

Planning Application Response of Planning Policy

Application No:	APP/16/00021
Address:	Land/Stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth
Development:	Change of use from private equestrian yard to a mixed use comprising private equestrian yard and two pitch, private gypsy and traveller site (including amenity block and two touring caravan pitches).
Case Officer:	Steve Weaver
Comments by:	Robyn Lyons
Date of Comments:	28 March 2016

Comments

The site is isolated from the nearby communities of Emsworth and Westbourne. It is not within the existing urban area boundary and is therefore in land covered by adopted policy AL2. It is also relevant to recognise that the site is not adjacent to the existing urban area, instead it is adjacent to a single, already isolated dwelling and otherwise surrounded by open fields to the north, east and south. The existing built form and use of the site is complementary to the rural surroundings of the site. This section of Long Copse lane is rural in character, lacking pavements and street lighting.

As the site is outside of the urban area new residential development should normally be restricted in accordance with Policy AL2. The NPPF confirms that LPAs should avoid new isolated homes in the countryside unless there are special circumstances. The 'Planning Policy for Traveller Sites' (CLG Aug 2015) (PPTS) confirms that LPAs should strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

The most recent traveller needs assessment, the Travellers Accommodation Assessment for Hampshire 2013, showed zero need in Havant borough for Traveller sites. As a result of this study no specific allocations for gypsy or traveller sites were made in the Council's adopted Local Plan (Allocations) 2014. The policy approach through the Local Plan has therefore been sound and justified - there is no need left unaddressed. This is different to the appeal case provided by the applicant where Fareham Borough Council had failed to address the needs assessment through their Local Plan allocations. This failure to address need acted as a material consideration in the Inspector's decision to allow that appeal.

One of our principle concerns at this time is that the application currently fails to demonstrate that the applicant and any further relevant occupants of the proposed units are 'travellers' in accordance with the planning definition outlined in the PPTS. Without satisfactory confirmation of this then the principle of the proposal should simply be refused in line with Policy AL2 of the adopted Local Plan and the NPPF approach to new isolated homes in the countryside.

In the event that the applicant *were* to submit information that satisfied they were a Traveller and that the properties (e.g. two pitches) were also for Travellers as per the planning definition in the PPTS then our comments would be as follows:-

Local Plan (Core Strategy) Policy CS10 covers two aspects relating to provision of sites for gypsies and travellers. Firstly it envisages the Allocations plan making any necessary allocations depending on the needs assessment. Following adoption of the Core Strategy in 2011 and prior to the examination/adoption of the Local Plan (Allocations) in 2014 the

Travellers Accommodation Assessment for Hampshire 2013 established no need for Traveller pitches in Havant borough. Therefore the adopted Allocations Plan does not include any further policies or allocations relating to Gypsies and Travellers.

The second part of Policy CS10 includes a criteria based approach for the location of gypsy and traveller sites. The case officer should consider points 1-5 of Policy CS10 in their assessment of the suitability of the site for gypsy and traveller pitches alongside the information contained in the PPTS.

In relation to 5 year supply there is no specific 5 year supply requirement for Travellers in Havant borough due to the zero need identified. In general terms the Council have a housing 5 year land supply as detailed in the 2015 Annual Monitoring Report. This includes flexibility in accordance with the NPPF requirements.

Even if the application included information to satisfactorily prove the Traveller status of the applicant and the relevant family members in order to justify the need and quantum of pitches proposed we would still have objections to the proposal.

Paragraph 25 of the PPTS states that 'LPAs should very strictly limit new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan...'. This is another key difference to the Fareham appeal case submitted with the application. In the Fareham case the site sat alongside a ribbon of development in an area even local people called a village. In this current Havant borough proposal we are of the view that this development is in open countryside away from existing settlements. This is materially relevant as there is a difference in whether a proposed site is in open countryside as opposed to being immediately adjacent to the existing built-up/urban area in terms of the impact and extent to which it is contrary to policy.

Another more detailed concern is the proposed extensive use of boundary treatments and gates within the site. This is contrary to PPTS para 26(c) which states applications should be 'well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness'. This issue seems even more prevalent bearing in mind the relative openness of the surroundings beyond the site.

We also have concerns as to the touring caravans and how these can be conditioned/restricted so that they don't become further residential use.

In our opinion it would be inappropriate to consider approval with conditions restricting the occupancy to Travellers. No need has been demonstrated and therefore we fail to see any reason why a proposal that is contrary to the NPPF, PPTS and Local Policies CS10 and AL2 should be considered favourably. Conditions relating to the occupancy would also be very difficult to monitor and/or enforce.

Conclusion

- The application fails to demonstrate that the applicants are Travellers as per the planning definition of the PPTS.
 - The application fails to demonstrate a Traveller need for the two proposed pitches.
 - Even had the traveller status and need been present/justified as part of the application then we would expect to see justification that any need could not be met elsewhere (in particular having regard to any provision of pitches available in adjacent Westbourne)
- [The above points have regard to the PPTS Traveller definition and PPTS paragraph 24]

- The application proposes new dwellings in the non-urban area/countryside which is contrary to the NPPF (paragraph 55) and Local Plan (Allocations) Policy AL2
- The proposal does not constitute sustainable development due to its distance from local facilities and public transport. This is further emphasised by the lack of pavement and street lighting in the vicinity of the site.
- The proposal includes an extensive and unnecessary provision of hard landscaping/enclosure/gates to the detriment of the existing landscape and potentially giving an impression contrary to the PPTS (paragraph 26)
- In addition to the above, contributions to SDMP and CIL liability would apply.

In conclusion we **object** to the proposal.

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