

South Down View

Long Copse Lane

Emsworth

PO10 7UR

Siting of one mobile home and provision of two additional parking spaces.

The Application site was granted planning permission on Appeal reference APP/X1735/W/16/3156978 on 28th February 2018 for the change of use from private equestrian yard, to a mixed use comprising private equestrian yard and a single-pitch private gypsy and traveller site, including a mobile home and single touring caravan pitch.

That permission is in the process of being implemented and as such the change of use is considered to have taken place, this application therefore does not seek further change of use as the site is now deemed to be a mixed use comprising private equestrian yard and gypsy and traveller site.

The application seeks permission for an additional mobile home to provide a total of two pitches for use as a gypsy and traveller site. In addition the application seeks to relocate the two parking spaces and touring caravan pitch as approved under appeal APP/X1735/W/16/3156978 further to the west of the site.

To provide suitable parking on site for the additional mobile home a further two parking spaces are proposed on site, however there is no proposal for a further touring caravan pitch which at this point is not required.

The original application was made on behalf of Mr Les Madgwick as applicant for a single pitch for use by his son Mr James Madgwick and his partner Ms Pasha Green. The second mobile home is sought for the use of Mr Les Madgwick and his wife Tina Madgwick.

Relevant policies

Policy CS10 of the Havant Borough Core Strategy (HBCS) states:

The council will allocate sufficient sites in the Development Delivery (Allocations) Development Plan Document to accommodate the needs of Gypsies and Travellers and Travelling Showpeople based on the information contained in the Hampshire and Isle of Wight Gypsy and Traveller Accommodation Assessment updated as necessary and current government requirements.

Criteria for the location of such sites that are likely to be a mix of temporary and permanent sites dependant on need must take account of the following issues to ensure that:

1. There is no unacceptable adverse effect on the amenities of nearby residential and/or business uses.

There will be no unacceptable effect on the amenities of nearby residences, whilst Hollybank Cottage is in close proximity to the site the proposed mobile home would be a significant distance from the shared boundary. The proposed mobile home would also be located close to the other approved development on the site and close to the boundary with the road. It would therefore not prove to be further detrimental to the views from Hollybank Cottage. A similar conclusion was reached by the inspector in approving the original pitch who also concluded there would be no other likely impacts on the living conditions of Hollybank Cottage.

Criterion 1 is met.

2. The site has a satisfactory means of access and adequate parking provision and turning space to accommodate the occupants.

The site has safe access to the highway and sufficient parking and turning is provided on site. This conclusion was also drawn by the inspector in his report.

Criterion 2 is met.

3. The traffic from the site is not generated on a scale which is inappropriate to the locality and which is likely to cause a hazard to road safety.

The applicant has to visit the site at least twice a day to tend his horses, vehicle movements that would cease were he to reside on the site. The local road network has sufficient capacity to accommodate the traffic generated by a single additional pitch.

No large vehicle movements will be required along Long Copse Lane and this can in any case be suitably controlled by condition 5 on the previous approval which states that "No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site."

Criterion 3 is met.

4. The site is capable of accessing utilities; and is located within a reasonable distance from local facilities such as schools, welfare and health services and is capable of being serviced by refuse collection and recycling services.

The site is within a reasonable distance of services and facilities and is capable of being serviced by refuse vehicles. Suitable services are being installed on site to serve the permitted and pitch and similar can be provided for this pitch, there is no reason to think that a second pitch would lead to a different conclusion than the permitted application.

Criterion 4 is met.

5. The site is not located in an area at high risk of flooding, does not damage the historic environment or nature conservation interests and suitable mitigation against any contamination can be carried out prior to occupation.

The site is not at risk of flooding and no other matters from Criterion 5 arise.

The application is therefore compliant with policy CS10

Gypsy Status and personal circumstances

The Applicant is a Gypsy and Traveller within the meaning of Annex 1 PPTS in that he is a person of a nomadic habit of life; he is also an ethnic Romany Gypsy.

No issues were raised to by the LPA in the previous application as to the status of James Madgwick (the applicant's son) in this respect during the previous application and so the status of Mr Les Madgwick as a Gypsy and Traveller is clear.

The applicant has close local family connections within the area and both him and his son maintain their gypsy status travelling for an economic purpose. The applicant is happy to accept a personal condition as part of the planning permission to reflect his circumstances.

The applicant has always travelled for work as general dealers and continues to do so; they travel regularly with other members of the travelling community to undertake building and maintenance work around the country, in addition the applicant regularly deals in and breeds horses. As has been the custom since their teens the applicant has continued to attend the majority of the annual gypsy and horse fairs listed below for business to buy, sell and trade horses; typically combining building work on route to the fairs.

- Stow Horse Fair Stow-on-the-Wold, Gloucestershire in May
- Wycombe Fair, Hampshire in May
- Epsom Derby in early June
- Appleby Horsefair Appleby-in-Westmorland, Cumbria in early June
- Priddy Horse Fair in Devon
- Kenilworth Horse Fair in July
- Horsmonden Horse Fair, Kent

Design

The proposal is for a single mobile home unit, this will be similar in appearance to that approved under the previous application and so raised no further concerns in terms of design.

The location of the proposed mobile home has been carefully considered to ensure there is no further harm to the character of the area arising from the proposal. The mobile home has therefore been sited close to the stable block and south of the proposed mobile home. This location not only ensures all build form is contained within one area, but it also leads to no further hardstanding north of the approved unit and so no further impact upon the open landscape.

The proposed position is close to the established fence and hedgerow along Long Copse Lane and the unit in this position will not be seen from the road.

Whilst the additional and relocated parking spaces proposed will provide additional hardstanding these will be constructed of permeable surfaces to ensure adequate drainage and will be laid to gravel to match the existing driveway.

Additional enhanced planting using native hedgerows are proposed to screen the additional parking area and the relocated touring pitch.

This enhanced planting and the established hedgerow along the lane will ensure that the mobile home will not provide any harmful impact on the character of the area or on the Local Green Space to the south of Long Copse Lane. In this respect the scheme would not conflict with Policies CS11 or CS16.

The applicant has been careful to ensure the proposal does not lead to harm and is keen to ensure planting is suitable to minimise any impact of the development, as such they are willing to accept a suitably worded condition to provide detailed landscape plans, lighting and boundary treatments similar to that previously imposed.

Conclusion

The application complies with the Development Plan and in particular policy CS10, there is no further conflict with other relevant policies of the plan and as such the application should be granted permission.