

## OFFICERS ASSESSMENT

Case Reference: 18/01441/FUL

**Proposal: use of land for the stationing of caravans for residential purposes**

**Site Address: Land Adjacent To Strawberry Barn Southwick Road North  
Boarhunt Hampshire**

Decision Type: Delegated Decision

**Recommendation: Application Refused**

Officer: Liz Marsden

**Date: 22 November 2018**

Date of Site Visit: 03.07.18

EIA:

Extension of Time Date(if applicable) 12 October 2018

Consultee:

Landscape South Stuart Dunbar-Dempsey

Highway Engineers

Drainage Engineer

WCC Strategic Planning - POLICY

Environmental Protection

Parish Consultation Letter

Officers Report:

The applicant wishes to provide a permanent base for his family.

Principle of development.

The site is situated outside of a defined settlement boundary within the countryside. In this area, the principle of allowing units of residential accommodation is generally not acceptable.

Policy MTRA4 - Development in the Countryside, of Local Plan Part 1 - Joint Core Strategy (LPP1) indicates that the Council will only support particular

types of development - those which generally preserve the openness and character of the countryside, or to allow appropriate expansion of existing appropriate uses. The proposed use for gypsy and traveller accommodation is not supported by Policy MTRA4.

Policy MTRA3 of LPP1 provides for the development of sites within a settlement boundary or, as in North Boarhunt, a settlement with no clearly defined boundary, the infilling of a small site within a continuously developed road frontage, which may be supported, where it would be of a form compatible with the character of the village. In this case the site is located along a narrow track which serves few properties and could not be said to form a small gap in a continuously developed road frontage. Policy MTRA3 is not therefore applicable.

Policy CP5 indicates that sites will be allocated and planning permission granted for sites to meet the objectively assessed accommodation needs of gypsies and travellers, provided the criteria set out in the policy are met.

These require sites to:

- be well related to existing communities,
- avoid over-concentration of sites in any one location or disproportionate in size to nearby communities
- be accessible to local services
- avoid harmful impact on nearby residential properties.

Policy DM4 (Gypsies, Travellers and Travelling Showpersons) of Local Plan Part 2 - Development Management and Site Allocations (LPP2), indicates that planning permission will be granted for pitches to meet the traveller accommodation needs set out, subject to the criteria outlined in Policy CP5 of LPP1. Policy DM4 includes numerical targets for additional pitches/plots for both Gypsies and Travellers, and Travelling Showpeople to meet the assessed need for traveller accommodation (about 15 gypsy and traveller pitches and about 24 travelling showpeople plots between 2016 and 2031).

Traveller needs have been identified through the Winchester Gypsy and Traveller Accommodation Assessment (GTAA) and are being met through the emerging Traveller DPD. This is at an advanced stage and provides for the gypsy and traveller site requirements identified in policy DM4. The Council is now able to demonstrate that there are adequate suitable and available sites to meet the need for gypsies and travellers, and can demonstrate a 5 year supply of deliverable sites.

In these circumstances policy CP5 does not apply in this case, even if its criteria were met. In addition there is a concentration of traveller sites developing in this area and further sites could lead to a disproportionate level of sites in this small community.

The DPD has been through its examination in public and proposed modifications have been published which include a new 'criteria-based' policy for applications for sites additional to those allocated or safeguarded in the DPD. This states that sites outside the provisions of policies TR1-TR4,

including expansion of these sites, will only be permitted where they are for occupation by persons who:-

- are defined as gypsies and travellers or travelling showpeople; and
- can demonstrate an exceptional personal or cultural need to be located in the area; and
- can provide evidence of a lack of other suitable accommodation.

In this case, whilst some additional information has been provided about the personal circumstances of the applicants, this is limited in nature, providing little information about the travelling status of the applicant and does not demonstrate an exceptional need to be in the area or evidence as to lack of other suitable accommodation. Therefore, there is no identified need that would require this site to be allocated or permitted and policy MTRA4 applies.

Government Planning Policy for Traveller Sites (PPTS) indicates that amongst other considerations, the existing level of local provision and need for sites, and the availability (or lack) of alternative accommodation for the applicants should be key factors in assessing applications for traveller accommodation.

Potential impact on:

- The site and surroundings. The site is located to the north of Southwick Road, from where it is accessed by a narrow track. It is at present an open field, with new fencing and access gates along the frontage of the lane and little in the way of hedge screening along any of the boundaries. There is a small stable block currently located on the southern boundary. The land in the vicinity of the site is level in nature, characterised by open fields which, together with the relatively high land level affords longer views across the surrounding area.

The proposal, which comprises the provision of a mobile home, a permanent utility/day room, a pitch for a touring caravan and a stable block, which appears to be relocated from its current position. Whilst the open nature of the surrounding landscape will result in these features being visible, they are all low level structures which will not result in a significant intrusion into public view points. The track serves few properties and the nearest part of any footpath is over 150m away. In addition the submitted plan shows additional planting to be carried out along the road frontage and the rear boundary of the site, which would serve to provide screening and it is not considered that the proposal would have a direct impact on the visual amenities of the surrounding area. However, the siting and occupation of the development will introduce further residential activity, resulting in the domestication of what is currently an open field to the detriment of the rural character and appearance of the area.

- Neighbour amenity. The nearest property is Strawberry Barn to the south of the site, which is at a sufficient distance to be unaffected by the proposed development, the nearest feature of which would be the pitch for the touring caravan. The occupation of the site would result in some additional disturbance through increased traffic movements, but the level generated by a single pitch would not be so significant as to justify a refusal on this basis.

- Drainage. The initial drainage scheme that was submitted was unacceptable in terms of its proximity to a borewell on the neighbouring site to the south. Amended plans have been received which have relocated the package treatment plant and drainage field further to the north and at a sufficient distance from the borewell (over 60m) to ensure that it will have no adverse impact on the borewell.

- Solent Disturbance Mitigation Zone (SDMP). This site is within 5.6 km of the Solent coastline. Tens of thousands of birds come to the Solent coast for the winter and there are three Special Protection Areas (Chichester & Langstone Harbours; Portsmouth Harbour; and Solent & Southampton Water) to safeguard them. The protection afforded by the SPA designations has particular consequences. Under the Habitats Regulations, any plan or project can only lawfully go ahead if it can be shown that the development, either on its own or in combination with other plans or projects, will have no adverse effect on the integrity of the SPAs.

New housing around the Solent will lead to more people visiting the coast for leisure with the potential to cause more disturbance to the birds. Research shows that additional disturbance will affect the birds' survival unless mitigation measures are put in place. Bird Aware Solent provides a means to deal with the potential impacts along the coastline resulting from housing developments. The initiative is run by the Solent Recreation Mitigation Partnership, which is made up of 19 organisations (local authorities and conservation bodies) including Winchester City Council, and is funded by financial contributions from new dwellings and other forms of residential developments within 5.6km of the SPAs. The measures implemented by the Partnership provide a means for developers to mitigate the effects of their schemes so that obligations under the Habitat Regulations can be met and planning permission granted.

The planned mitigation measures are set out in the Interim Solent Recreation Mitigation Strategy. The main one is a team of rangers to help coastal visitors and communities understand the importance of the different bird species and the impact of disturbance. Additional work is taking place to encourage responsible dog walking and visits to less sensitive parts of the coast. This work is particularly important as research shows that around 40% of bird disturbance occurs as a result of interactions with dogs. In addition the Bird Aware Solent team have secured Local Growth Deal funding which has been spent on creating or enhancing alternative local green spaces for some people who would otherwise visited the coast. The effectiveness of the Strategy's measures are also being monitored.

The Council's Supplementary Planning Document relating to the SDMP states that Developments of one or more dwellings, which includes permanent accommodation for gypsies and travellers, within a 5.6km radius of the SPA will be required to provide financial contributions, the amount of which is based on the number of bedrooms within the dwelling, to fund mitigation measures set out in the Strategy. In this instance the application is not accompanied with the requisite contribution to mitigate the harm caused to

biodiversity in the affected area as set out above, failing to comply with policies CP15 and CP16 of LPP1.

The proposal would represent a new dwelling in the countryside for which there is no justification and would therefore be contrary to Policies MTRA3, MTRA4, CP5, CP15, CP16 of LPP1, DM1, DM4, of Local Plan Part 2 - Development Management and Site Allocations, the emerging Gypsy, Traveller and Travelling Showpeople Development Plan Document, which is at an advanced stage and Government Planning Policy for Traveller Sites.

### Representations

Highways: The small increase in traffic that would be generated by the proposal is unlikely to cause demonstrable harm to justify a highway reason for refusal.

Drainage: Initial details provided do not look adequate/acceptable. Further details in revised plans show that foul drainage would be 50m from the borehole and other distances accord with previous comments. Permit may be required from the Environment Agency.

Environmental Health: No objection subject to appropriate conditions

Strategic Planning: Site is within the countryside where planning policies would not normally allow residential development. Provision is made to meet identified traveller need and there is a 5 year supply of sites. No detailed information has been submitted regarding the applicants traveller status and there does not therefore appear to be any justification for an exception to policies.

Landscape: Unlikely to have a significant effect on this area of landscape, but additional tree planting and landscaping would assist in its integration into the landscape.

Boarhunt Parish Council: Objection. No demonstrated need for any further gypsy accommodation on the site or within the locality. The Council's Gypsy and Traveller DPD already identifies sufficient sites within the Parish and further provision would be disproportionate. Site is located in the countryside.

3 letters of objection on grounds of:

- additional traffic on the access track - previous damage caused by heavy lorries
- No reference made to the residential dwelling adjacent to the site.
- sewerage treatment plant discharges onto land and could affect the existing borehole used for drinking and washing.
- Already sufficient travellers sites within the area.
- could result in further pitches on the site and increase in traffic that the lane is inadequate for
- tendency for site to flood in the winter causing problems with drainage
- visual impact on public footpath

- potential noise from generators
- could result in more sites across the area.

Application Refused subject to the following reasons:

01 The proposal would represent a new dwelling in the countryside for which there is no justification and would therefore be contrary to Policies MTRA3, MTRA4, and CP5 of, Local Plan Part 1 - Joint Core Strategy, policies DM1, DM4, of Local Plan Part 2 - Development Management and Site Allocations, the emerging Gypsy, Traveller and Travelling Showpeople Development Plan Document and Government Planning Policy for Traveller Sites.

02 The proposal would introduce residential development and activities into an area that is currently primarily comprised of undeveloped agricultural land, resulting in the increased domestication of this rural area to the detriment of its character and appearance. It would therefore be contrary to Policy DM15 and DM23 of Winchester District Local Plan Part 2 - Development Management and Site Allocations.

03 The proposed development is contrary to Policies CP15 and CP16 of the Winchester District Local Plan Part 1 - Joint Core Strategy, in that it fails to protect and enhance biodiversity across the District by failing to make appropriate provision for the Solent Disturbance and Mitigation Charge Zone.

### **Informatives:**

1. In accordance with paragraph 38 of the NPPF, Winchester City Council (WCC) take a positive and proactive approach to development proposals, working with applicants and agents to achieve the best solution. To this end WCC:

- offer a pre-application advice service and,
- update applicants/agents of any issues that may arise in the processing of their application, where possible suggesting alternative solutions.

In this case there have been discussions with the agent to request additional information.

2. The Local Planning Authority has taken account of the following development plan policies and proposals:-

Local Plan Part 1 - Joint Core Strategy: MTRA1, MTRA4, CP5, CP15, CP16  
Local Plan Part 2 - Development Management and Site Allocations: DM1, DM4  
Emerging Gypsy, Traveller and Travelling Showpeople Development Plan Document, w  
Government Planning Policy for Traveller Sites.

End of Report