

**BURRIDGE AND SWANWICK RESIDENTS' ASSOCIATION**

**FAO Helen Hockenhull BA (Hons) B. PI MRTPI**

**Inspector appointed by the Secretary of State**

**Examination of the Fareham Local Plan 2037**

**Matter 5 Gypsies, Travellers and Travelling Showpeople**

**(Policy HP11 Gypsies, Travellers and Travelling Showpeople)**

Madam Inspector, you have asked a number of questions on which we would like to present our views. First you asked:

*The Gypsy and Traveller Accommodation Assessment (GTAA) dates from 2017. Does it provide a robust up to date evidence base?*

Five years have passed since the GTAA so it is likely that the situation of some of the family members, for which this proposal applies to, will have changed. Also, earlier drafts of the Fareham Plan referred to the next GTAA taking place in early 2022 and if undertaken would give an up-to-date assessment and Fareham Borough Council would take account of this. In particular the occupants of the present mobile home have now indicated their wish to establish a permanent home in a new property on the adjacent site (in their application, FBC ref. **P/21/2020/FP**, they state the proposed 5 bed house is to be their forever home).

**If Application P/21/2020/FP was approved the assessed need would be reduced.**

Your second question is:

*Is the policy compliant with the Planning Policy for Traveller Sites (PPTS) and national planning policy?*

The PPTS states that:

3. The Government's overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community.

In order to achieve this it requires (Para 7.) that:

In assembling the evidence base necessary to support their planning approach, local planning authorities should:

a) pay particular attention to early and effective community engagement with both settled and traveller communities

**We feel that the Council have failed to do this.**

Other requirements of the PPTS guidelines with which the policy does not comply are covered under our response to the particular site proposed (HA45).

***Site Allocation***

*Policy HA45 Rear of 77 Burr ridge Road*

We are concerned that in the **National Planning Policy Framework (NPPF)** there is the statement that:

12. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

We take this to infer that when an application is made for development of this site it will be presumed that it will automatically be approved as there is no clear definition of a material consideration.

**This dramatically reduces the democratic right of residents to object to the application.**

We feel therefore that this site should not be specified in the Local Plan as other possible sites have not been fully explored by the Council. In particular the provision of additional pitch(es) in the existing site at The Retreat, Newgate Lane have not been pursued and the provision of sites within proposed large scale developments such as Welborne have not been investigated.

*5. Is the site appropriate for the development proposed?*

The HMG Good Practice Guide for Designing Gypsy and Traveller Sites and PPTS make frequent reference to site location and selection. They identify factors which are important for the sustainability of a site, for instance Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites states in Para 3.4 the need for:

- Means of access, availability of transport modes and distances from services
- Promotion of integrated co-existence between the site and local community
- Easy access to General Practitioner and other health services
- Near to a bus route, shops and schools

And Para 8 of the PPTS states that:

Local Plans must be prepared with the objective of contributing to the achievement of sustainable development. To this end, they should be consistent with the policies in the National Planning Policy Framework, including the presumption in favour of sustainable development and the application of specific policies in the Framework, and this planning policy for traveller sites.

**We do not feel that the site complies with these requirements since it is not in a sustainable location.**

- There is no bus service in Burridge neither is one planned in the foreseeable future. The closest bus stop is 0.9 miles (1400m) away.
- The nearest GP surgery is 1.2 miles (1900m) the closest shop is 1.4 miles (2250m).
- Cornerstone Primary School is 0.9 miles (1400m) on foot. Brookfield Community (secondary) school is 2.6miles (4100m).

All these trips involve crossing a busy main road (A3051).

Access to the site is poor it is on a narrow private road with no lighting or pavement.

The Council support their case for this site by referencing APP/A1720/W/18/3209865 to the recent appeal which was dismissed by the Inspector by suggesting that the principle of permitting a development to the rear of this site was acceptable if only one storey in height. His actual conclusions include:

- 5.....'It was confirmed at the hearing that the scheme is not being promoted as infill development under LPP2 Policy DSP6. Given that this policy precludes the siting of dwellings at the rear of existing dwellings, the scheme cannot comprise infill.'
- 6.....'Criterion (ii) stipulates that sites should be sustainably located adjacent to, and well related to, the existing settlement boundaries, and well-integrated with the neighbouring settlement. The nearest settlement boundary is that of Whiteley, approximately 667 m away. Since the site is not adjacent to that settlement boundary, it follows that there must be conflict with Policy DSP40.'
- 11.....'The adverse impacts could be mitigated in part by landscaping the site, but the backland siting of the proposed dwelling would be incongruous and there would be material harm to the character of the area.'

When approving the existing site (Ref. APP/A1720/A/13/2191454) the Inspector who approved the appeal limited the site to one pitch stating that:

- ‘To ensure the development satisfactorily integrates with the surrounding area it should be limited to one pitch accommodating no more than two caravans, of which only one can be a mobile caravan’

The Inspector who dismissed an appeal regarding a recent application for rear housing development on another site, 21 Burr ridge Road (ref. APP/A1720/W/20/3264952) concluded with regard to the conflict with the ribbon development nature of the area that:

- ‘As such I find that the proposal would result in significant harm to the character and appearance of the area. It would conflict with Policy CS17 of the Fareham Local Development Framework Core Strategy 2011 (the Core Strategy), which requires development to be of a high-quality design that is respectful of the characteristics of the area. It would also conflict with criteria (iii) of Policy DSP40 of the Fareham Local Plan Part 2: Development Sites and Policies 2015 (the Local Plan), which requires development is sensitively designed to reflect the character of the neighbouring settlement.’

**We feel that the same conclusion would apply to this site situated to the rear of 77 Burr ridge Road**

Your last question:

*Does the site meet the requirements set down in Policy HP11?*

Referring to item b) in HP11

**In our opinion as stated above the site is not sustainable. There is no Public Transport and it is too far from Shops, Schools and Health Facilities.**

Referring to item c) in HP11

We feel that the strongly worded concerns raised by the HCC’s ecologist (Ref **P/21/2020/FP**, BPMS-220120-CONSULTEE COMMENT FROM ECOLOGY-(CASEID-350076-44) and echoed by Natural England in response to the application for a house on the adjacent site apply equally to the proposed site. Concerns about the impact on the ecology of this site which is listed as a SINC were also made by the Inspector who dismissed Appeal B that was against FBC’s refusal of a larger site for the present Gypsy Pitch (Ref. APP/A1720/A/13/2191454).

Finally we would like to refer to the following extracts from the Council’s own statement in May 2019 to the Inspector considering APP/A1720/W/18/3209865 in support of their refusal to grant planning approval for a house to the rear of 77 Burr ridge Road, the exact area where they now propose three dwellings.

- The appeal site is located within the defined countryside and is not located close to or adjacent to the existing defined urban area. The site, located on the southern side of Burr ridge Road, is proposed to be accessed via an existing gypsy site at 77 Burr ridge Road.
- The development would be contrary to Policies CS2, CS4, CS6, and CS14 of the adopted Fareham Borough Core Strategy 2011 and Policies DSP1, DSP6, DSP13, DSP15 and DSP40 of the adopted Local Plan Part 2: Development Sites and Policies Plan and, the National Planning Policy framework 2012 (particularly paragraphs 6, 14 and 55) and is unacceptable in that:
- The provision of a dwelling in this location would be contrary to adopted Local Plan policies which seek to prevent additional residential development in the countryside which does not require a countryside location;
- The introduction of a dwelling in this location would fail to respond positively to and be respectful of the key characteristics of the area, particularly its predominantly undeveloped nature, which would be out of character with the prevailing pattern of development in the area;
- The site lies within a Site of Importance for Nature Conservation, for which insufficient evidence has been provided to adequately highlight the level of harm to the biodiversity and protected species on the site. Inappropriate mitigation measures would not address the current designation requirements. The appeal was dismissed, planning permission was refused.

**These are the reasons we feel that HA45 is not a suitable site for 3 additional Gypsy & Traveller Pitches.**

Prepared by the committee of the Burr ridge and Swanwick Residents' Association.

Jim Wood  
Chairman, BSRA.