

Planning, Design & Access Statement

for the

Change of use of land at the end of Windmill Lane to site 1 additional mobile home and erection of 3m high barrier fence along part of northeastern boundary. Replacement amenity building at 3 Oakdene.

Land at, and to the north of, 3 Oakdene, Windmill Lane, Bursledon



BJC Planning

**The Gallery
3 South Street
Titchfield
Hampshire
PO14 4DL**

Tel: 01329 842668

October 2023

1.0 INTRODUCTION

- 1.1 This Planning, Design & Access Statement supports a planning application for the 'Change of use of land at the end of Windmill Lane to site 1 additional mobile home and erection of 3m high barrier fence along part of northeastern boundary. Replacement amenity building at 3 Oakdene.'
- 1.2 This planning application proposes an extra mobile home on land acquired to the north of 3 Oakdene, for occupation by Mr Henry Buckland, who has lived on site all his life.
- 1.3 This planning application is submitted on behalf of Mrs Tracey Buckland, the owner of the land, who lives at 3 Oakdene.

2.0 LOCATION AND SITE DESCRIPTION

- 2.1 The site is located within the countryside and the settlement gap as defined by the Eastleigh Borough Local Plan 2016-2036.
- 2.2 Southampton City Centre is approximately 8km to the west of the site and Fareham Town Centre approximately 12km to the south-east. The settlement of Bursledon lies to the south of the site.
- 2.3 The application site includes the gypsy plot of 3 Oakdene and land to the north of it which is at the end of the Windmill Lane cul de sac. To the southwest of the application site is the plot 2 Oakdene and to the northeast is the embankment and M27 junction 8 slip road. The M27 motorway also borders the site to its eastern side with the land not being notably visibly apparent from this viewpoint or longer distance views beyond due to the physical and visual barrier that the motorway provides, the difference in ground levels, and the intervening boundary vegetation.
- 2.4 The site is edged red on the submitted location plan and extends to 0.11 hectares. The blue edge includes the other plots owned by the applicant, Tracey Buckland.

- 2.5 Access to the existing plots is off Windmill Lane which is a metalled road leading from the A27 in the west. The site lies at the end of the road.
- 2.6 The site is situated in a sustainable location with regards to public transport and facilities. There are a number of bus stops in the vicinity including on both sides of Providence Hill close to the junction with Windmill Lane. The bus stops are for service 501, which is a school service operated by Xelabus to Hamble School. There are a number of other bus services services along Portsmouth Road, which is a 15-minute walk from the site (Numbers X4 and X5). Services 601, 610 & 611 run from bus stops further to the southeast along the A27 and are operated by Blue Star to Barton Peverill College from various locations but are only available to college students.
- 2.7 A large Tesco Extra is approximately 5 minutes' walk and lies to the west of the site. Bursledon Village Centre lies approximately 0.6km to the south west of the site and offers a range of shops and services.

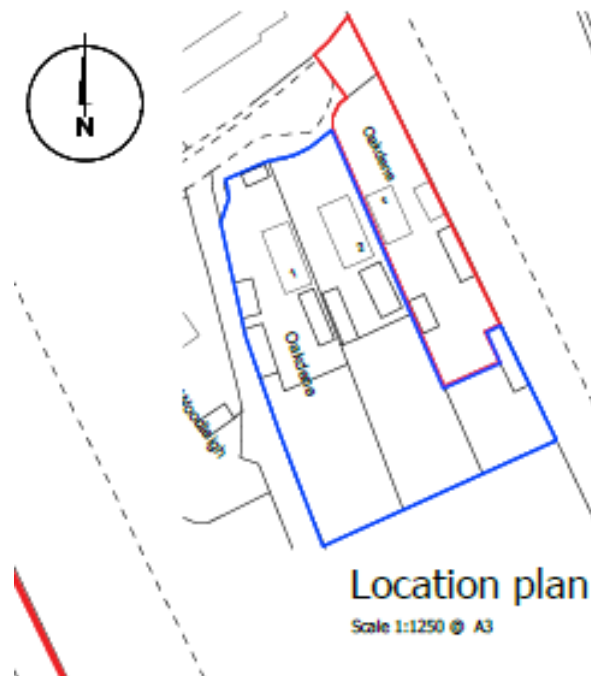


Figure 1: Extract of Location Plan prepared by HRP Architects Ltd

3.0 PLANNING HISTORY

- 3.1 An enforcement notice was served on the site in August 2003 (ref E/34792/2). This notice was against the “unauthorised change of use of land from countryside to residential use involving plot 1: the siting of a residential caravan, construction of a single storey wooden building, siting of a touring caravan, construction of hard standing, erection of iron gates and fence adjacent to the highway in excess of 1m in height, and the erection of a garden shed; on plot 2 the construction of a hard standing, erection of wooden gates and fence adjacent to the highway in excess of 1m; and at plot 3 the siting of one twin size mobile home, construction of a single storey wooden building, construction of hard standing and erection of a fence and timber gates adjacent to a highway in excess of 1m in height”. An appeal was lodged against the notice (ref: APP/W1715/C/03/1127938) the outcome of which was that the appeal was allowed, the notice quashed and planning permission was granted subject to conditions. The mobile homes were approved on plots 1 and 3 only.
- 3.2 An application was submitted in 2005 in relation to plot 2 (ref: F/05/53766). The application was for the change of use of the land from countryside to a long stay residential caravan site for 2 caravans and this was granted planning permission in June 2005. This allowed for the siting of 1 mobile home and 1 touring caravan on plot 2.
- 3.3 Planning permission was granted in February 2019 for the change of use of paddock land to the rear of 1-3 Oakdene to site 6 additional mobile homes, construction of associated amenity buildings and erection of 3m high barrier fence along part of the northeastern and southeastern boundaries under application reference F/18/83586. This permission has been implemented.

4.0 PLANNING POLICY

National Planning Policy Framework

- 4.1 The National Planning Policy Framework was revised on 5th September 2023. It sets out the Government's planning policies for England and how these should be applied. It provides a framework within which locally-prepared plans for housing and other development can be produced.
- 4.2 Paragraph 4 of the NPPF makes clear that the Framework should be read in conjunction with the Government's planning policy for traveller sites, and its planning policy for waste. When preparing plans or making decisions on applications for these types of development, regard should also be had to the policies in this Framework, where relevant.
- 4.3 Paragraph 62 states, among other things, that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Planning Policy for Traveller Sites 2015

- 4.4 This document sets out national guidance and identifies issues considered when determining planning applications for travellers' sites.
- 4.5 Paragraph 4(e) states that "the Government's aims in respect of traveller sites are to promote more private traveller site provision [...]". The additional pitch will be occupied by the applicant's son, who already lives on the site.
- 4.6 Paragraph 24 sets out the issues that need to be considered when determining a planning application for a traveller's site. The relevant issues are:
- a) the existing level of local provision and need for sites.
 - b) the availability (or lack) of alternative accommodation for the applicants.
 - c) other personal circumstances of the applicants.

- 4.7 The local provision and availability is set out in the Gypsy and Traveller Accommodation Assessment (GTAA). This data however, is not wholly accurate as not all households were interviewed and therefore an exact need could not be established at the time the report was prepared.

Eastleigh Gypsy and Traveller Accommodation Assessment (GTAA 2017)

- 4.8 This document was produced by Opinion Research Services as an evidence base for the now adopted Local Plan 2016 – 2036. It provided an assessment of the current and future needs for Gypsy, Traveller and Travelling Showpeople accommodation in Eastleigh at the time.

- 4.9 The assessment states that the family must meet the planning definition of Gypsies, which is:

“persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family’s or dependents’ educational or health needs or old age have ceased to travel temporarily”

- 4.10 The Buckland family were not interviewed as part of the 2017 Assessment. There are a number of criteria used to asserting whether they fall within the planning definition of gypsy traveller, these are set out in paragraph 3.26 of the Assessment. Evidence set out below confirms that the family do meet the planning definition.

- 4.11 The Buckland family regularly travel all over the U.K. and Ireland for work, to horse fairs and to family gatherings. During travel they stay in touring caravans (or hotels if inappropriate to have touring caravans).

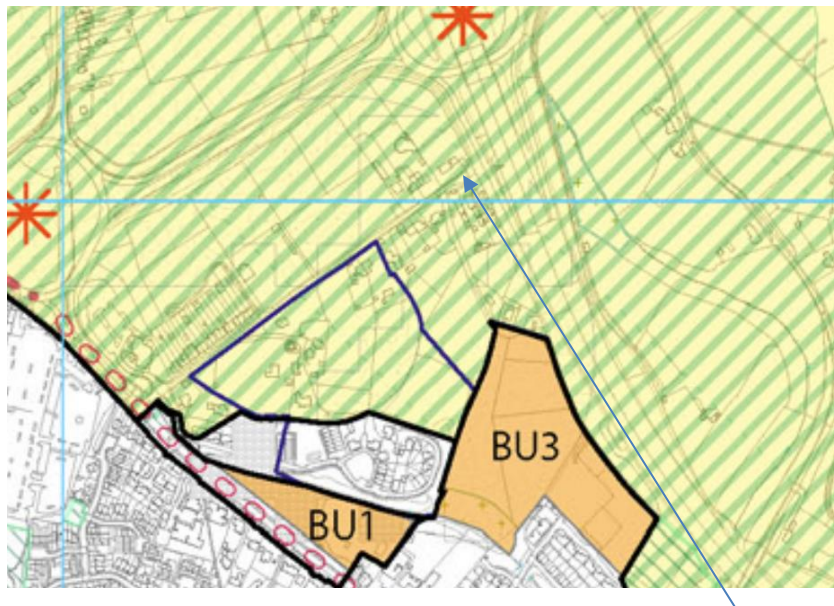
- 4.12 No data was collected previously on the need for extending the site at Oakdene as no interviews were undertaken. It is, however, recognised that there will be a future need for the applicant’s family which cannot be accommodated off site.

- 4.13 It is noted in paragraph 3.31 that vacant pitches on small private family sites can be used to meet any current and future need from the family living on site.

- 4.14 Mr Henry Buckland is now 18 years of age and requires his own mobile home. He wishes to remain living on site with his wider family group.

Local Plan 2016-2036

- 4.15 The Eastleigh Borough Local Plan 2016-2036 was adopted on 25 April 2022. It sets out the policies and plans to guide future development to 2036. It will be used to determine planning applications in the Borough and replaces the 'saved' policies in the Adopted Local Plan 2001-2011.
- 4.16 The Policies Map South identifies the site as being within the designated countryside and settlement gap.



The application site

- 4.17 It is considered that the following policies of the adopted Local Plan 2016-2036 are relevant to the determination of the planning application on this site:

Strategic policy S1, Delivering sustainable development

Strategic policy S5, New development in the countryside

Strategic policy S6, Protection of settlement gaps

Strategic policy S11, Transport infrastructure

Policy DM1, General criteria for new development

Policy DM3, Adaptation to climate change

Policy DM6, Sustainable surface water management and watercourse management

Policy DM8, Pollution

Policy DM13, General development criteria – transport

Policy DM31, Gypsies, Travellers and Travelling Showpeople

- 4.18 Strategic Policy S5 confirms that accommodation for gypsies, travellers and travelling show people is a suitable form of development in the countryside. In accordance with criteria 2(a), the development would avoid adverse impacts on the rural, woodland, riparian or coastal character, the intrinsic character of the landscape including the avoidance of adverse landscape impacts on areas adjoining national parks and their settings, the significance of heritage assets and on the biodiversity of the area.
- 4.19 In the 2004 Appeal the Inspector concluded that “this is not a normal countryside site. It lies in an area already partly built up, next to and opposite existing dwellings and next to the busy M27 Motorway”. The Case Officer noted that the site’s boundaries are well defined by mature planting which limits views into and out of the site and that residential development has recently been permitted close to the site. These aspects demonstrate that the site does not make a valuable contribution to the undeveloped countryside.
- 4.20 The application site lies within the Hedge End and Bursledon Settlement Gap. The location of the site would mean that new development would not physically and/or visually undermine the gap between settlements.
- 4.21 The 2004 Appeal Inspector concluded that the physical factors discussed above especially the presence of the motorway, “limit the damage that the scheme has caused visually or physically to its surroundings”. The Case Officer agreed that “due to the site’s location and nature it makes little contribution towards the physical or visual separation of Hedge End and Bursledon”. He did not consider the extension of the site to conflict with the coalescence that the policy seeks to prevent.
- 4.22 Policy DM31, Gypsies, Travellers and Travelling Showpeople will be the principal policy against which the proposal will be assessed. There is an identified need for a plot provision which the proposal would help to meet, in accordance with criteria 3(a). The site could accommodate parking for vehicles and it already has safe and convenient access to existing and proposed services and facilities to serve the named occupier. As required by criteria (d) and (e), the site can be viably provided with utility services and has vehicular access to and from the strategic road network adequate to accommodate

mobile residential unit and any vehicles/machinery associated with residents' working activities.

5.0 **PROPOSED DEVELOPMENT**

- 5.1 The proposal relates to the development of a site of 0.11 hectares for one additional gypsy plot for the applicant's son. The description of the development is as follows:

'Change of use of land at end of Windmill Lane to site 1 additional mobile home and erection of 3m high barrier fence along part of northeastern boundary. Replacement amenity building at 3 Oakdene.'

- 5.2 It is proposed to site a mobile home to the north of the plot 3, beyond the end of the Windmill Lane cul de sac. This is to be occupied by the applicant's son, Mr Henry Buckland, who has lived on site since birth and is now 18 years of age. The site is ready to be occupied by a mobile home and is currently enclosed by fencing on three sides.
- 5.3 The siting of the mobile home is shown on the proposed site plan, an extract of which is provided in Figure 2 below. The mobile home would be sited with space around it and would be partially obscured from views along Windmill Lane due to the presence, and height, of the existing boundary treatment at the end of Windmill Lane.
- 5.4 A new amenity building will replace an existing one to the south which is used by the applicant's family. The existing building has a sloping and leaking roof. The replacement amenity building will be sited on the existing footprint. It will be used by the applicant's family, who live at 3 Oakdene, and her son, who will live in the new mobile home.
- 5.5 It is proposed to erect a 3m high fence along the northeastern boundary of the additional land, as this was considered suitable noise mitigation for the previous planning application. This would adjoin the slip road with junction 8 of the M27

motorway. The proposed site plan identifies the boundary where this would be installed.

- 5.6 An existing caravan on site is empty, it has been sold and will be removed off the site in due course. The purchaser has delayed collection and it remains on site at the time of submission. Storage containers are also stored on site on a temporary basis and these two will be removed to facilitate the proposed development.
- 5.7 The proposed site plan includes the assumed alignment of existing foul drainage, based on Southern Water mapping and existing infrastructure on site.

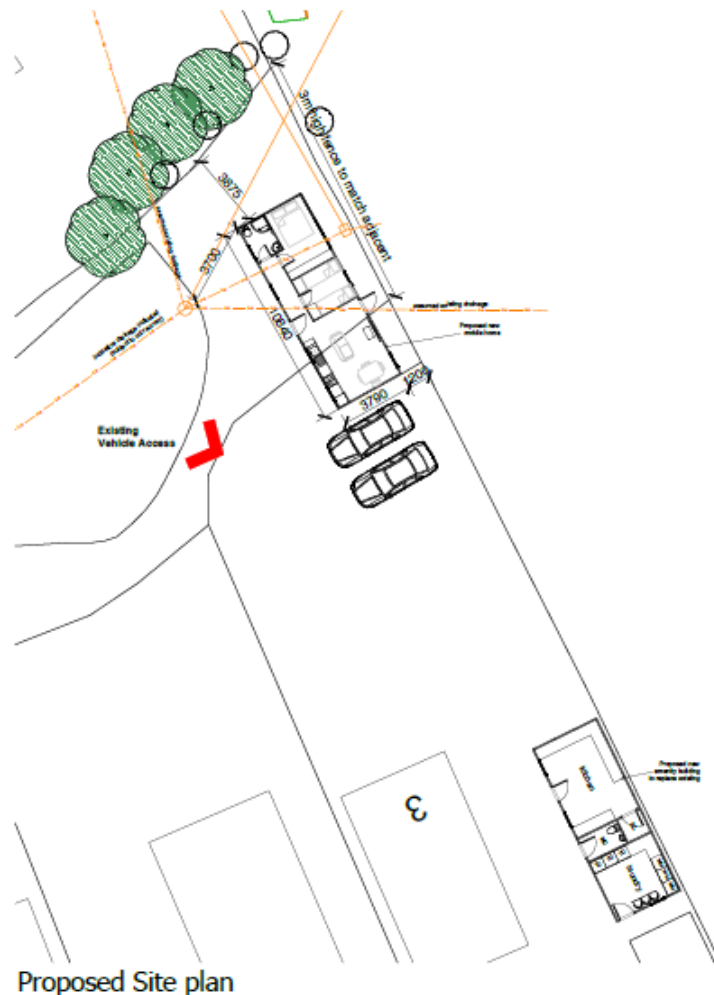


Figure 2: Extract of Site Plan prepared by HRP Architects Ltd

Trees & Ecology

- 5.8 The additional land to the north of 3 Oakdene forming part of the application site is already laid out and fenced to accommodate the proposed mobile home. There are no trees and habitat on site to survey.

Noise

- 5.9 The application proposes a 3m high fence along the northeastern boundary, replacing the existing fencing insitu. This will offer some acoustic mitigation to the occupier of the new mobile home from motorway noise. Mr Henry Buckland has lived on site all his life and so is used to the prevailing conditions. This is an important consideration and, indeed, one which formed part of the assessment of the Planning Inspector in allowing the appeal for the retention of 2 of the current 3 existing pitches on the land in 2004, with him noting that the appellant had occupied the land for some time and was prepared to accept the noise levels associated with doing so. It was also noted by the Inspector that there are other houses nearby which are subjected to similar levels of disturbance and that the presence of gypsy and traveller sites adjacent to motorways was not in itself a unique situation.

Air Quality

- 5.10 The proposed site is located approximately 1.2km south-west of the Eastleigh AQMA No.3. Due to the distance between the two sites there is a low potential for the proposed development to expose future users to elevated pollutant concentrations associated with the AQMA. Although, proximity to the M27 may have the potential to introduce future site users to elevated pollutant concentrations.
- 5.11 An Air Quality Assessment was submitted accompanied the previous application for the site which proposed 6 additional mobile homes. The dispersion modelling results indicated that pollutant levels at the portion of the site closest to the M27 exceeded the relevant air quality standards. Given the mapped results included land north of 3 Oakdene, a planning condition could be imposed on any permission for this application requiring details of a scheme for mechanical ventilation for the proposed mobile to be submitted to the Council.

6.0 CONCLUSIONS

- 6.1 The planning application proposes the 'Change of use of land at the end of Windmill Lane to site 1 additional mobile home and erection of 3m high barrier fence along part of northeastern boundary. Replacement amenity building at 3 Oakdene.'
- 6.2 It proposes an extra mobile home on land acquired to the north of 3 Oakdene, for occupation by Mr Henry Buckland, who has lived on site all his life and is now 18 years of age. He wishes to remain living close to his wider family group.