



Design, Access and Planning Statement

Application for the change of use of land for the siting of touring caravans, motorhomes and tents including a small amenity block and the terracing of the site to accommodate roads, parking and pitches (where appropriate)

Thorneydown Farm, Moorhill Road, West End, Southampton, SO30 3AY

April 2022

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Appendix II	Inspector's Report - Appeal F/17/81667
Appendix III	Decision Notice - LDC/18/83630
Appendix IV	Decision Notice - LDC/19/85167
Appendix V	Decision Notice - LDC/19/85860

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Date: 9 June 2022

For and on behalf of Avison Young (UK) Limited

1. Introduction

- 1.1 Avison Young have been instructed by John Mobey Leisure, the owners of Thorneydown Farm in Southampton, to prepare and submit a full planning application to change the use of the land from agricultural use to a touring caravan and camping site.
- 1.2 The submission of this planning application follows on from pre-application advice received from the Council dated 22 December 2021. The pre-application advice sought an opinion on the likelihood of gaining planning approval for the siting of permanent sited mobile homes or holiday lodge caravans. However, Officers were concerned with the degree of harm to the character of the countryside and overall visual impact on the surrounding area. On this basis, a different and more sensitive approach involving temporarily sited touring caravans, motorhomes and tents is proposed to mitigate the visual harm.
- 1.3 This statement presents the proposed change of use within the context of the application site, its planning history, the relevant planning policy to the proposed development, which informs a balanced of weight of material planning considerations.

Avison Young

- 1.4 Avison Young creates real economic, social and environmental value as a global real estate advisor, powered by people. As a private company, our clients collaborate with an empowered partner who is invested in their success. Our integrated talent realises the full potential of real estate by using global intelligence platforms that provide clients with insights and advantage. Together, we can create healthy, productive workplaces for employees, cities that are centres for prosperity for their citizens, and built spaces and places that create a net benefit to the economy, the environment and the community.
- 1.5 Avison Young Leisure is the tourism and leisure advisory arm of Avison Young. Our specialist planning and development team has extensive experience of providing viability, need assessments and development consultancy, planning advice, applications, appeals and expert witness evidence at planning inquiries for development in the tourism, leisure and retirement sector. We are retained as national planning advisors to the British Holiday and Home Park Association, the representative body for the caravan parks industry.

Supporting Documents

1. Application Form
2. Design, Access and Planning Statement
3. Site Location Plan AY. 02C203425.00
4. Illustrative Masterplan 63-06
5. Illustrative Sections 63-07
6. Thorneydown Farm LVIA & Appendices September 2022
- 7 LVIA Figure 1 Site Context Plan
- 8 LVIA Figure 2 Landscape Character Areas
- 9 LVIA Figure 3 Visual Appraisal Plan
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- 14 Communal Facilities – Proposed Floor and Roof Plans 17115-85P1
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- 16 Communal Facilities – Section 17115-85P1
- 17 Flood Risk Assessment GWPR4714 V1.02
- 18 Drainage Statement 090922
- 19 Proposed Touring Park Plan 2000.0016_100_P1
- 20 Proposed Touring Park Site Levels 2000.0016_101_P1
- 21 Proposed Touring Park Disabled Pitches and Access Routes 2000.0016_102_P1
- 22 Proposed Touring Park Combined Drainage Layout 2000.0016_103_P1
- 23 MicroDrainage Calculations
- 24 Transport Assessment 02
- 25 Minerals Assessment March 22
- 26 Preliminary Ecological Appraisal rev3 10571
- 27 Tree Survey and Protection Plan 5646-TPP
- 28 Tree Report and Arboricultural Impact Assessment 5646-10-22
- 29 Touring Caravan Need Assessment
- 30 ExistingSite Plan and Levels - Plot 1
- 31 ExistingSite Plan and Levels - Plot 2

2. Site Context

2.1 **Figures 1 and 2** shows the defined boundaries of the application site.



Figure 1 – Approximate red line boundary

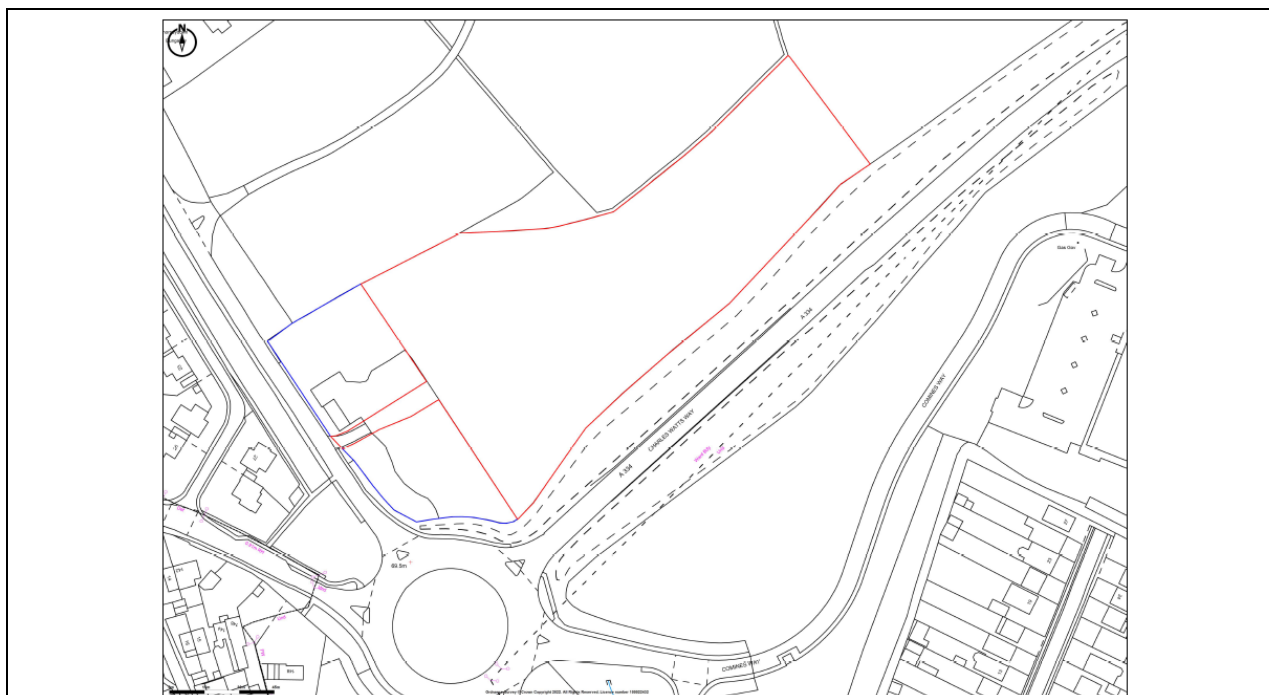


Figure 2 – Extract from the submitted Location Plan

- 2.2 The 1.6ha site is grassland with relatively dense foliage and treelines screening the north and south boundaries of the site from the golf course and Charles Watts Way respectively. In addition to this screening, the site's levels fall away from the south-west to the north-east resulting the majority of the green section of the site being sunk into the ground thus reducing the degree of visual on to the site from the street scene.
- 2.3 The land to the south-west hosted a collection of small, single and two-storey derelict buildings which have been demolished and are to be replaced by a two-storey office and storage building and a workshop with land for display and caravan sales with associated office and workshop. This land is also owned by JM Leisure but does not form part of the application site.
- 2.4 The site is associated with an existing tourism and leisure cluster including the Ageas Bowl (home of Hampshire Cricket Club), Boundary Lakes golf course, a large David Lloyd tennis, health and fitness club, and a Holiday Inn Express hotel – see **Figure 3**.
- 2.5 To the east, the adjoining field is currently being relandscaped as an extension to the golf course. To the north, a new golf course clubhouse with ancillary facilities is being erected together with golf cart store and car parking. Meanwhile, the edge of the defined, patterned urban form falls to the west of the site running along Moorhill Road and then Telegraph Road.

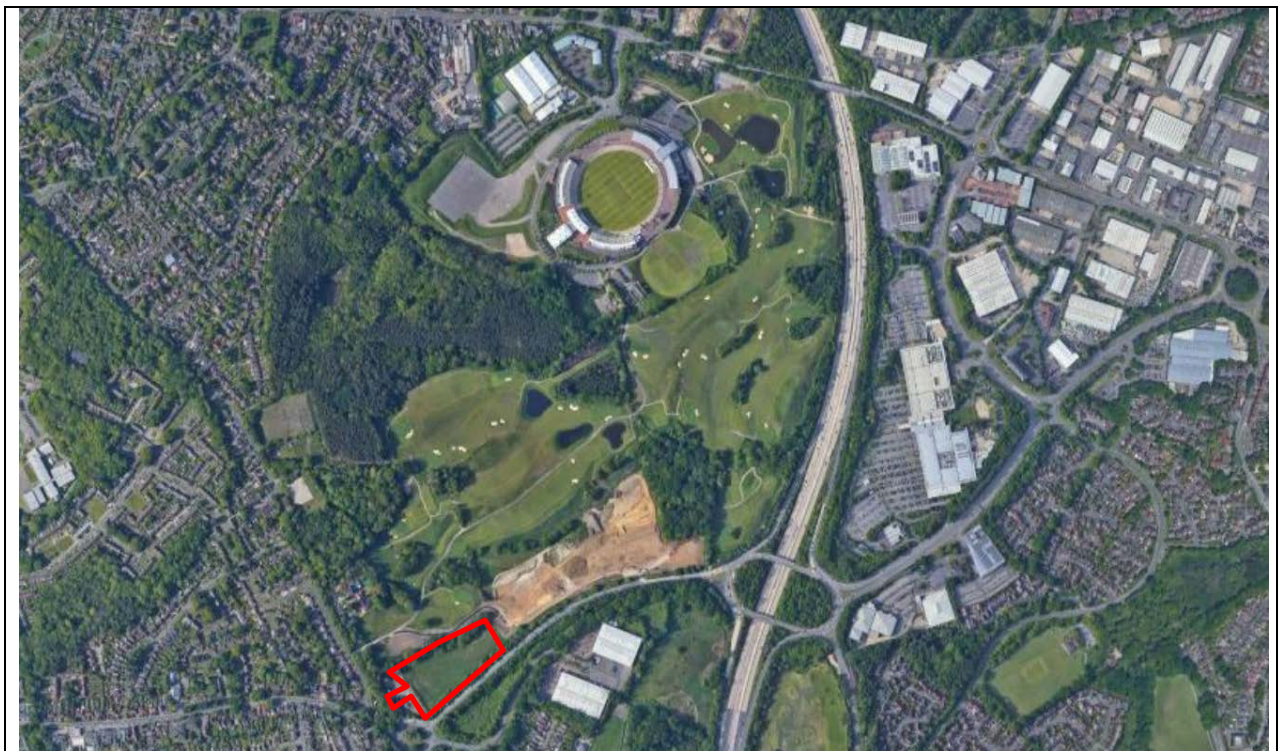


Figure 3 – Extract showing the immediate context of the site (site marked in red)

- 2.6 The proposed touring caravan site is in a highly accessible location close to the M27, residential areas of Southampton and the strategic retail and industrial sites of Hedge End further-east. An existing,

defined access on to the single-carriageway Moorhill Road (also the A27) provides access to the urban area and facilities to the immediate west of the site, whilst also enabling access to the wider road network including the M27 which sits approximately 600m to the east of the site, thereby placing the site within a convenient and functional location for any potential touring caravan guests. Additionally, a bus stop is located 50m from the site that provides an hourly bus service to both Southampton city centre and Eastleigh town centre facilities.

- 2.7 The application site is located on the south-east coast of England, on the urban fringe of the city of Southampton. **Figure 4** shows the location of the site on the eastern edge of the city with good access from the M27. Administratively, the site just falls within the spatial boundary of Eastleigh Borough Council.

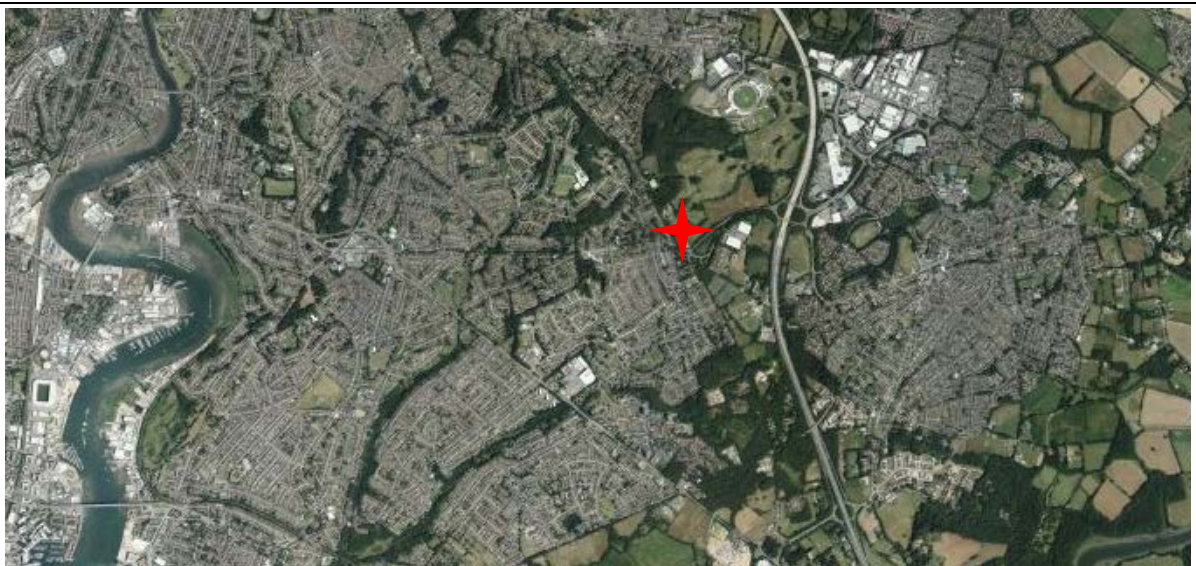


Figure 4 – Location of the site in relation to the city of Southampton (highlighted by red star)

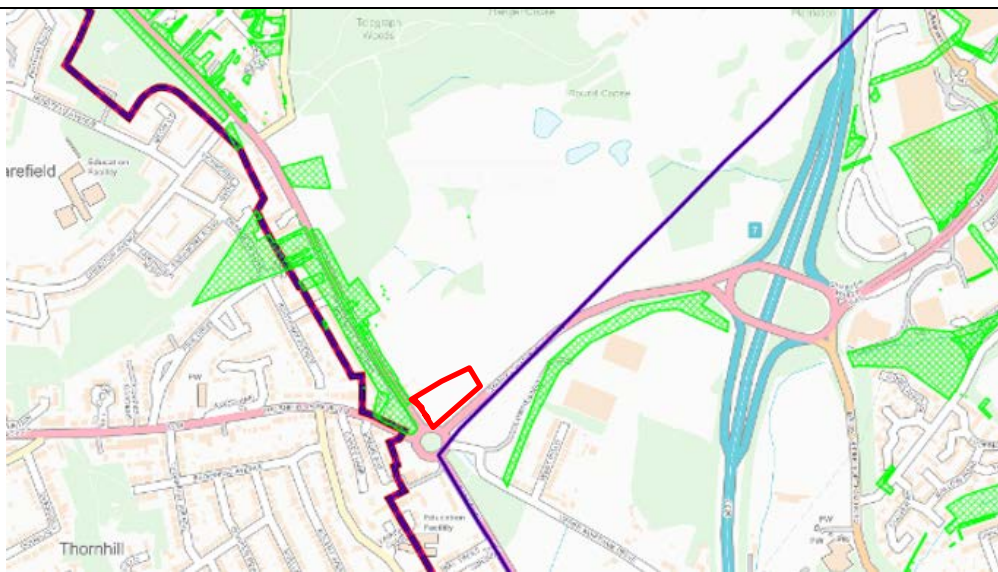


Figure 5 – Location of TPOs around the site - shown in hatched green (site marked in red)

- 2.8 The site does not fall under any statutory designations or flood risk areas, although a Tree Preservation Order (TPO) is noted along Moorhill Road – as shown in **Figure 5**. Apart from the access road which has already been approved in previous applications, the application site is not adjacent to the TPO trees and, therefore, these will not be impacted.

3. Planning History

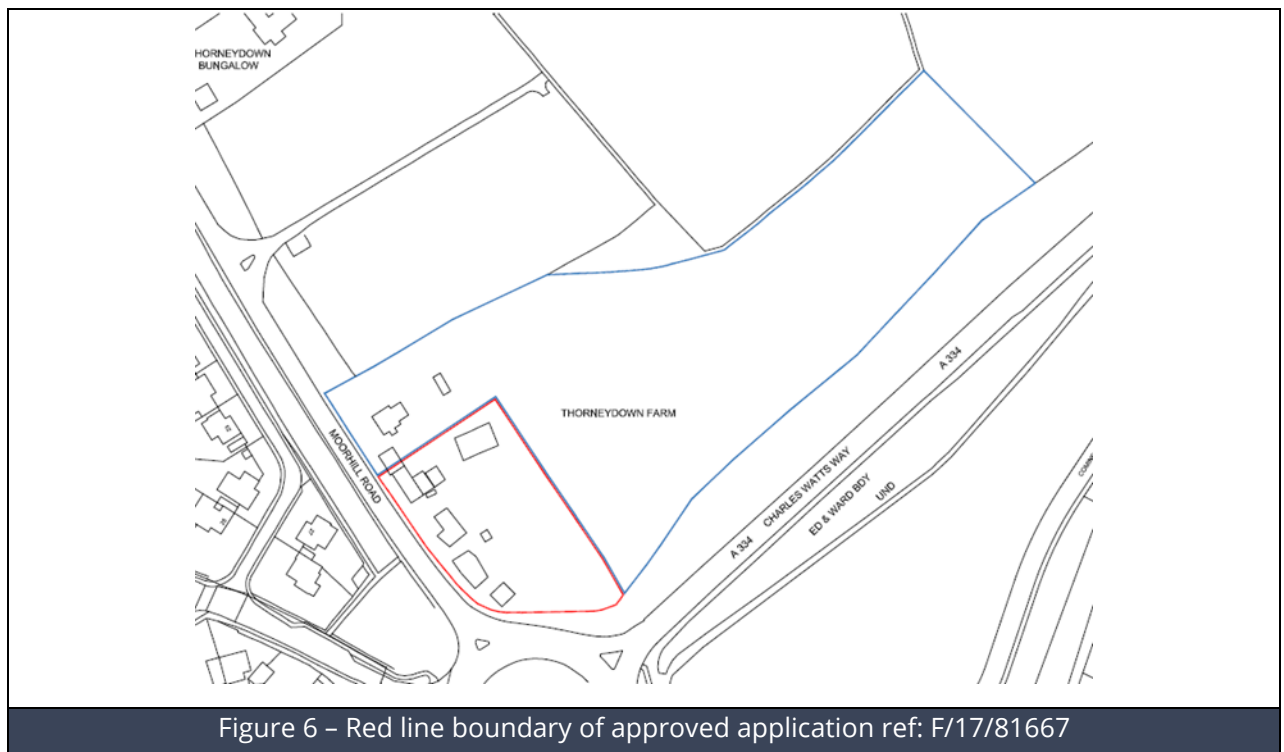
3.1 The relevant planning history to the application site can be seen in **Table 1** below.

Application Ref	Development Description	Status	Date
F/17/81667	Demolition of existing buildings and erection of detached 2 storey building comprising offices and storage area. Erection of detached workshop. Change of use to caravan sales and associated office and workshop. Formation of embankment – Relates to JM Leisure land that is to the west of but not within the application site	Allowed at appeal	19/08/2019
LDC/18/83630	CLUED - Use of site as an agricultural farm with associated buildings for storage of equipment and machinery – Relates to the application site and the land to the west	Development was lawful (approved)	07/12/2017
F/18/83908	<i>Construction of golf course extension and its dual use for temporary, occasional car parking for major events (more than 15,000 capacity) for the Ageas Bowl between April and October for up to 1300 cars on approximately 12 occasions per annum. Associated landscaping, drainage, ecological enhancement, tree works and earthworks – <u>Relates to the adjacent golf course</u></i>	Permitted	10/09/2019
LDC/19/85167	CLOPUD – Change of use from agricultural land and buildings to a flexible commercial use – Plans not available but it is assumed it relates to the application site and the land to the west	Refused	30/05/2019
LDC/19/85860	CLOPUD - Class R, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 allows the change of use from agricultural land and buildings to a flexible commercial use once the conditions has been discharged.- Relates to the application site, the land to the west and in particular thee of the existing building on the land to the west	Refused	25/07/2019
F/20/88655	<i>Erection of golf course clubhouse and ancillary facilities, golf cart store and car parking area, together with repositioned internal access roads, landscaping, SuDs and 2no. entrance signs – <u>Relates to the adjacent golf course</u></i>	Approved	30/07/2021
F/21/89882	Erection of 1no. detached four-bedroom dwelling with car parking and modified vehicular access off Moorhill Road following demolition of existing dwelling – Relates to the north part of the land to the west of the application site	Approved	11/08/2021
DC/21/90985	Discharge of condition 2 (method statement), 3 (materials), 4 (road safety), 5 (access design and visibility splays), 7 (arboricultural method statement), 8 (tree protection plan), and 9 (landscaping) for planning permission F/17/81667 - Demolition of existing buildings and erection of detached 2 storey building comprising offices and storage area. Erection of detached workshop. Change of use to caravan sales and associated office and workshop. Formation of embankment	Discharged	25/11/2021
X/21/91541	Variation of condition 1 (approved drawings) of planning permission F/21/89882 for erection of 1no. detached four-bedroom dwelling with car parking and modified vehicular access off Moorhill Road following demolition of existing dwelling	Approved	01/11/2021

Table 1 – Planning history available on Eastleigh Borough Council's Public Access

South part of the land to the west of the application site

- 3.2 The publicly available planning history commences with the approval (via appeal) of the application for the demolition of the existing buildings, erection of an office and storage building and change of use of land for the sale of caravans with associated office and workshop under the ref: **F/17/81667**. **Figure 6** shows the application site boundaries in the south corner of the applicant's land ownership. The application proposed the redevelopment of the area to equip the site for the sale of caravans, which included the erection of a new workshop, office, car park and defined areas for the temporary siting of caravans and motorhomes. The proposed site plan is shown in **Appendix 1**.



- 3.3 An appeal was lodged by the applicant with the Planning Inspectorate (PINS) on grounds of non-determination. Representations from the Council argued against the scheme due to the harm to the rural character of the local area, potential harm to highway safety, harm to residential amenity, thus the scheme was considered contrary to the adopted Development Plan. The Inspector acknowledged the impact on the rural character as the main consideration, however ultimately outweighed that the existing lawful use and 'absence of harm caused by the proposal to the strategic gap or the character of the landscape and general area' was sufficient to allow the appeal. Further detail of the Inspector's report can be found in **Appendix 2**. Conditions relating to highways works, ecology, arboriculture and landscaping were imposed on the decision notice, that was issued on 19 September 2019. These were discharged on 25 November 2021.

Application site and land to the west

- 3.4 Despite the lengthy decision on the 2017 planning application, several applications for Lawful Development Certificates were submitted in the meantime. Firstly, **LDC/18/83630** – an application for a Certificate of Lawful Use of Existing Development, which on its approval, determined the existing use of land as agricultural use with associated development. The decision notice for this can be located in **Appendix 3**.

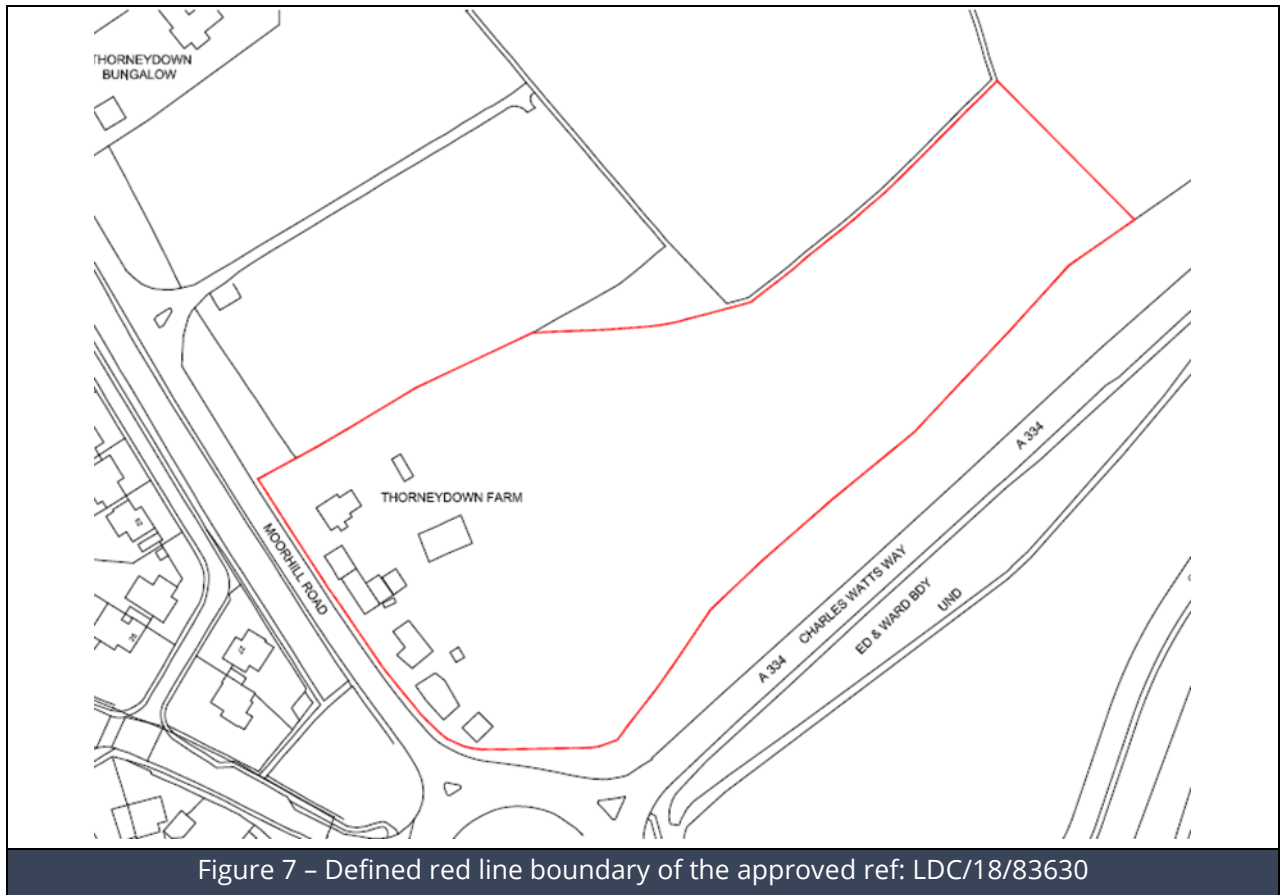


Figure 7 – Defined red line boundary of the approved ref: LDC/18/83630

- 3.5 Two further Lawful Development Certificate (LDC) applications were submitted subsequently for the proposed use for the use of land as a flexible commercial use, under refs: **LDC/19/85167** and **LDC/19/85860** – the decision notices for both applications can be found in **Appendices 4** and **5** respectively. Both LDCs sought the proposed development under Schedule 2, Part 3, Class R of the General Permitted Development Order (2015) (as amended) for the change of use of agricultural land (and buildings) to a flexible commercial use. No red line boundary is publicly available for **LDC/19/85167**, however **Figure 9** shows the for the red line boundary for **LDC/19/85860**.
- 3.6 The reasons for refusal are given by the Council as:

For **LDC/19/85167** – “the buildings include a dwellinghouse (C3 use) and no prior approval has been sought from or granted by the Council in relation to condition R.3 [of the identified section of the order]”

For **LDC/19/85860** – “no prior approval has been sought from or granted by the Council in relation to condition R.3b [of the identified section of the order]”

- 3.7 Condition R.3 of Schedule 2, Part 3, Class R of the General Permitted Development Order (2015) (as amended) relates to - in the event of agricultural unit exceeding 150 square metres - the submission of an application to the LPA to determine whether prior approval is required to determine the degree of impact on transport, noise, contamination and flood risk. It was on this technical matter that the Council refused the applications.

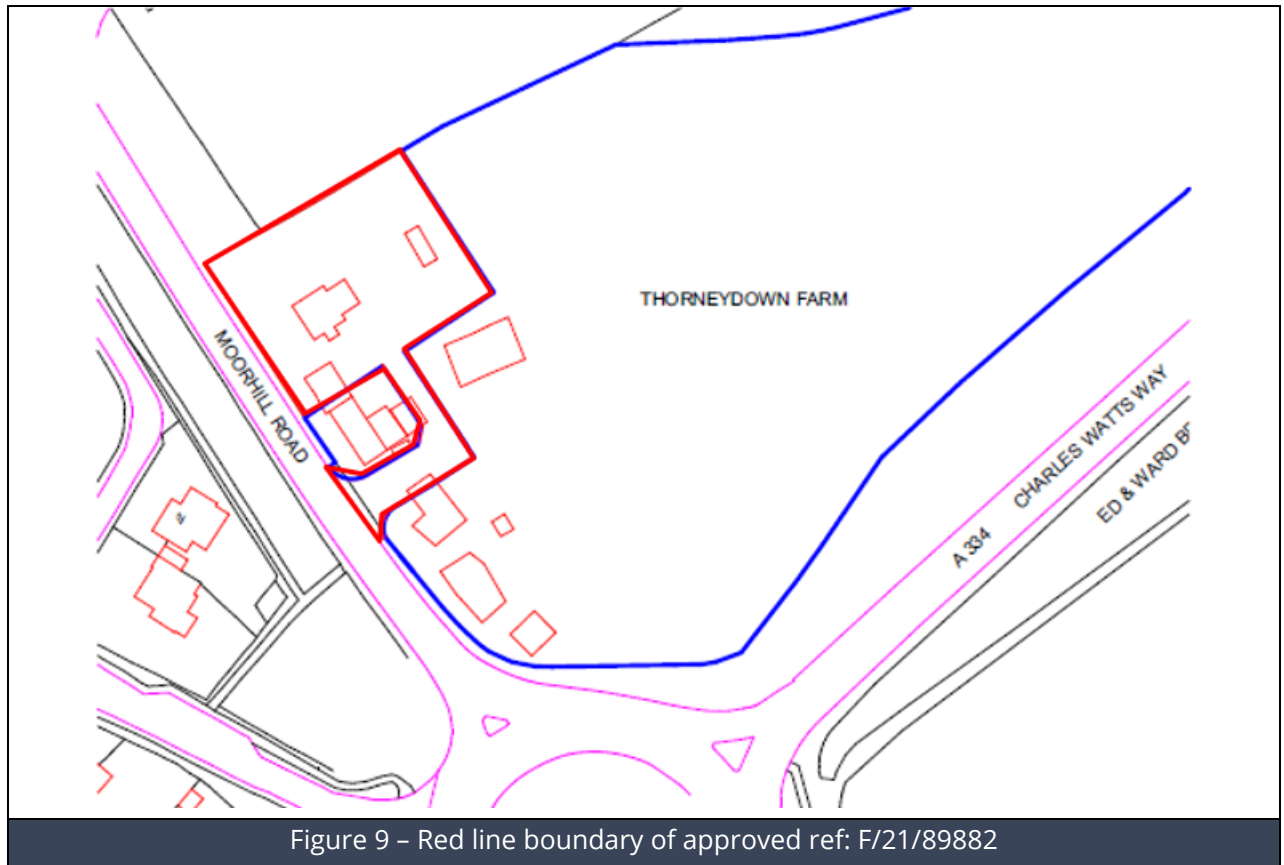


Figure 8 – Defined red line boundary for ref: LDC/19/85860

North part of the land to the west of the application site

- 3.8 **F/21/89882** was approved on 11 August 2021 for the “Erection of 1no. detached four-bedroom dwelling with car parking and modified vehicular access off Moorhill Road following demolition of

existing dwelling". The proposed residential development related to the north part of the land to the west of the application site, as shown in **Figure 9**, and sought to replace the existing, disused private dwelling used in association with the activities of the farm. The red line occupies a rectangular area in the western corner of the applicant's land, but remains predominantly separate from the area established for the sale of touring caravans. The only overlap being that the development proposed the use of the same access established under **F/17/81667**.



- 3.9 Subsequent applications relating to this residential development, that included the approval of the discharge of conditions 2, 3, 4, 5, 7, 8, and 9 (ref: **DC/21/90985**) and an approved section 73 application (**X/21/91541**) that sought an amendment to the design of the dwelling.
- 3.10 The Lawful Development Certificate ref: **LDC/18/83630** is considered the extant permission of the application site. The land to the west of the site benefits from permissions **F/17/81667** (for the south part) and **F/21/89882**, as varied **by X/21/91541** (for the north part), which allowed the respective use of land for; touring caravan sales with office and workshop and a residential dwelling.

The adjacent site to the north-east – Golf Course and Ageas Bowl site

- 3.11 During the search of the application site on the Council's Public Access website, several results were generated that relate to the parcel of land adjacent to the north-east. These applications give permission for golf course extension, car parking and earthworks. Permission was also granted for

the construction of a hotel with conference rooms, restaurant and café, golf clubhouse, media centre and spa facilities on the north part of Ageas Bowl site which is currently not a strategic gap but used to be when the permissions were granted.

The adjacent site to the north-west – Boundary Lakes Golf Course

- 3.12 Application F/20/88655, approved in July 2021, allowed the erection of golf course clubhouse and ancillary facilities, golf cart store and car parking area, together with repositioned internal access roads and landscaping (**Figure 10**) to the north-east of the application site. The site is also located within the area designated as countryside and Strategic Gap between Southampton (in accordance with the superseded Policy 2.CO). The proposal was considered to be of an appropriate form, scale and design which accompanied with the existing and proposed screening would not demonstrably harm the character of the countryside.

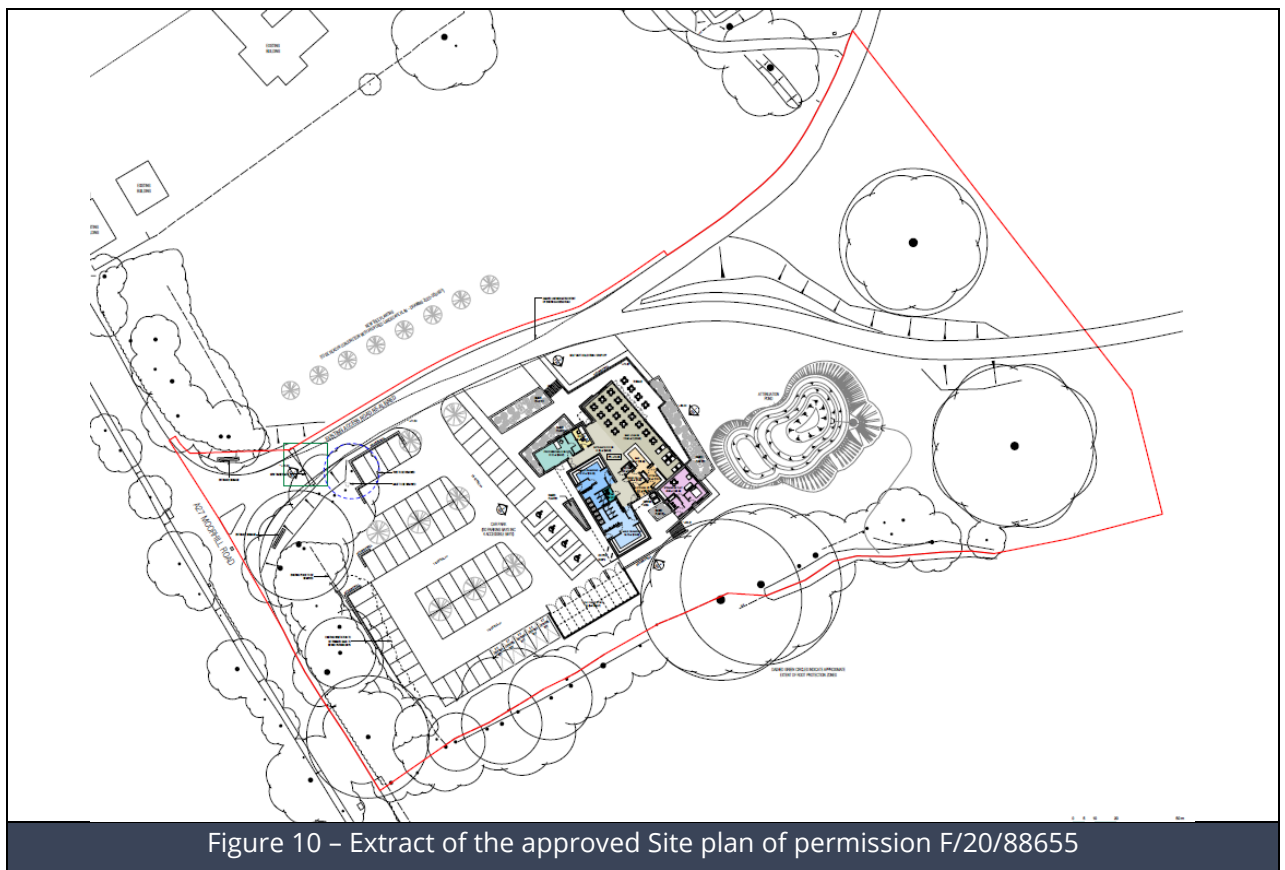


Figure 10 – Extract of the approved Site plan of permission F/20/88655

- 3.13 Regarding the impact of the proposal on the strategic gap, the officer in their report discussed that the aim of the now superseded policy 2.CO was to maintain the openness of the gap and prevent coalescence of nearby settlements. The impact of the proposed building was considered to be minimised by siting at the edge of the large golf course, where it would sit along Moorhill Road close to other buildings. The proposals was not considered to undermine the function of the strategic gap, which will remain mostly undeveloped.

Pre-application advice enquiry for the application site

- 3.14 In 2021 a pre-application enquiry was submitted to the Council in respect of either 40 holiday lodges or 40 park homes for older people for the site subject to this application. The response received on 22nd December 2021 summarised the site's planning designations as follows:
- Outside of the urban edge – countryside
 - Within strategic gap / countryside gap
 - Containing trees covered by a tree preservation order
 - Potential as a minerals and waste site
- 3.15 The pre-application response confirmed that the principle of the residential use of the mobile homes for older people would not be acceptable within the countryside according to both the old and new local plan policies, and highlighted that the Council were able to demonstrate a five-year supply of deliverable housing sites.
- 3.16 In assessing the principle of the holiday use of the proposed lodges, the pre-application response also stated that it would not be acceptable as it is for a tourism development, the need for which needs to be demonstrated, a sequential approach to be followed and the countryside and gap policies to be complied with according to Policy T60.TA. The proposed holiday accommodation was considered tourism use and not outdoor recreation use which could be allowed in the countryside according to Policy 1.CO which it should be highlighted that does not accord with paragraphs 81 and 84 of the NPPF which supports economic growth taking into account local business needs and wider opportunities for development and supports sustainable tourism development subject to impact on the character of the countryside. The principle of the development was, therefore, considered unacceptable assessed only against Policies T60.TA and 1.CO which have now both been superseded. The Council's request for the need to be demonstrated and a sequential approach to be followed was based on the superseded policy T60.TA, the requirements of which have not been passed onto the new plan.
- 3.17 Concerns were raised regarding the physical impact of the development as the caravans would require extensive areas of hard standing and supporting structures and potentially communal buildings or supporting facilities. This was considered significant development on a large unspoilt piece of agricultural land and as such would have an urbanising and harmful impact on the designated countryside. The proposal for static caravans was also considered to visually diminish the strategic gap and as such would be contrary to the now superseded Policy 2.CO and the now adopted Policy S6.

- 3.18 In discussing other considerations, the pre-application response referred to Highways and stated that as the proposal would generate significant additional traffic, a transport assessment including estimated trip rates should support any application. These trip rates would be used to inform the required sustainable transport contribution. The transport assessment should inform the level of parking while the layout would need to allow for vehicles to move around the site and create a safe environment for pedestrians and cyclists.
- 3.19 The landscape was another consideration in the Council's response which required a visual impact assessment and a landscaping plan to accompany any planning submission. A topographical survey and proposed levels changes should also be included in the submission with the Council noting that large scale engineering works would not be welcome.
- 3.20 The response also requested the submission of an arboricultural impact assessment, method statement and tree protection plan due to the active TPO on the land adjacent to A27. The subject proposal is not adjacent to the TPO trees or A27 but a tree survey and report are submitted with this application.
- 3.21 In terms of ecology, the Council suggested that a 10% biodiversity net gain should be achieved, a Preliminary Ecological Assessment (PEA) should be carried out, impacts on off-site habitats should be assessed and mitigated with sufficient information provided to allow the Council to undertake a habitat regulations assessment, habitats or features of ecological significance should be retained, appropriate buffers should be provided, the existing hydrological regime should be mimicked and details of a lighting scheme should be submitted. Sustainable drainage details were also requested.
- 3.22 The Council concluded that the pre-application proposal was contrary to the prevailing planning policies and that no overriding justification had been provided for the development, which would be a nature that would harm the area of countryside and would amount to a physical and visual diminishment of the gap.

4. Proposal

- 4.1 In order to address the Council officer's concerns expressed in the pre-application response above, our client has abandoned his proposal for the permanent siting of static caravans and instead proposes the much more sensitive use for pitches for the temporary siting of touring caravans, dormobiles and tents for holiday accommodation for people taking city breaks to Southampton to visit it's various attractions, attending the many sporting and cultural events, or stopping over 'en route' to and from the Isle of Wight. This is also considered a more compatible use with the approved touring caravan sales business.
- 4.2 This means that there will be no permanent change to the general landscape which will remain open when the pitches are not in use. A small amenity block is proposed, but this will be located to one side of the site against the backdrop of the established southern boundary screening. A limited amount of levelling will be required to accommodate the proposed roads and pitches.
- 4.3 The proposal includes pitches for up to 33 touring caravans, motorhomes and tents with the roads being of bonded gravel compatible with the countryside landscape, not tarmac. The proposed development will include a designated play area opposite the amenity building while the access is proposed on the same location as the previously approved site access.



Figure 11 – Proposed Layout with landscaping

- 4.4 The application is submitted with a landscape strategy which suggests the retention of the existing screening on the northern and southern boundaries of the site with additional native planting proposed across the site and along embankments to define pitches. The existing scrub vegetation along the northern boundary is proposed to be retained and managed as a 5m wide green corridor to enhance biodiversity. Grassland meadow with wildflowers is proposed around the site's perimeter to reinforce green corridors and also enhance biodiversity while the existing cherry laurel hedge to the west of the site is proposed to be removed and replaced with native screen planting.
- 4.5 Accordingly, the application is submitted with the following description:-

Application for the change of use of land for the siting of touring caravans, motorhomes and tents including a small amenity block and the terracing of the site to accommodate roads, parking and pitches (where appropriate)

5. Planning Policy

- 5.1 Sections 70(2) and 79(1) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require a decision-maker to determine a planning application in accordance with the adopted Development Plan, unless material considerations indicate otherwise. These material considerations include national planning policy. This is the starting point for the consideration of the proposed development.

National Planning Policy

- 5.2 Most recently published in July 2021, the National Planning Policy Framework ('the Framework' or 'NPPF') states that there is a presumption in favour of sustainable development. Broadly, the objective of sustainable development can be summarized as meeting the needs of the present without compromising the ability of future generations to meet their own needs. According to **paragraph 8**, achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). The three objectives are: the economic objective, the social objective and the environmental objective.
- 5.3 **Paragraph 11** states that a presumption in favour of sustainable development should apply for decision taking and that this means approving development proposals that accord with an up-to-date development plan without delay.
- 5.4 **Chapter 6** of the NPPF directs the Planning System to build a strong and competitive economy, this includes supporting a prosperous rural economy. **Paragraph 81** states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Of which, significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 5.5 Specifically, **paragraph 84 (b and c)** of the Framework, dictates that planning decisions should enable the development and diversification of agricultural and other land-based rural businesses and sustainable rural tourism and leisure developments which respect the character of the countryside.
- 5.6 **Chapter 8** promotes healthy and safe communities, with **paragraph 93** stating that to provide social, recreational, and cultural facilities to service community needs, planning policies and decisions

should ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community.

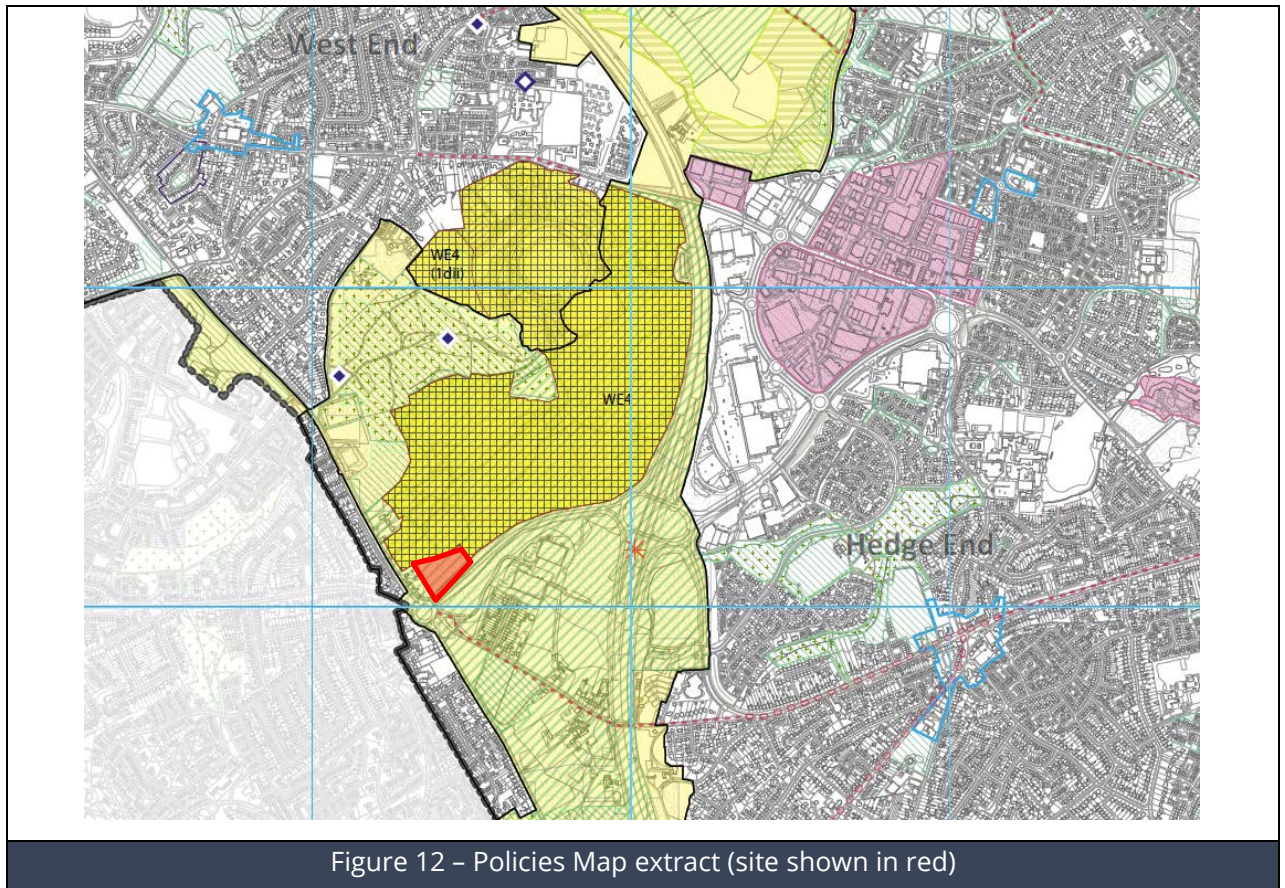
- 5.7 With regard to matters of access, the Framework states at **paragraph 110** that, specific applications for development should ensure that, appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; and that safe and suitable access to the site can be achieved for all users.
- 5.8 **Paragraph 159** states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. **Paragraph 167** requires the submission of a Flood Risk Assessment for proposals on sites larger than 1ha in Flood Zone 1 and sustainable drainage systems to be incorporated in the proposals.
- 5.9 **Paragraph 174** seeks to conserve and enhance the natural environment. This means that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and sites of biodiversity and recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland and minimising impacts on and providing net gains for biodiversity amongst other matters.
- 5.10 In terms of habitats and biodiversity, **paragraph 180** states that planning applications should avoid harm to natural and irreplaceable habitat whilst also delivering biodiversity net gain. In November 2021, the Environmental Bill passed into law as the Environmental Act 2021. A key component of the Act is the requirement, in England and once the provisions come into force, for new developments to achieve 10% Biodiversity Net Gain (BNG). Defra envisages a 2-year transitional period before BNG becomes mandatory, so the requirement is expected to be formally implemented in late 2023. However, the Council's Ecology Officer in his response to the recent pre-application enquiry requested the development to achieve 10% biodiversity net gain.

Local Planning Policy

- 5.11 The Council's pre-application advice dated 22 December 2021 states that the proposal would be weighed against policies from two local planning documents – the Adopted Eastleigh Borough Local Plan (2001-2022) Saved Policies and the Submitted Eastleigh Borough Local Plan 2016-2036. The latter plan was adopted by the Council on 25 April 2022, superseding the former, previously adopted, plan. Accordingly, the following section of this report will identify and explore the relevant development policies from the new adopted development plan.

Adopted Eastleigh Borough Local Plan (2016-2036)

- 5.12 An extensive **policy S1** provides the local planning policy basis for delivering sustainable development in the Borough. In an overarching manner, it seeks to ensure that new development; meets community needs, enhances social equality, maintains and facilitates local economic growth, considers climate change, minimises the need to travel longer distances (and if so, seek sustainable options), avoids impacts on Hamble and Itchen catchments, seeks opportunities to optimise density, allocates resources 'wisely', and maintains natural habitats and landscape value.



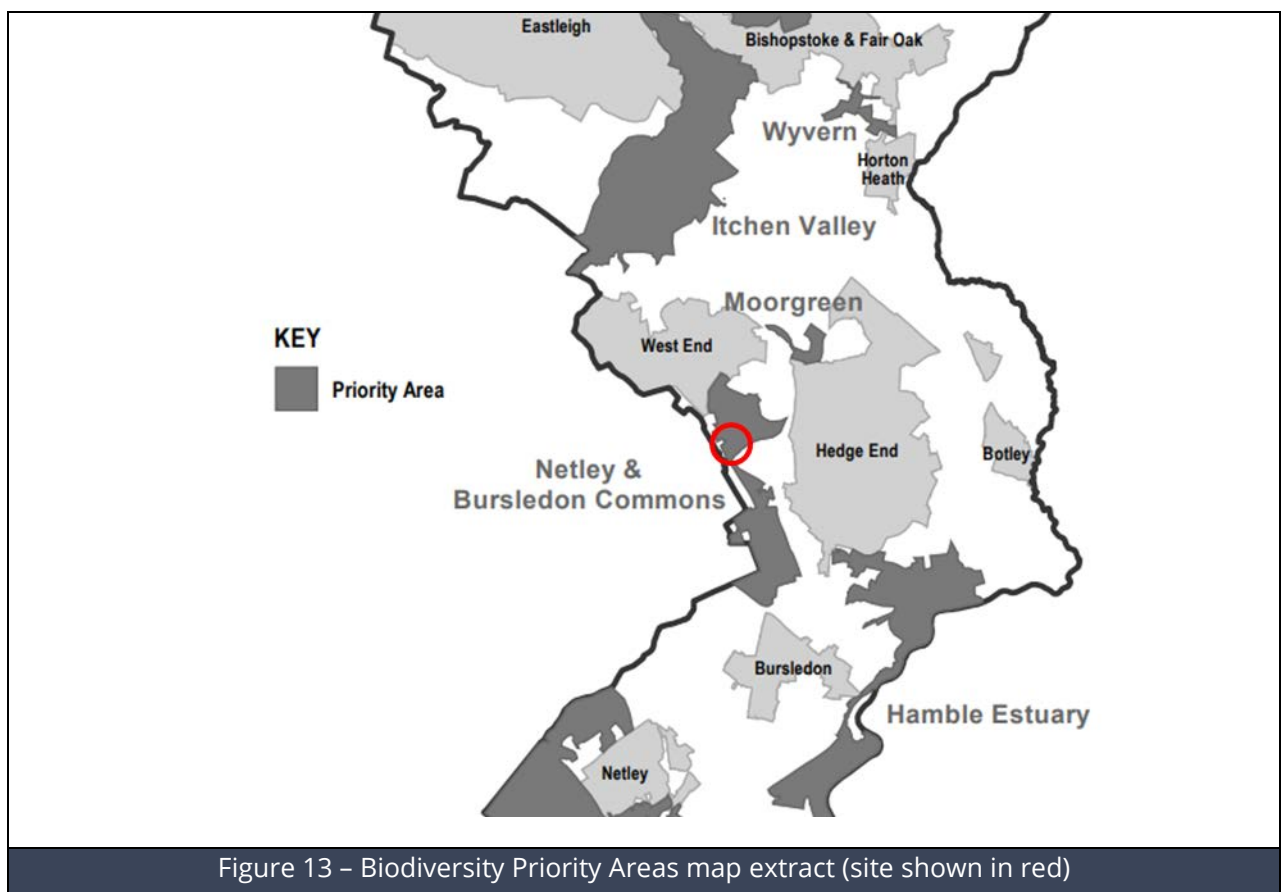
- 5.13 **Policy S2** reinforces the provisions of policy S1, although clearly states that the urban edge (as set out on the policies map) should define the built areas, for which there is a presumption in favour of new development. **Figure 11** outlines the policies map for the application area in the Development Plan. The map shows the application site close but outside the urban edge and within the countryside and a settlement gap, therefore it is liable to the provisions of the policies (S5 and S6 respectively) outlined throughout the plan. This will be explored in greater depth below. Noticeably on this map, a strategic footpath adjoins at the south corner of the site, connecting the site to the urban area and facilities of Hedge End to the site. The Land at Ageas Bowl & Tennis Centre bounds the site to the north with WE4 being the relevant policy allowing development within this area.

- 5.14 In addition to the two strategic policies outlined above, due to the designation within the countryside, the site is subject to the provisions of **policy S5** which states that planning permission will be granted for new development in the countryside if it is related to:
- The provision of new employment through agricultural development; the extension and replacement of existing employment uses, the re-use of existing buildings;
 - Residential extensions and replacement buildings, limited residential conversions, rural workers' dwellings and accommodation for gypsies, travellers and travelling show people;
 - Community, tourist, or visitor uses through the re-use of buildings;
 - Outdoor recreation and open space;
 - Allotments and community farms
 - Cemeteries
 - Essential public utilities
- 5.15 The policy goes on to say that in the event of planning permission being granted, development should avoid adversely impacting the character of the landscape, should secure long-term biodiversity enhancement, should avoid the sterilisation of mineral resources that may fall beneath a site, should safeguard the best and most versatile agricultural land unless the benefit of the development clearly outweighs the loss and protect soils during construction. Here, it should be noted that according to the Landscape Character Assessment for Eastleigh Borough (2011), the agricultural land in the application site is not categorised under any Grade in the Agricultural Land Classification as it is considered urban land. The application site, therefore, does not consist of the best and most versatile agricultural land and there is no requirement for it to remain to agricultural use.
- 5.16 Due to its location within a settlement gap, the site is subject to the provisions of **policy S6** which seeks to protect such areas and states that development within a settlement gap will be permitted if:
- a. It would not undermine the physical extent and/or visual separation of settlements; and
 - b. It would not have an urbanising effect detrimental to:
 - i. The character of the countryside; or
 - ii. The separate identity of the adjoining settlements
- 5.17 The application site falls within the settlement gap between Hedge End, West End and Southampton. The boundaries of this settlement gap have been modified to exclude land to the north of the application site following a Settlement Gap Study Report that was published in October 2020 and will be discussed below.

- 5.18 Policies S5 and S6 restrict development in the countryside principally in order to maintain its rural character and to limit urbanisation.
- 5.19 Away from the strategic policies, **policy DM1** provides the local planning policy criteria for the principle of new development. The provisions of this policy ensure that new development will not have an unacceptable impact on residential amenity, biodiversity or heritage assets, makes efficient use of land to increase density, takes into account the wider context of the local character and land-uses to deliver a compatible scheme, does not involve the loss of, or damage to, trees, woodlands, hedgerows, ponds, priority habitats or landscape features of value unless they can be replaced with features of equivalent or enhanced value, includes a landscape scheme, protects public rights of way and provides fully connected green infrastructure that interlaces the development and wider network. Further provisions are made within the criteria of the policy to cover crime, biodiversity, waste management and public art. The overarching justification for this policy is to ensure that development meets a level of high-quality design, but in doing so, must consider the multiple factors outlined in this paragraph.
- 5.20 **Policy DM3** reinforces the Council's strides to deliver development that is adaptable in the wake of climate change. The policy states that measures to reduce climate change in development should consider the impacts of surface water flooding and the need to implement sustainable drainage systems – a matter more specifically discussed in policy DM6. Additionally, DM3 outlines that new development should include a cooling strategy through innovative procedures in the development i.e. cooling through generous green infrastructure and trees, areas of shade, water cooling or building materials. And lastly, development to adapt to water stress should be able to reduce demand by considering the overall consumption and efficiency of water on-site.
- 5.21 The provisions outlined in policy DM3 are expanded upon with policies DM6 (sustainable surface water management and watercourse management) and DM10 (water and waste water). **Policy DM6** states that new development will be permitted if it incorporates Sustainable Drainage Systems (SuDS) and where feasible, naturalised filtration should be included within the treatment train. On sites greater than 1 hectare SuDS schemes should include at least three forms of naturalised filtration. In regard to **policy DM10**, where new water supply or waste water infrastructure is required, it should meet the Habitats Regulations and the Water Framework Directive for no deterioration of the status of water bodies, should avoid or mitigate any other adverse impacts and wherever possible measures should be implemented which would improve the water environment.
- 5.22 The local planning policy for Nature Conservation is provided by **policy DM11**. In extensive prose, it states that the Council will work closely with both statutory and voluntary organisations and will

determine applications to ensure that no harm arises to nature conservation designations and Priority Biodiversity Areas as a result of development, that biodiversity targets are achieved and to seek a net gain of biodiversity on all development sites. For developments likely to affect international designations, a 'project level' Habitat Regulations Assessment will be required. The Council will work with wildlife organisations and developers to protect and enhance international and European sites from effects of development. Development should also avoid adverse effect on national and local designations as Sites of Special Scientific Interest (SSSI), Sites of Importance for Nature Conservation (SINC), Local Nature Reserves (LNR) and on priority habitats, protected or priority species, or on the local ecological network. Finally, for any application to be permitted, appropriate habitat and species surveys will be required.

5.23 **Figure 13** maps the Council's designation of the Biodiversity Priority Areas. These areas have been pinpointed to provide a focus for conservation action to be targeted to achieve high levels of biodiversity net gain, such gains outlined in an action plan unique to each Priority Area. The application site appears to be within the Netley & Bursledon Commons Priority Area.



5.24 **Policy DM12** refers to the developments of heritage assets and is not relevant to the subject proposal.

- 5.25 The Council's generalised policy provision for transport is introduced in **policy DM13**. With an emphasis on safety, it states that new development must conveniently and safely access the highway, whilst providing for a range of other transport methods, including public transport and cycling. Furthermore, any development that will likely have an adverse impact on traffic beyond the immediate vicinity of the site, must be subject to a Transport Assessment and be required to implement any mitigation identified.
- 5.26 **Policy DM32** discusses the need to protect recreation and open space facilities. The application site does not include any sport pitches, sports facilities, parks or amenity open space so the policy does not apply directly to the subject proposal. However, by providing additional visitor accommodation available to people who wish to use the neighbouring facilities the proposal helps in the retention of these recreation and open space facilities. **Policy DM33** discusses contributions required on new residential developments and, therefore, it is not relevant to the subject proposal.
- 5.27 There is no specific policy in this Development Plan relating to development or change of use of land for leisure, tourism or business purposes within the countryside, leaving us with national policy to guide the consideration of such proposals.

[Hampshire Minerals and Waste Plan \(adopted October 2013\) and 2020 Review of the Hampshire Minerals and Waste Plan \[2013\] \(November 2020\)](#)

- 5.28 The Hampshire Minerals and Waste Plan (2013) provides the policy context on a County scale for the protection of the environment, maintenance of communities and support of the economy when extracting minerals and considering the impacts of waste.
- 5.29 In summary, the plan adopts a positive approach to the sustainable extraction of minerals and waste development. In the event of development that involves minerals or waste, careful consideration will be given to biodiversity, public health, the local landscape, the countryside, the green belt, the historic environments and the local soil. Other material considerations relating to highways, amenity, etc. also remain relevant in the decision-making process.

[Biodiversity Action Plan for Eastleigh Borough 2012 – 2022](#)

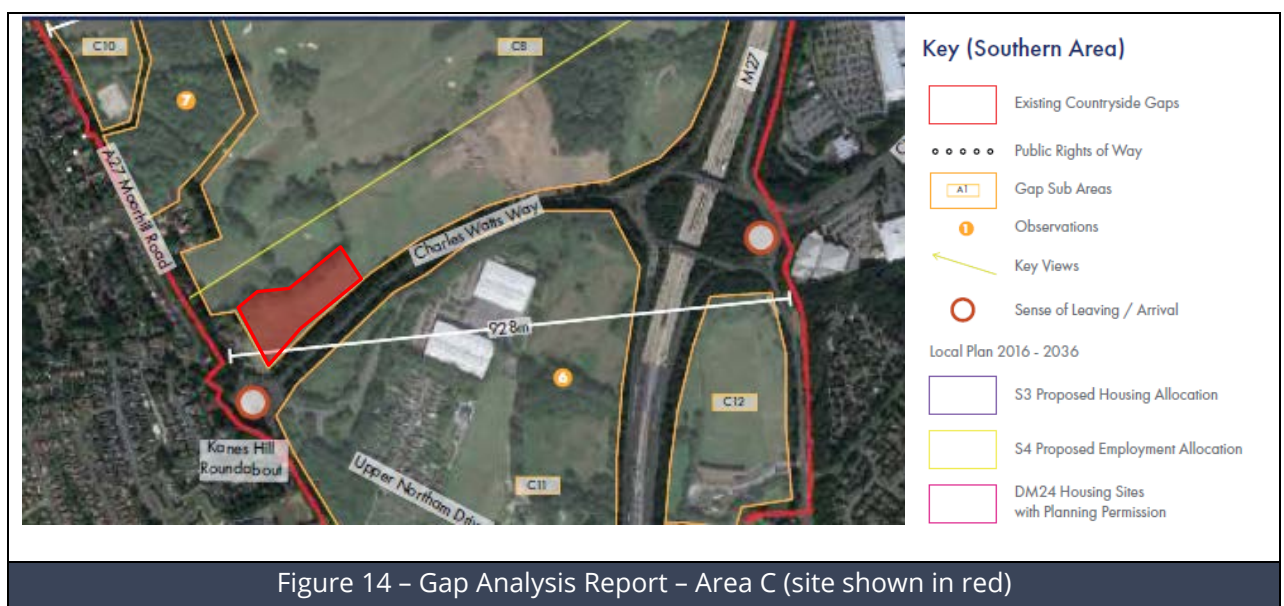
- 5.30 The Biodiversity Action Plan (BAP), as revised in 2012, sets out where conservation action should be focused. The BAP has identified 10 Priority Biodiversity Areas which contain hotspots for biodiversity and are areas where conservation action can achieve the greatest biodiversity gain.

- 5.31 For the Netley & Bursledon Commons Priority Biodiversity Area, where the application site falls within, the BAP has identified lowland heathland, lowland dry acid grassland, lowland meadows, purple moor grass and rush pastures, wet woodland and lowland mixed deciduous woodland as the priority habitats. The habitat degradation through lack of management, habitat isolation and invasive non-native species have been identified as threats and a number of actions are suggested. These include restoring heathland and woodland areas and bringing into favourable management using agri-environment schemes where appropriate, reconnecting priority habitats as opportunities arise and controlling invasive species such as laurel and rhododendron.

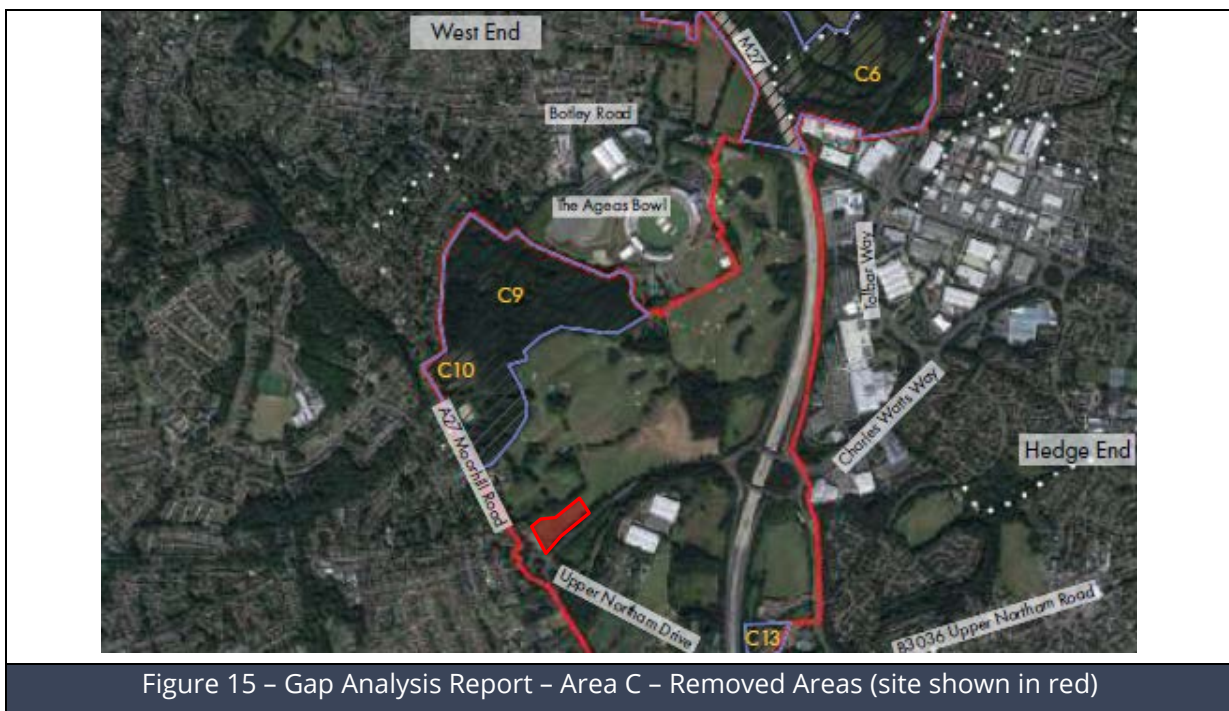
Eastleigh Borough Settlement Gap Study October 2020

- 5.32 This study provides an updated evidence base for the Eastleigh Borough Local Plan 2016 – 2036 and was prepared following the Inspector's Post Hearing Advice where a stronger evidence base and a clearer and more robust justification for the proposed Gaps was requested. The application site falls within Area C – West End, Hedge End, Southampton and in particular within the C8 Sub Area which is described as:

Boundary Lakes Golf Club is aligned to the Ageas Bowl Cricket Complex and wraps around the boundary of the M27 and Charles Watts Way, rising from low ground in the north to higher ground along the A27 Moorhill Road. The retained natural woodland features, combined with the openness of the golf course, provides a clear sense of separation between Hedge End and West End/Southampton settlement edge.



- 5.33 **Figure 14** shows the Sub Area C8 with one key view from its south-west part towards the north-east. Following analysis of Sub Area C8, the study concludes that this open area of a golf course with woodland patches contributes to the open nature of the Gap between West End and the M27 and Hedge End. This undeveloped and open land is important in maintaining a buffer between the cricket ground on the edge of West End and large retail sheds on the edge of Hedge End. The area is important for the perception of settlements along Botley Road, Moorhill Road, Charles Watts Way and the golf course itself. This finding resulted in the Sub Area C8 being retained as a Gap. However, it should be noted that permission F/20/88655 allowed the erection of a new clubhouse to the south-west of Sub Area C8 exactly where the key view starts.
- 5.34 In addition, it is worth noting that the nearby Sub Areas C9 and C10 (**Figure 15**) were removed from the Gaps list as their ecological and heritage designation means it is protected from development and can be removed from the Gap (C9) or it is enclosed by woodland and does not contribute to the Gap function (C10).



6. Planning Considerations

6.1 To ensure that the relevant policies are identified and analysed, we have been guided by the Council's pre-application advice dated 22 December 2021. The Eastleigh Borough Local Plan (2001-2022) has now been superseded by the recently adopted Eastleigh Borough Local Plan (2016-2036) which forms the Development Plan for this application. The provisions of the development plan need to be balanced with the other material considerations including the provisions of the NPPF.

6.2 As previously mentioned, the proposal seeks the change of use of land for the siting of touring caravans, motorhomes and tents including a small amenity block, play area and graded terracing of the site to accommodate gravel roads, pitches and landscaping (where appropriate).

Principle of Development

6.3 As previously outlined, the application site is, for purposes of planning, within the countryside and a settlement gap and subject to the following local planning policies relating to the principle of such development: S1, S2, S5 and S6.

6.4 Policy S1 promotes sustainable development and policy S2 states that there is a presumption in favour of new development within the built areas of the urban edge.

6.5 Policy S6 states that the development with a Settlement Gap will be permitted if it would not undermine the physical extent and/or visual separation of settlements and would not have an urbanising effect detrimental to the character of the countryside or the separate identity of the adjoining settlements. Fundamentally, the temporary nature of touring caravans, motorhomes and tents means that the proposal will not extend the urban area of Southampton as the site will remain in an acceptable open countryside use. Touring caravan and camping sites are a common feature of the British countryside and it cannot be said that the proposed use will have any urbanising affect to undermine the physical and visual separation of Southampton and Hegde End, or to affect their separate identities in any way. Therefore, the proposed use is permissible development in accordance with policy S6.

6.6 Policy S5 states that planning permission will be granted for new development in the countryside if it is related to community, tourist or visitor uses through the re-use of buildings, outdoor recreation and open space amongst other uses. Clearly the proposal is for a tourist and open recreation use in accordance with the intent of this policy, and although it is not linked to the re-use of any existing buildings, it does not propose any significant new building, merely a change of use of the land to

allow the temporary siting of touring caravans, motorhomes and tents. Therefore, the site will remain as an open field without any significant buildings being created.

- 6.7 According to policy S5, any proposal should avoid detrimental impact on the character of the landscape, should enhance biodiversity, avoid sterilisation of mineral resources and safeguard the best and most versatile agricultural land unless the benefit of the development clearly outweighs the loss. As demonstrated on the relevant supporting reports, the proposal respects the landscape character, the biodiversity of the site is enhanced and the mineral resources are not sterilised. Furthermore, the land within the application site is considered urban land in the Eastleigh Borough Agricultural Land Classification and there is not, therefore, any requirement to be safeguarded. Therefore, the proposed tourism use is considered permissible development in accordance with policy S5 and acceptable in principle.
- 6.8 NPPF paragraph 84(c) states that planning decisions should enable sustainable rural tourism developments which respect the character of the countryside. In this connection, an Assessment of the need for additional touring caravan, motorhome and camping sites has been conducted for the catchment area for accommodation for touring visitors to the Southampton area as a visitor destination. The Need Assessment accompanying this planning application has found a strong need for additional touring caravan and camping pitches with the area, especially one with such convenient walking, bus and taxi connections to the tourist, cultural and sporting facilities and events of Southampton city centre and the Ageas Bowl to allow staying visitors to leave their car at the campsite to save parking costs and allow for relaxed drinking on a whole day out at the city's attractions. The site would also be useful for overnight stays by holiday-makers taking an early ferry to the Isle of Wight the next day, or returning late from the island. The proposed touring caravan provision - on a site where a clear need has been demonstrated close to Southampton city centre, will stimulate wider economic benefit for local services, shops and attractions.
- 6.9 As the touring site will be retained as open grassland, with gravel tracks on gently graded terraces the proposals will respect the character of the countryside in accordance with paragraph 84(c). As mentioned in section 3, the land to the west of the application site has permission for a scheme to sell touring caravans on site (**F/17/81667**). This approval provides two points of positive precedent for the wider development of the site with touring caravans. Firstly, the inspector ruled that the development and re-use of the site (**Figure 6**) for the selling of touring caravans will not be harmful to the wider landscape or character of the countryside. The approved layout for the development involved the siting of 15no. touring caravans/motorhomes for show purposes placed within the centre of the site, alongside the retention and development of hardstanding throughout the site. This sets a positive precedent for the further development of the site from a visual landscape perspective, the extent of

which is explored further below. Secondly, the expansion of the wider use of the site for touring caravans will generate a functional on-site operation that facilitates added economic benefit. The recently approved, under F/20/88655, clubhouse to the north-west of the application also provides another precedent of development within the countryside and the settlement gap.

6.10 The proposed development addresses the three objectives required to achieve sustainable development as follows:

- **Economic:** The proposal, will provide a visitor accommodation site close to Southampton city centre, where the additional spending by visitors will stimulate wider economic benefit for local services, shops and visitor attractions and support the approved touring caravan sales business, thereby contributing further to economically prosperous site.
- **Social:** The proposal by providing additional visitor accommodation will allow for holidays that are good for health, well-being and social interaction.
- **Environmental:** By maintaining open grassland, with gently graded terraces and by managing the hedge and tree boundary screening, the proposals respect the character of the countryside and will maintain the openness of the site within the settlement gap. Additional planting will also be of benefit to wildlife habitat and species present on the site while the proposal will also achieve a biodiversity net gain.

6.11 In these terms, the proposed touring caravan and camping site is considered sustainable development in a sustainable location with good access to public transport, shops and other amenities and should, therefore, benefit from the presumption in favour of sustainable development.

6.12 Therefore, the proposed change of use to a use for touring caravan, motorhome and camping pitches is considered acceptable in principle in accordance with adopted development plan policies S5 and S6 and NPPF paragraphs 8, 11, 81 and 84.

[Additional Material Considerations](#)

6.13 **Landscape and Visual Impact** – As demonstrated on the submitted LVIA, the overall condition of the landscape character is low while extensive built development and blocks of woodland restrict views. The proposal due to its small scale and existing screening would not result in an unacceptable impact on the landscape character and visual amenity of the local area and is considered appropriate for its location. It would not undermine the physical extent or visual separation of settlements. Therefore, the proposal will be in accordance with local plan policies S5 and S6 and NPPF para 174.

- 6.14 Ecology – As demonstrated on the submitted Preliminary Ecological Appraisal the proposal by retaining the existing vegetation on site and especially by proposing a buffer between any proposals and the scrub and ruderal vegetation along the norther boundary of the site would protect the site's biodiversity. The additional planting and measures proposed on the landscape strategy will result in further ecological enhancements and the proposal would be comply with local plan policy DM11 and NPPF paragraphs 174 and 180.
- 6.15 Highways – The Transport Assessment that has been submitted with the application concludes that the proposal will have no significant adverse transport impacts in terms of queues or delays at junctions or in terms of highway safety. Also, the proposal is in a sustainable location, within walking and/or cycling distance of the retail, health and recreation facilities, as well public transport facilities, and would offer the opportunity for travel by alternative modes to the private car. The proposal will, therefore, be in accordance with local plan policy DM13 and NPPF paragraph 110.
- 6.16 Flooding and Drainage - The application site is at low risk of flooding and as demonstrated in the submitted FRA the proposal would not result to a significant increased risk of flooding to surrounding areas. A detailed drainage strategy has also been prepared and submitted with the application. The proposal will, therefore, be in accordance with local plan policy DM6 and NPPF paragraph 167.
- 6.17 Minerals – The application site lies within a Mineral Consultation Area, as defined by the Hampshire County Council Mineral and Waster Local Plan, however as concluded on the Minerals Assessment submitted with the application and based on the historic and recent geological evidence there are no economically viable soft or sand deposits within the site. The proposal will therefore not result in the sterilisation of any minerals resources in accordance with policy S5.

7. Conclusion

7.1 We consider that the proposed scheme is acceptable and in accordance with the relevant local and national planning policy for the following reasons:

- The development is acceptable in principle as a tourism development that respects the character of the countryside and maintains the openness of the settlement gap and for which the benefits of the provision of this type of tourism accommodation, the need for which has been demonstrated in the TNA, outweighs the loss of the existing land which is not even considered agricultural in the Council's Agricultural Land Classification. The proposed development therefore accords with local plan policies S5 and S6 and national planning policy.
- The proposal is to meet an identified need for additional touring caravan and camping pitches with the area, especially with such convenient walking, bus and taxi connections to the tourist, cultural and sporting facilities and events of Southampton city centre and the Ageas Bowl to allow staying visitors to leave the car at the campsite to save parking costs and allow for relaxed drinking on a whole day out. The site would also be useful for overnight stays by holiday-makers taking an early ferry to the Isle of Wight the next day, or returning late from the island.
- The proposal represents sustainable tourism development which is consistent with the aims of the NPPF. The scheme has demonstrated that it will provide a well-balanced mix of economic, social and environmental benefits.
- The retention of the existing vegetation and the additional landscaping will not only protect the site's biodiversity but it will also provide a net gain.
- The proposal is not located in a flood risk area and incorporates sustainable drainage systems.
- The proposal can be safely accommodated at the site without causing any adverse traffic generation or access safety issues.
- The proposed scheme will not result in the sterilisation of any minerals resources.

7.2 On this basis, it is considered that the proposed use accords with local and national planning policy and can therefore be approved.

Appendix I

Proposed Site Plan - F/17/81667



NOTES

- 1 The contents of this drawing are copyright.
- 2 Do not scale. Figured dimensions only to be used.
- 3 Contractors must verify all dimensions and report any discrepancies before putting work in hand or making any shop drawings.

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IN ASSOCIATION WITH



No.	Revision.	date	by
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Project
Thorney Down Farm,
Moorhill Road,
West End, Southampton

Client / Brand
Mr John Mobey

Drawing Title
PROPOSED SITE LAYOUT

scale	1:200 @ A1	checked	.
date	13/03/2017	drawn	AL

17 115 001

Appendix II

Appeal F/17/81667

Inspector's Report -



Appeal Decision

Hearing Held on 2 July 2019

Site visit made on 2 July 2019

by J Ayres BA Hons, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 19 August 2019

Appeal Ref: APP/W1715/W/18/3207484

Thorneydown Farm, Moorhill Road, Southampton SO30 3AY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Messers J & J Mobey against Eastleigh Borough Council.
 - The application Ref F/17/81667, is dated 9 October 2017.
 - The development proposed is creation of a landscaped embankment; demolition of existing buildings and the creation of a new detached 2 storey building comprising offices and storage areas, erection of a detached workshop and the change of use to display and caravan sales with associated office and workshop.
-

Decision

1. The appeal is allowed and planning permission is granted for creation of a landscaped embankment; demolition of existing buildings and the creation of a new detached 2 storey building comprising offices and storage areas, erection of a detached workshop and the change of use to display and caravan sales with associated office and workshop at Thorneydown Farm, Moorhill Road, Southampton SO30 3AY in accordance with the terms of the application, Ref F/17/81667, is dated 9 October 2017, subject to the conditions in the attached schedule.

Preliminary matter

2. Part of the works within the description of development, namely the creation of a landscaped embankment, have commenced. Therefore the development has been partially implemented and I have had consideration of this when considering the appeal.

Main Issue

3. Following the discussion at the hearing I consider the main issue to be the effect of the proposal on the character and appearance of the area, with particular regard to its location within the strategic gap.

Reasons

4. The appeal site is located immediately adjacent to Moorhill Road. There is some established planting and mature trees along the front boundary, however the site is also visibly permeable in places which allows long reaching views across the wider landscape towards the M27. The land adjacent to the site gently

slopes away and creates a softly undulating character, which is open and interspersed with mature trees and hedgerows.

5. The appeal site includes a number of existing dilapidated and vacant buildings. The adjacent farmhouse is derelict, however it does not form part of the appeal proposal, the appeal site includes the area of the wider site that is closer to the roundabout. I shall return to the relevance of the farmhouse later in my decision.
6. The use of the site would include the sale and maintenance of caravans. The caravans would be arranged in a slightly sporadic way, with the intention to create a less formal and rigid experience. Due to the topography of the land the caravans would be sited slightly lower than the adjacent highway, and with the addition of landscaping the caravans would be largely screened from the public realm. There would be some hardstanding, however this would be interspersed with large areas of soft landscaping and grassed areas which would retain a rural element to the site, and this would be an improvement on the historic and existing appearance of the site. The renewed use of the site would be seen within the context of the existing and established development along Moorhill Road, and adjacent to land associated with a large golf club. This reinvigorated and carefully designed site would not appear alien or incongruous, and would be a clear improvement on the current experience of the land.
7. Whilst I accept that the general concept of caravan sales is a site with caravans lined up, similar to a car sales site, and this creates a rather industrial image, this does not have to be the case for all sites. The approach of replicating a more natural and spacious environment for sales would be a welcome and creative use of the site. The additional landscaping and green buffer zone would enhance the site, and the use of the land for the siting of caravans would keep the structural element of the site more temporary in nature as it would avoid significant permanent structures, which could be erected pursuant to the lawful use of the site.
8. The concept of the strategic gap clearly serves a purpose in ensuring that development does not encroach into carefully selected areas of open land that play an active role in retaining the separation of urban form. However, the appeal site in its current state does not actively contribute to the purpose of including land in the strategic gap as it contains a number of buildings and is not entirely visually permeable. It therefore has an existing developed character which does not enhance the openness of the land further within the gap. With regards to the proposal before me I consider that the use of the land for caravan sales and maintenance would not result in harm to the character of the area, the visual openness of the wider landscape, or the functional purpose that it serves in restricting the sprawl of development. The site is well contained, and with the use of the existing boundaries and further landscaping, alongside the change in land levels, the proposed use of the site would not result in harm to the character of the area.
9. Due to the location of the site I find that the use would conflict with Policy 1.CO of the Eastleigh Borough Local Plan Review (2006) (the Local Plan) as it would not meet the specific criteria set out in that policy with regards to the development on sites outside of the urban edge. However, I find that the proposal would not conflict with the aim of Policy 2.CO which restricts

development which would physically or visually diminish a strategic gap. It would not result in harm to the character of the area, and would result in the reuse of a currently dilapidated site, it would therefore comply with Policies 18.CO and 59.BE of the Local Plan which restrict developments that may affect the landscape character of the area, and require development to take account of the site context and layout. The use of the site would comply with the provisions of Policies 5.CO and 10.CO of the Local Plan which permit farm diversification and the replacement of non-residential buildings in the countryside.

Other matters

10. The appeal site has an existing access onto the highway. Whilst there are some large trees located between the access and the roundabout, the canopies are not within sightlines for drivers of vehicles travelling along the highway or entering and existing the site. Vehicles generally travel at a lower speed in close proximity to the roundabout, and I am satisfied that subject to a suitable condition addressing highway matters the development could be accommodated without a risk to highway safety. The proposal would therefore comply with Policy 100.T in supporting the aim of the Borough of Eastleigh Transport Strategy.
11. The farmhouse is currently derelict, however it could in theory be renovated and made habitable. It is a short distance from the proposed workshop and would be the nearest residential property to the site. The noise assessment was discussed at the hearing, and I am satisfied that subject to the compliance with condition restricting the noise levels when taken from the nearest noise sensitive property the proposal would not result in harm to nearby or future occupiers.

Conclusion and conditions

12. The proposal would involve development on a site outside of the urban edge, and there is conflict with the development plan in this regard. However, I have taken account the existing development on site, its lawful use and the principal of additional lawful development within that use, and the absence of harm caused by the proposal to the strategic gap or the character of the landscape and general area. In this particular case these material considerations would outweigh the conflict with the development plan. Accordingly, for the reasons above I conclude that the appeal should be allowed and planning permission granted.
13. The conditions proposed by the council in its statement of case were discussed at the hearing. As the development has been partly implemented it is not suitable to impose a commencement condition, and on the basis of the evidence a condition relating to water quality would not meet the relevant test of necessity.
14. I have specified the plans for certainty. Conditions relating to materials, landscaping and arboriculture matters are necessary in the interest of protecting the character of the area. Conditions relating to a construction method statement, Road Safety Audit and securing visibility splays are necessary in the interests of highway safety. A condition relating to noise is necessary to protect the living conditions of any future occupiers should be the

farmhouse be refurbished and occupied. Ecological conditions are necessary to protect and enhance the natural environment.

J Ayres

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall be implemented in accordance with the following plans numbered: 17 115 001, 17 115 003, 17 115 004, 17 115 005, 17 115 006, 17 115 007.
- 2) No construction or demolition work shall start until a Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. Demolition and construction work shall only take place in accordance with the approved method statement which shall include:
 - a) measures to control the emission of dust and dirt generated by demolition and construction works, including measures to prevent mud on the highway;
 - b) a scheme for controlling noise and vibration from demolition and construction activities;
 - c) arrangements for the routing/turning of lorries and details for construction traffic access to the site;
 - d) the arrangements for deliveries associated with all construction works. Details to include accessing the site and lorry routing.
- 3) No further works as specified within section 55 of the Town and Country Planning Act 1990 shall be carried out until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4) The development hereby permitted shall not be brought into use until an independent Stage 1 Road Safety Audit is undertaken, submitted and approved in writing by the Local Planning Authority. Details submitted shall include drawings to indicate 'Keep Clear' markings on Moorhill Road to enable vehicles to turn through queuing traffic into the site. The development shall be carried out and maintained in accordance with the approved details.
- 5) The development hereby permitted shall not be brought into use until a plan showing the visibility splays (at the junction of the access and public highway) have been submitted to and approved in writing by the Local Planning Authority. Nothing over 0.6m in height above the level of the carriageway shall be placed within the approved visibility splay.
- 6) The maintenance of caravans shall only take place within the identified workshop. The level of noise emitted from the site shall not exceed 55dB at any time during the permitted hours as measured at the boundary of the nearest noise sensitive property.
- 7) No further works as specified within section 55 of the Town and Country Planning Act 1990 shall take place on site until an arboricultural method

statement and tree protection plan, as per British Standard 5837:2012 (Trees in Relation to Design, Demolition and Construction – Recommendations) is submitted and approved by the LPA. The approved arboricultural method statement and tree protection plan must be adhered to in full.

- 8) No further excavation, demolition or development related works shall be carried out until evidence has been submitted and approved by the LPA that the tree protection measures have been installed, as detailed in the tree protection plan. Once approved, no access by vehicles or placement of goods, chemicals, fuels, soil or other materials shall take place within the fenced area. Tree protection measures shall be retained in their approved form for the duration of the work. This condition may only be fully discharged upon completion of the proposed development, subject to agreed supervision statements.
- 9) No further works as specified within section 55 of the Town and Country Planning Act 1990 shall start until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall cover all hard and soft landscaping (including trees and boundary treatment) and shall provide details for timings for all landscaping and any future maintenance. The works shall be carried out in accordance with the approved plans and to the appropriate British Standard.
- 10) For a period of no less than 5 years after planting, any trees or plants which are removed, die or become seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of the same species, size and number as originally approved in the landscaping scheme.
- 11) The development hereby permitted shall be implemented in accordance with the recommendations outlined in Section 4 of Phil Smith's Ecological Appraisal and Phase 1 Bat Survey report, dated November 2017. Prior to first occupation, Eastleigh Borough Council shall receive written confirmation from an appropriately qualified ecologist that the development has been carried out in accordance with the recommendations set out in Section 4 of the ecological report and the agreed CEMP.
- 12) The use hereby permitted shall only be carried out on the site, and deliveries taken, between the hours of 09.00 to 17.00 Monday to Friday and 09.00- 12.00 Saturdays and at no time on Sundays or Bank Holidays.

END OF SCHEDULE

LIST OF APPEARANCES:

FOR THE APPELLANT

D Howells – Pure Town Planning

FOR THE COUNCIL

A Winch – Senior Planning Officer

C Martin – Planning Officer

DOCUMENTS SUBMITTED AT THE HEARING

Attendance List

Plan Number 17 115 007

Appeal Notification Letter

Notification of Venue

Appendix III

LDC/18/83630

Decision Notice -



**TOWN AND COUNTRY PLANNING ACT 1990: SECTION 191
(as amended by section 10 of the Planning and Compensation Act 1991)**

**TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39**

CERTIFICATE OF LAWFUL EXISTING USE OR DEVELOPMENT

Application number: **LDC/18/83630**

Eastleigh Borough Council certifies that on 16 July 2018 the use described in the First Schedule to this Certificate in respect of the site specified in the Second Schedule to this Certificate and edged red on the plan attached to this Certificate ("the Site") was lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as amended), for the following reason:

The Council is satisfied based on the information submitted that the use described in the First Schedule relating to the Site is lawful because it began more than 10 years before 16 July 2018 being the date of the application and is therefore immune from enforcement action.

Signed:


Ian Austin
Legal Services Manager
On behalf of Eastleigh Borough Council

Date: 07 December 2018

FIRST SCHEDULE

An agricultural farm with associated buildings for storage of equipment and machinery.

SECOND SCHEDULE

Thorneydown Farm, Moorhill Road, West End, Southampton, SO30 3AY

Notes

1. This certificate is issued solely for the purpose of section 191 of the Town and Country Planning Act 1990 (as amended).
2. It certifies that the use specified in the First Schedule taking place on the land described in the Second Schedule and identified on the attached plan was lawful on the specified date and therefore was not liable to enforcement action under section 172 of the 1990 Act on that date.
3. This certificate applies only to the extent of the use described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use which is materially different from that described or which relates to other land may render the owner or occupier liable to enforcement action.



EASTLEIGH
BOROUGH COUNCIL

**Thorneydown
Farm**

Title:
Moorhill Road

West End, SO30 3AY

Scale:
1:2500
Map Ref.
SU4713SW
Date:
20/08/2018



Appendix IV

LDC/19/85167

Decision Notice -

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39

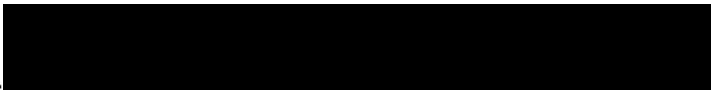
NOTICE OF REFUSAL OF APPLICATION FOR A CERTIFICATE OF LAWFUL
PROPOSED USE OR DEVELOPMENT

Application number: LDC/19/85167

Eastleigh Borough Council (the Council) hereby refuses an application dated 11th March 2019 for a certificate of lawfulness of a proposed use or development in respect of the matter described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red and in particular the buildings highlighted pink on the plan attached to this Notice for the following reasons:

Based on the information provided the Council is not satisfied that, on the balance of probability, the proposed development is permitted development under Class R of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 for the following reasons:

- The buildings subject to this application appear to include a dwellinghouse (C3)
- No prior approval has been sought from or granted by the Council in relation to condition R.3

Signed:...  Council's Authorised Officer)

Ian Austin
Legal Services Manager
On behalf of Eastleigh Borough Council

Date: 30th May 2019

FIRST SCHEDULE

A change of use from agricultural land and buildings to a flexible commercial use as shown on plan number 17115006, dated 2/10/17 and detailed in application LDC/19/85167

SECOND SCHEDULE

Thorneydown Farm, Moorhill Road, West End, Southampton, SO30 3AY

Note:

If you are aggrieved by the above decision you may appeal to the Secretary of State under section 195: Appeals against refusal or failure to give a decision on application of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).

Appendix V

LDC/19/85860

Decision Notice -

TOWN AND COUNTRY PLANNING ACT 1990: SECTION 192
(as amended by section 10 of the Planning and Compensation Act 1991)

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015: ARTICLE 39

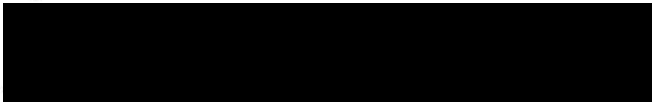
NOTICE OF REFUSAL OF APPLICATION FOR A CERTIFICATE OF LAWFUL
PROPOSED USE OR DEVELOPMENT

Application number: LDC/19/85860

Eastleigh Borough Council (the Council) hereby refuses an application dated 14th June 2019 for a certificate of lawfulness of a proposed use or development in respect of the matter described in the First Schedule to this Certificate in respect of the land specified in the Second Schedule to this Certificate and edged red and in particular the buildings highlighted pink on the plan attached to this Notice for the following reasons:

Based on the information provided the Council is not satisfied that, on the balance of probability, the proposed development is permitted development under Class R of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 for the following reason:

- No prior approval has been sought from or granted by the Council in relation to condition R.3b

Signed:....  ... (Council's Authorised Officer)

Ian Austin
Legal Services Manager
On behalf of Eastleigh Borough Council

Date: 25th July 2019

FIRST SCHEDULE

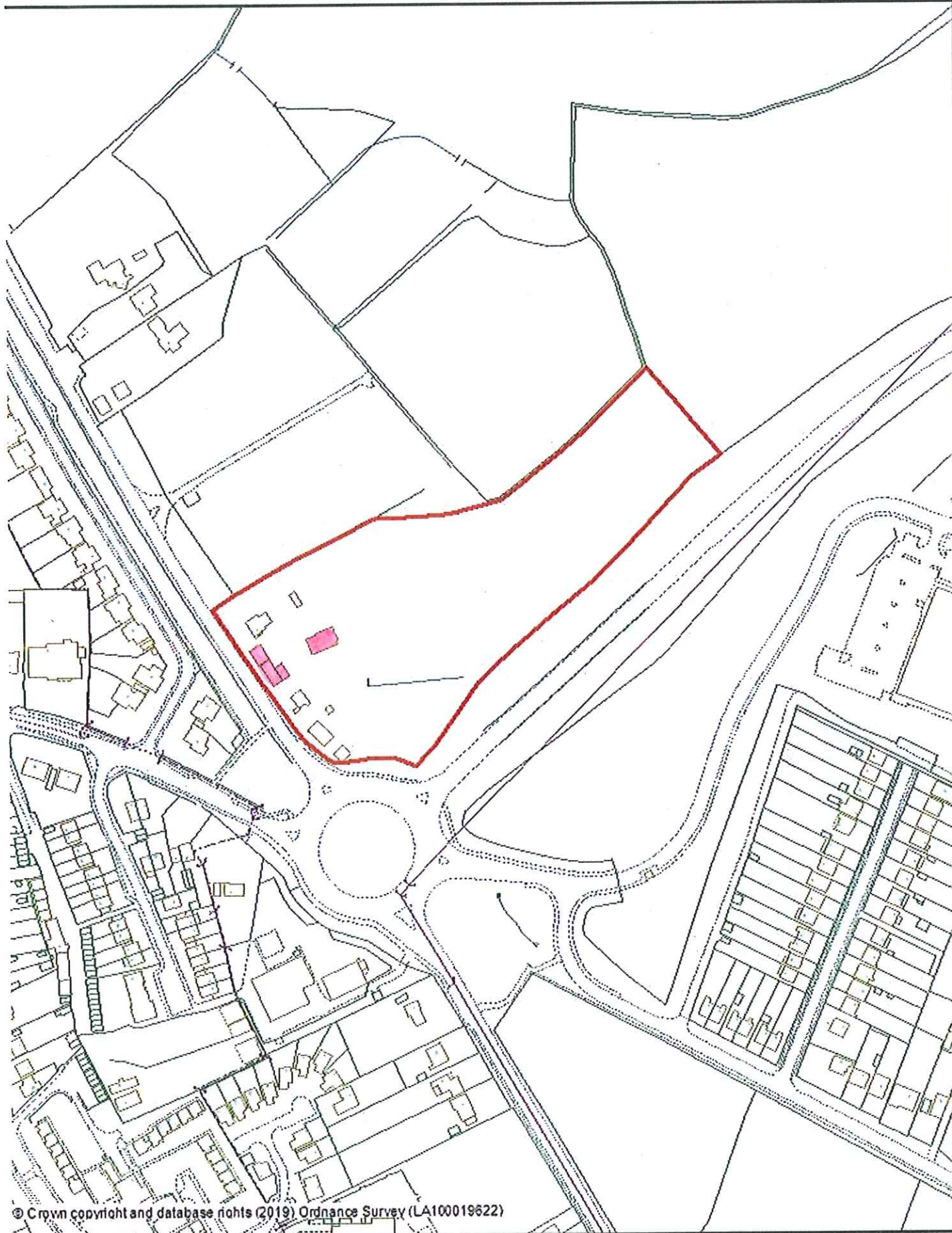
A change of use from agricultural land and buildings to a flexible commercial use as shown with Map reference SU4713SW, dated 05/07/19 and detailed in application LDC/19/85860

SECOND SCHEDULE

Thorneydown Farm, Moorhill Road, West End, Southampton, SO30 3AY

Note:

If you are aggrieved by the above decision you may appeal to the Secretary of State under section 195: Appeals against refusal or failure to give a decision on application of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991).



EASTLEIGH
BOROUGH COUNCIL

Title

LDC/19/85860 -
Thorneydown Farm

Moorgreen Road, West End.
SO30 3AY

Scale:

1:2500

Map Ref

SU4713SW

Date:

05/07/2019



Contact details

Enquiries

Harry Bailey



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