

DELEGATED OFFICER REPORT

Application Ref: F/24/97344

Site Address: The Paddock, Shop Lane, Bursledon, SO19 0QS

Description: Change of use to a Gypsy and Traveller pitch and construction of associated day room and hardstanding.

Particular Site Constraints?	Yes ☒	No ☐
Outside of the Urban Edge Within Designated Countryside and Settlement Gap Within Zone of Impact of European Protected Solent Complex (SPA, SAC and Ramsar sites) and New Forest National Park (SPA, SAC and Ramsar sites)		

Relevant Planning History?	Yes ☒	No ☐
Z/33502/000 - Construction of steel framed agricultural building for the housing of pigs – PERMIT (1995) Z/33502/001/00 - Construction of brick and concrete runs to existing pig building and poly tunnels – PERMIT (1995) PN/17/80267 - Notification of prior approval for change of use of agricultural building to dwelling house – PRIOR APPROVAL REFUSED AND DISMISSED ON APPEAL (2018)		

Site Visit:		Yes ☒		No ☐	
Publicity:	Letters ☒		Site Notice ☒		Newspaper ☐

Representations Received:
Two letters of representation have been received in relation to the application with these making the following comments in objection to the proposals: <i>There are already two Traveller sites on the edge of the border to Southampton within 1.5 miles of my home. To let yet another one pass is completely disrespecting the residents here.</i> <i>We already have enough gypsy folk settled in the area which has brought more than its fair share of issues to the area. It's unacceptable for Eastleigh Council to keep putting them on the edge of Sholing so the people of Sholing have to deal with it.</i>

Consultation Responses (Summarised):	
Bursledon Parish Council	No objection
Ecology	The updated metric submitted (v1_02.08.2025) reflects the updated red line boundary and shows no errors. The metric shows a net increase in area habitats of 0.34 biodiversity units, or 47.98%. The recommendations in the HMMP by Arbtech (August 2025) are appropriate and can be implemented. The other neutral grassland, rural trees and mixed scrub habitats are of medium distinctiveness and must be secured and monitored.
Hampshire County Council Highways	In regard to application F/24/97344, having reviewed the information contained within the application pack, there would be no objection to

	the proposals from a highway perspective, subject to a condition concerning gates as outlined below. Access in and out of the site is unchanged by the proposals, and has been utilised for both residential and more recently commercial use. As such, with a likely reduction in associated trip rates, it is deemed acceptable in this specific case. It is noted however that gates are positioned adjacent to the highway, and these should be pushed back a minimum of 6.0m into the site to allow for vehicles to pull into site off the highway and wait whilst they are opened. This will be a highway safety improvement. Internally, the site looks to be acceptable with adequate space for the parking and turning of vehicles within the existing hard surfaces areas. This will enable forward gear access and egress. A condition is recommended to require any gates to be set back at least 6m from the highway edge.
Planning Policy	No comments received.
Natural England	No comments received.

Policy:

Legislative Background:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan:

The Development Plan is comprised of the policies of the adopted Eastleigh Borough Local Plan 2016-2036. The following policies are of relevance to the application: S5 (New development in the countryside), S6 (Protection of settlement gaps), DM1 (General criteria for new development), DM2 (Environmentally sustainable development), DM3 (Adaption to climate change), DM6 (Sustainable surface water management and watercourse management), DM8 (Pollution), DM11 (Nature conservation), DM13 (General development criteria – transport), DM14 (Parking), DM31 (Gypsies, travellers and travelling show people).

Other material considerations:

Supplementary Planning Documents (SPDs):

The following SPDs and Background Papers are of relevance to the proposals:

- Quality Places
- Parking Standards
- Trees and Development
- Eastleigh Gypsy and Traveller Accommodation Assessment (February 2017)

National Planning Policy and Guidance:

The latest iteration of the National Planning Policy Framework (the NPPF or Framework) was published in August 2026 and, as set out within paragraph 1 of Appendix A, the policies contained within it are material considerations which should be taken into account

in dealing with applications from the day of its publication. The Planning Practice Guidance (PPG) provides additional guidance in support of the policies within the Framework and is also a material consideration in the determination of the application.

Assessment:

Principle of development:

The site lies outside of the urban edge and within both designated countryside and a settlement gap where Policies S5 and S6 apply. Policy S5 seeks to protect the countryside in recognition of it being an important and diminishing resource, as well as for its value for agricultural and community food production, its landscape qualities and biodiversity. Policy S6 seeks to prevent development which would physically or visually undermine the gaps between settlements owing to the importance these areas of countryside play in separating and providing a setting for the Borough's towns and villages.

Accordingly, Policy S5 sets out a general presumption against new development, unless it is of a nature or for a particular use whereby a countryside location is genuinely required or justifiable, as defined within the policy. Such development, amongst other things, includes providing accommodation for Gypsies, Travellers and Travelling Showpeople, subject to the criteria of Part 2 of this policy being adhered, along with those of Policy DM31 of the Local Plan.

Policy DM31 relates specifically to Gypsy and Traveller site provision and states that development for this purpose will be permitted providing: there is an identified need for the pitch or plot provision; the site is able to accommodate both residential use and where necessary the range of economic activities and vehicles associated with the residents' mobile lifestyles without unacceptable impact on local amenities, road safety, heritage, landscape or biodiversity interests; the site has safe and convenient access to existing and proposed services and facilities to serve the residents; the site has or can be viably provided with utility services; and, the site has vehicular access to and from the strategic road network adequate to accommodate mobile residential units and vehicles/machinery associated with the residents' working activities.

The general principle of the development proposed is therefore considered to be acceptable subject to these criteria, as well as those of the other relevant local and national planning policies, being met. These matters are considered in turn in the sections below.

Need and justification for the development:

Government policy in respect of gypsy and traveller sites is set out within the revised National Planning Policy Framework which was published in August 2026, and which is supplemented by a Policy Paper: Planning Policy for Traveller Sites (August 2026). These documents replaced both the previous iteration of the NPPF (December 2024) and the Ministry of Housing, Communities and Local Government (MHCLG) document 'Planning policy for traveller sites' (December 2024).

Annex B of the NPPF and Annex 1 of the Policy Paper provide a definition of the term "gypsy and traveller", with these also setting out a range of requirements in respect of gypsy and traveller sites, including specifying that local authorities should set pitch targets for gypsies and travellers which address the likely permanent and transit site accommodation needs of travellers in their area, as well as requiring that they identify a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against these locally set targets. It also sets out a range of criteria against which planning applications for traveller sites should be assessed, with this including, amongst other things, taking into account: the existing level of local provision and the need for sites, the

availability (or lack) of alternative accommodation for the applicants, and other personal circumstances of the applicant.

It is necessary, therefore, in assessing the proposals put forward to consider the matters of compliance with the definition set out within this policy documentation with regard to the intended occupiers of the pitch, whether there is a demonstrable and justifiable need for the development within this location, and if so whether this need could be otherwise met by existing provision / alternative accommodation elsewhere.

In respect of the definition set out within national policy first of all, this states that a 'gypsies and traveller' are:

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 dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

The application is accompanied by a Planning Statement which provides background for the applicant, with further information having also been provided in this respect during the course of the application process. This sets out that the applicants have identified as travellers for their whole lives, having lived within static caravans / mobile homes. They were most recently tenants on another gypsy and traveller site within the Borough where they resided for the last 5 years before being required to leave due to redevelopment. The Planning Statement also explains that the applicant has travelled for economic purposes as part of his work as a roofer.

Whilst the applicants are not currently travelling, the submitted supporting documentation explains that this is due to a need to provide their children with stability, with their school age children being enrolled in local schools and the family registered with a doctors surgery in the vicinity of the application site. Based on the evidence provided and taking account of these factors, the Local Planning Authority are satisfied that the applicant meets the above referenced definition of a gypsy and traveller.

In addition, the local authority accepts that there is a general need for gypsy and traveller pitches within the Borough which is not presently catered for by current allocations or existing authorised sites and, in addition, that the Council is not currently able to demonstrate a 5 year supply of deliverable sites. Taking account of this, as well as the applicant's circumstances and local connections, including the need to access local services such as education, welfare and health, and the necessity to ensure that children can attend school on a regular basis which is a requirement of Policy HO12 of the NPPF, there is deemed to be a demonstrable and justifiable need for the development within this location.

Layout, design and impact of the proposals on the character of the area:

In terms of layout and design, the access arrangements to the site remain unchanged with this leading to an area of hardstanding that provides for a frontage apron for the existing barn building which is proposed to be retained as part of the development and which will be used for domestic storage in conjunction with the residential occupation of the site. This being something that can be controlled and limited by condition in order to minimise the impacts on the amenity of the area.

The hardstanding has been expanded to the south / south-west to provide for a base area for the mobile home and dayroom, as well as additional parking and turning space for the occupants. Whilst this has resulted in the removal of some vegetation across the site, the site is well contained from Shop Lane and it's wider surroundings by the existing hedging and trees that mark its boundaries. Taking account of this as well as the relatively low profile nature of the mobile home and day room, the physical and visual impacts of the

development on the countryside and settlement gap are considered to be limited and the functionality of the gap will not be undermined.

Having regard to these factors and that the development does incorporate additional planting and landscaping provisions (see section on biodiversity below), the application is considered to comply with the requirements of Policies S5, S6, and DM1 of the adopted Local Plan which collectively require that development does not unacceptably impact upon the character of the countryside or the functionality of the settlement gap and is appropriate in its design, siting and layout.

Residential amenity:

In this respect there are two main considerations, these being the impact of the proposals upon the amenity of existing neighbouring residents, as well as the appropriateness of the level of amenity that would be afforded to the future occupiers of the proposed pitches.

With regards to the former of these first of all, there are no notable concerns. The site has a reasonable degree of separation to the nearest neighbouring residential property which lies further to the north along Shop Lane such that the development would not be unduly overbearing or adversely affect light, outlook or privacy for its occupiers. In addition, it is not deemed that an unacceptable level of disturbance would result from the occupation of the site for the purpose proposed.

In terms of the amenity of the occupiers of the development itself, there is no current specific guidance for gypsy and traveller sites, with the Council's Quality Places SPD setting out standards for housing and flats and the government document "Designing Gypsy and Traveller Sites", which did include specific requirements in this regard, having been withdrawn in September 2015. Nonetheless, both and particularly the latter, can be used as a guide as to the facilities and provisions that should be made for occupiers to seek to achieve an appropriate level of amenity.

The now withdrawn government document advised that gypsy and traveller sites be designed to provide land per household which is suitable for a mobile home, touring caravan and a utility building, together with space for parking (paragraph 4.4). This paragraph goes on to say that "sites of various sizes, layouts and pitch numbers operate successfully today and work best when they take account of the size of the site and the needs and demographics of the families resident on them". In these respects, the mobile home on site is of an appropriate size for the intended occupants and has sufficient light and outlook to allow the residents to live comfortably. In addition, the dayroom / amenity building would incorporate the required facilities, and, given the spacious size of the plot, there is ample outdoor space available to allow residents to access and enjoy the outdoor environment.

Taking account of these factors, the proposals are considered to comply with the requirements of Policies DM1 and DM31 in respect of the matter of residential amenity.

Highway matters:

In terms of its location, despite the site being within designated countryside, it is not considered to be unduly detached from local services and facilities such that it could be deemed to be unacceptably unsustainable for its proposed purpose, with the settlements of Bursledon and the Sholing area of Southampton both being within reasonably close proximity. Whilst Shop Lane from which the site is accessed is narrow in places, only a short stretch of it moving northwards is required to be navigated to reach Botley Road and the wider strategic road network. Given that the mobile home is already on site and that the proposals are only for a single pitch and thereby a limited amount of associated vehicular movements, it is considered that this connectivity is acceptable in this case. Similarly, any traffic generation would be particularly modest and would not create a notable material impact on the highway network.

Access into the site itself is also suitable and of adequate width and visibility, with the existing gates being set back from Shop Lane to allow space to wait off the highway whilst they are being opened or closed. Although these gates are already set more than 6m back from the highway edge, the condition requested by the highway authority will nonetheless be imposed to ensure that the gates and, notably, any that may subsequently replace them, are maintained at the requisite distance in the interests of highway safety. In addition, there is sufficient parking available on site, as well as space for vehicles to turn such that both access and egress can be achieved in a forward gear.

Taking account of these factors, the proposals are considered to comply with Policies DM13, DM14 and DM31 in respect of the highway related considerations and impacts associated with the development.

Ecology:

Policy DM11 of the Local Plan states that the Council will determine planning applications to protect, conserve and enhance all international, national and local nature conservation designations and networks of natural habitats and features, and facilitate their adaptation to climate change wherever possible. It also seeks a net gain for biodiversity on development sites and sets out that development will not be permitted where it is likely to have a direct or indirect adverse effect on protected or priority species unless there are no alternative solutions, the adverse effects are unavoidable, measures are taken to mitigate or, as a last resort, compensate for the adverse effects, there is overall biodiversity net gain, and the benefits of the development clearly outweigh the adverse effects.

The application is accompanied by a Biodiversity Net Gain (BNG) Assessment and Habitat Management and Monitoring Plan (HMMP). The former sets out that the on-site baseline habitat value of the site is 0.72 units, comprising of 0.04 units of poor condition individual trees, 0.36 units of moderate condition individual trees, 0.08 units of mixed scrub, 0.21 units of other neutral grassland, 0.03 units of modified grassland, and 0 (no value) units of artificial unvegetated, unsealed surface.

In order to deliver a net gain for biodiversity, the BNG Assessment proposes a range of planting measures including enhanced neutral grassland, mixed scrub, 8 individual heavy standard trees, and other native planting. These proposals will result in the on-site post development habitat value being 1.06 units, comprising 0.16 units of enhanced mixed scrub, 0.01 units of created vegetated garden, 0.44 units of created individual trees, 0.46 units of created other neutral grassland, and 0 (no value) units of artificial unvegetated, unsealed surface, and developed land. This results in a positive net change in biodiversity of 47.98%, thereby exceeding the minimum requirement of 10% net gain in biodiversity.

The HMMP includes specific management measures for the proposed newly created habitats which cover a 30-year management term such as to ensure habitats achieve their target habitat classification and the anticipated level of net gain, as well as fulfilling the wider BNG objectives. The measures stipulated can be secured by condition and with these imposed, the requirements of Policy DM11 of the Local Plan and the statutory provisions contained within the Environment Act 2021 are considered to have been met.

Impact on European Protected Sites:

The Council, as the responsible body for Habitats Regulations Assessment (HRA), must ensure as part of a planning application that a development will not have an adverse impact on any European protected sites and specifically in this case upon the European protected Solent Complex (SPA, SAC and Ramsar sites) and New Forest (SPA, SAC and Ramsar sites).

HRA (Habitat Regulations Assessment) Screening was required for this development proposal as it falls inside the zone of impact of these designated sites and would result in

a net increase in population. The screening concluded that the development could have a significant impact on the protected sites and the features for which they are designated through an increase in recreational pressure (in the case of both the Solent and New Forest sites), as well as from additional nutrient loading generated through leaching from the sewage from the new overnight accommodation in the case of the Solent Complex. This has the potential to undermine water quality and restrict the growth, distribution and variety of food available for species designated under European law. These impacts are required to be mitigated as part of the development proposals.

The required mitigation has been secured as part of the planning application, with this being through contributions to the Solent Recreation Mitigation Project (for the recreational impacts on the Solent) and the Council's adopted mitigation scheme in respect of recreational pressure on the New Forest protected sites, as well as the securing of nitrates credits from the Council to offset the nutrient related impacts of the development. The level of nitrates mitigation secured is dependent on the installation of a package treatment plant to deal with foul sewage arising from the development which has been proposed by the applicant and which will be secured by planning condition.

Accordingly, and with these mitigation measures secured, the LPA as the competent authority under the Habitats Regulations are satisfied that the development will have no adverse effects on the integrity of the designated sites identified above. The application therefore complies with Policy DM11 of the adopted Local Plan, the relevant provisions of the NPPF, and the Habitats Regulations.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF and the adopted Local Plan do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local planning policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted Local Plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and Policy S2 of the adopted Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and the energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. In this particular instance and when considering the impact of climate change, the proposed development would be expected to be resilient to its potential effects.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:

- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups.

In this case, and in reaching a recommendation on this application, regard has been had to the applicant's status as a gypsy and traveller as defined in national planning policy, as well as to their personal circumstances and that of their family. This includes notably the best interests of the child(ren) which, whilst not necessarily determinative are, as established by both Case Law and relevant statutory provisions, a primary consideration in the exercising of the functions of the local authority.

Taking account of this factors and all other relevant material considerations as set out above, it is recommended that planning permission be granted subject to conditions.

Recommendation:	PERMIT ☒	REFUSE ☐
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