

Richard Shuker
30 Pembers Farm Avenue
Fair Oak
Hampshire
SO50 7QL

17th October 2024

Case APP/W1715/W/24/3347834
Application: PN/23/96630

UPDATED 17/10/2024 AS NEW GATE INSTALLED BETWEEN HALL LANDS FARM. SEE END OF DOCUMENT.

Dear Sir,

I am against the appeal proposals for the same reasons as given by the LPA plus my existing objections as well as all the other residents' objections.

I believe the Planning Inspectorate should uphold the decision of the local area planning committee and the recommendation of the planning team at Eastleigh Borough Council.

The purpose of this representation to the Planning Inspectorate is to provide additional timelines and context. My address of 30 Pembers Farm Avenue is immediately adjacent the proposed access and I have two young children who go out to play on the estate frequently.

We now have two planning applications PN/23/96033 & PN/23/96630 plus an appeal to gain access to fields where there is already safe agricultural access.

The withdrawn application PN/23/96033 intimated there was no access to the fields, but as soon as objections were received that showed this claim to not be accurate then it seems somewhat coincidental that this application was withdrawn.

The new application PN/23/96630 then described how the access was needed because the only access to Mrs Cooper's fields was via her ex-husband's land. It is important for the planning inspectorate to understand that Mrs Cooper's fields have been farmed for hay each year including 2023 & 2024 during the period of these applications. I have included photographic evidence of the farming activity & can provide the image files that include GPS coordinates upon request.

As I'm sure the Planning Inspectorate is aware Mr Cooper & Mrs Cooper sold a good proportion of Pembers Hill Farm for housing development for £11m on 12/10/2018 to Pembers LLP. See title number HP825422 for details. Mr Cooper ensured that new agricultural access was created directly onto Mortimer's Lane for his retained land, whilst Mrs Cooper did not.

This situation has only arisen because Mrs Cooper failed to ensure access to her land either through:

- a) Negotiating an easement to access via Mr Cooper's land.
- b) Negotiating an easement to access via Hall Lands Farm.
- c) Ensuring that safe access was designed into the residential estate.

The simple fact remains that this proposed access carries a multitude of negatives for the residents of the estate in terms of amenity, costs & risk. I won't repeat them all here, but the Planning Inspectorate will appreciate them from the assessment of the LPA & realise that the existing objections are very valid.

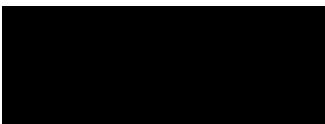
The crux of the decision to my mind hinges on the simple fact that there is no need for the agricultural access full stop, let alone for it to be routed through a new housing estate that wasn't designed for it. There are two safe agricultural routes to the land, either via Mr Cooper's land or via Hall Lands Lane. All routes lead to Mortimer's Lane so it makes no difference which route is taken other than to ensure it is the safest and most appropriate agricultural route.

The photos below of Mrs Cooper's land being farmed in 2023 and 2024 clearly demonstrate that the lack of an entrance into the housing estate is not impeding the land being farmed. Clearly there is a sufficiently cordial relationship between Mrs Cooper & her ex-husband to facilitate the current farming activity which should form the basis of formalising an appropriate access in future.

In summary, nobody needs to lose out. Mrs Cooper can have safe agricultural access to her lane with two possible options available to her & there's no need for agricultural vehicles on the housing estate.

Once more, I trust the planning inspectorate will uphold the thorough decision of the LPA.

Yours sincerely

A solid black rectangular box used to redact the signature of Richard Shuker.

Richard Shuker

Title number HP825422

Summary of freehold

Property description

Land at Pembers Hill Farm, Mortimers Lane, Fair Oak, Eastleigh (SO50 7EA)

This is how HM Land Registry have described the property in the register

► [How to update the property description](#)

Tenure type

Freehold

► [What's freehold?](#)

Last sold for

£11,000,000 on 12 October 2018

Farming Activity on Mrs Cooper's retained land

9th June 2023:

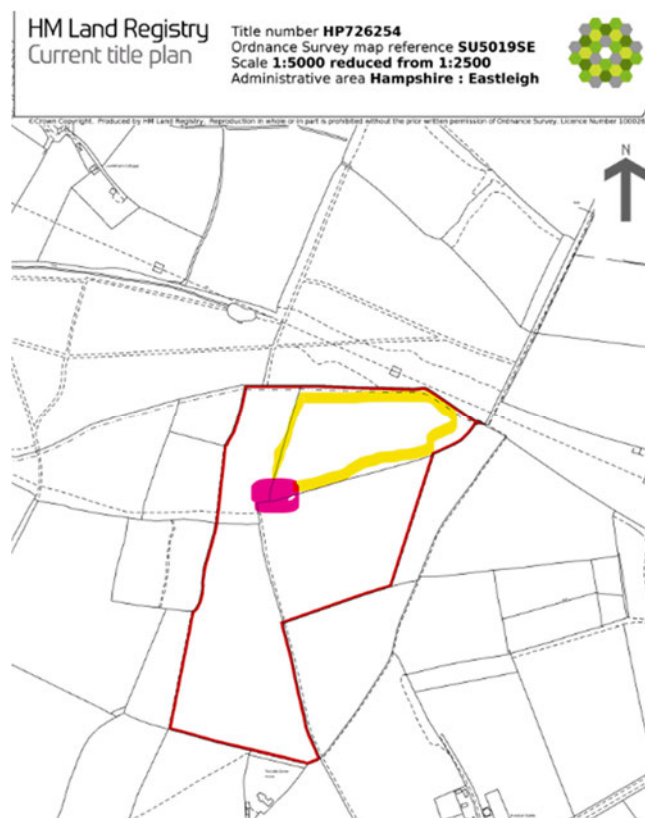


26th June 2024

I commented to my neighbour that “something was up” on 26th June 2024. Following the decision of the local area planning committee earlier in the year, I was very attentive to the farming activity on Mrs Cooper’s land in 2024.

Mrs Cooper’s fields that are not visible from the housing estate but are visible from the public footpath were all cut & baled whilst the field that is visible from the estate was left to become overgrown.

Please see the land registry title plan in the next image. I took the photo from the public footpath spot marked in pink looking into the field highlighted in yellow. I can provide any of these image files that include GPS coordinates as required. This field has the same access as the rest of Mrs Cooper’s land. The appeal was then submitted to the Planning Inspectorate on 10th July 2024.



28th July: First cut of 2024 taking place in the overgrown field next to the housing estate. It's worth noting that the cut field in the background is part of Hall Lands Farm which is safely accessed via Hall Lands Lane:



29th July: Baling.



31st July 2024:



17th September 2024: Second cut of the summer.



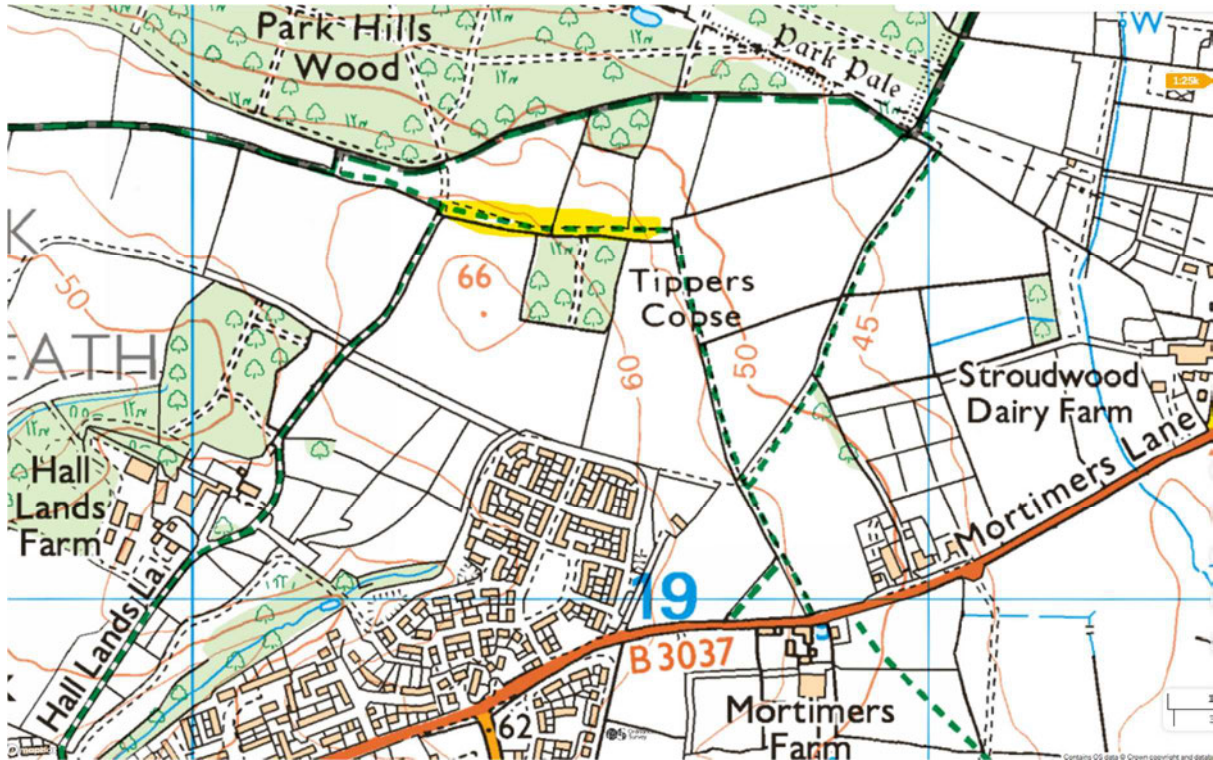
18th September 20204: Baled, wrapped and loaded:



It's interesting to note that different equipment is being used between the first and second cut of 2024. I don't have any explanation for that other than to comment it is very clear that none of this equipment ought to be on a residential housing estate that is not designed for it when multiple suitable alternative access routes already exist.

Alternate Route via Hall Lands Lane

Yellow highlight showing a safe agricultural route from the top of Hall Lands Lane to Mrs Cooper's retained land that would be far more suitable for an easement if access via her ex-husband's land cannot be achieved.



Here is a photo from the public footpath that would be a perfect location for a gate between Hall Lands Farm and Mrs Cooper's fields (just at the top of Tippers Copse). When I took this photo in 2023 the fence was collapsed, although it has subsequently been reinstated:



UPDATE: 10th October 2024 – New Gate installed between Hall Land Farm & Annette Cooper's field.

On the 10th October 2024 a new gate was installed at the point shown in yellow on the map. I don't have any more details. The planning team at EBC have confirmed to me that they weren't aware of this, but on the face of it, I'm hopeful that this is good news if Annette Cooper has negotiated access to her fields via Hall Lands Farm, then this is a superior solution all round.

I wanted to ensure the Planning Inspectorate were aware of this new access to the field as this hopefully eliminates all need for access into the residential estate.

I actually also have a final comment on the road cleaning aspect of the agricultural access. My wife was planting bulbs on one of our verges and soil spilled onto the pavement. The soil is fairly rich in clay here and it simply does not brush or wash away. I tried sweeping and hosing away to no avail. Please consider the type of soil in relation to the reality of keeping the estate clean, especially once the roads are adopted & responsibility passes to the council.

