SDNP), which have the highest status of protection in relation to these issues.' The above indicates that government policy gives considerable weight to conserving and enhancing the natural environment and statutory designated and non-designated valued landscapes in particular; and to recognising the intrinsic character and beauty of the countryside.

The development is contrary to policy MTRA4 of the Winchester District Local Plan Part One Joint Core Strategy Adopted March 2013 and paragraph 80 of NPPF 2021 in that it is a residential dwelling in the countryside for which there is no justification.

Furthermore, the development does not comply with the requirements of the Conservation of Habitats and Species Regulations 2017 ("The Habitats Regulations") in that overnight accommodation must be able to demonstrate nitrate neutrality so that it will not have a harmful impact on the Solent international designated sites through increased nutrients from wastewater entering the Solent which will cause eutrophication. This development fails to demonstrate nitrate neutrality and the land is traversed by numerous streams of water that feed directly into the Wallington River resulting in a negative impact on aquifer characteristics, water quality and biodiversity.

WCC's Local Plan Part 1 states on Page 18 that one should seek to "Maintain, protect and enhance Winchester District's valuable environments and wildlife assets, whether these are urban or rural areas or involve the built or natural environments. On page 19 it states, "Ensure high quality design takes account of character, local distinctiveness and sustainable design principles."

This development falls short on how "its surroundings have informed the principles of design and how the detailed design responds positively to its neighbours and the local context" or how "it makes a positive contribution to the local environment and creates an individual place with a distinctive character". (Policy CP13 High Quality Design).

The development had created a visual impact of a prominent structure on the skyline visible from public rights of way and highways. It also impacts on the amenity of several older properties one being a listed building.

The inappropriate materials in relation to the new built development and the erosion of the existing ancient hedgerow is creating a 'patchwork' character of the landscape.

This development as a whole does not meet Policy CP14 Green Infrastructure, in that it does not “link areas of biodiversity” and is against Policy CP16 Biodiversity. It does not “show how biodiversity can be retained, protected and enhanced through its design and implementation, for example by designing for wildlife, delivering BAP targets, and enhancing Biodiversity Opportunity Areas”. It fails to “avoid adverse impacts”.

A hard standing allowed under Permitted Development Rights for agricultural storage units was installed adjacent to the entrance gate before a second area of hard standing was purposely installed for the siting of the residential unit and this was brought on site soon after the hardstanding being laid. This further development on the site has resulted in a material change of use. The installation of the second hardstanding was reported to the council and as District Councillor at around the same time I received an email that stated the date and time of the arrival of the residential unit. I passed this email to council officers but until the breach occurred the council was unable to take action. The mobile home arrived as predicted over the bank holiday weekend. The email also confirmed that the applicant purchased the land with the intention to live on it and would start development and apply for retrospective planning permission only if he needs to. This statement in the email I received is backed up by the statement by the applicant to planning officers, in the report of their site visit on 27 May 2020.

A poly tunnel has also been erected prior to planning permission and which can be seen from a number of areas in the Village and the South Downs National Park. Also, the addition of a hard standing path and a chalk roadway across the site with plastic sheet base.

Extensive drainage work has been undertaken with consultation that discharge into watercourses that link to the Wallington River and with unmanaged effluent may impact on water quality both locally and downstream to the Solent and beyond. The applicant has not provided information on the existing/proposed surface water management proposal/local flood risk or drainage strategy. A third of the site from [EA mapping](#) is shown at being at risk, high risk in places, from surface water flooding so therefore is not a site suitable for development beyond summer grazing, for which it was previously utilised.

It should be noted that the landscape of this area is generally an ‘ancient’ landscape. There are many woodlands (including Kiln Copse - SINC to the north of the site), important ancient hedgerows with hedge banks and large oak trees. One of Britain’s rarest butterflies, the Brown Hairstreak lays eggs in the surrounding ancient hedgerow, the condition of which has deteriorated due to the erecting of adjacent close board fencing.

This area of countryside is valued for its seclusion, tranquillity and wildlife. For example Barn Owls, but sadly these birds have not been seen since the development of this land. This development has increased light pollution and associated lighting causing loss of biodiversity of the area. The light pollution has been reported to the council by residents with photographic evidence. It should be noted that the light pollution can be seen from a number of areas in the Village and from the South Downs National Park, and thus contravenes its dark skies policy.

To conclude, this development is out of place and inappropriate in this previously unspoilt rural setting close to the South Downs National Park. The land area for potential development and environmental pollution is comparatively large compared to nearby commercial/ horticultural enterprises – see Google Earth for comparisons. The large and highly visible modern residential unit, close board fencing together with loss of ancient hedgerow, resultant loss of biodiversity, impact on tranquillity and the wellbeing of the local community is in conflict with [Policy CP20 Heritage and](#)

Landscape Character, by not conserving “local distinctiveness, especially in terms of characteristic materials, trees, built form and layout, tranquillity, sense of place and setting.”

The photographs below provide an indication of the visual impact on the local area.

Therefore, I object to the appeal as evidenced above.

The hardstanding was not installed as part of the agricultural site but for the purpose for residential occupation.

That, the statement “at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice” is not acceptable as Mr Butler was informed by senior planning officer Julie Pinnock that he could not take up residence on the site as this was contrary to MTRA 4 policy detailed in the May 2020 officers report.

“The notice was not properly served on everyone with an interest in the land is an odd statement. Mr Butler I believe has a partner who may be living there with him, but he is the owner of the land. His children visit but do not live on the site.

“The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.” Mr Butler chose not to take advice from senior planning officers and no planning conditions will overcome the harm incurred.

Lastly that “The time given to comply with the notice is too short.” Mr Butler is clearly a very resourceful and competent individual and has demonstrated that he is able to act very fast when ripping out important ancient hedgerow and installing hardstanding, erection of the polytunnel prior to planning consent, installing spotlights and fencing. He had a place for his trailer in Emsworth and from informing the council he was homeless in May 2020 it was some 15 months before bringing this residential trailer on site. During these 15 months did he look for other alternatives?



