



RH/HP18095

06 March 2019

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████████████████████  
Strategy – Strategic Planning  
Eastleigh Borough Council  
Eastleigh House  
Upper Market Street  
Eastleigh  
SO50 9YN

Dear Mr Tuck

**Eastleigh Borough Local Plan 2016 – 2036 (Regulation 19 of the Town and Country Planning Act (Local Planning) (England) Regulations 2012) – Consultation Response**

I write on behalf of ██████████ in response to the Council’s invitation to comment on its Local Plan 2016 – 2036 (hereafter ‘the Plan’). My client’s own land east of Long Lane, Bursledon (see Appendices A and B) which the Plan proposes to allocate for open space through PolicCy BU8 (Open Space at Long Lane, Bursledon). Notwithstanding that my client’s have owned the land since March 2016, throughout consultation on earlier drafts of the Plan my client’s have not been consulted on the Council’s proposal and fundamentally object to it. It would appear that the availability of the land for consideration in the Plan process is based on outdated land ownership information. The previous owners of the land promoted the land through the Council’s 2015 Call for Sites exercise for housing (not open space). Since that time, the land ownership has clearly changed however, the Council has not updated its records correctly to reflect this. Notwithstanding matters relating to ownership, the proposal to allocate the land as open space is not reflective of the previous landowners promotion for housing so it is unclear how the Council has arrived at the current position.

**Accuracy of the Plan**

Before setting out my client’s objection to the Plan in more detail, it is first important to draw attention to an apparent inconsistency between what is included in the written part of the Plan and what is shown on the Policies map. As set out above, Policy BU8 (Land at Long Lane), proposes to allocate my client’s land for open space. By comparison, the Policies map allocates my client’s land as being existing open space through





policy DM34 (Protection of recreation and open space facilities) which is fundamentally incorrect. The Plan is, therefore, inconsistent in how it depicts my client's land which is a matter that needs to be addressed before the Plan can be found sound.

Given that the Policies map is wrong and the land is not existing open space, it is assumed that, for the purposes of the Examination, the Council will be relying on the written part of the Plan. My client's objections, as set out below, are based on this position.

### **Soundness of the Plan**

The Plan as currently drafted is unsound insofar as it relates to Open Space delivery.

Government advice is clear regarding the preparation of Local Plans. At paragraph 29 (Titled, '*How are local plans produced?*') the Planning Practice Guidance states the following;

*'Authorities preparing local plans should assess future needs and opportunities for their area, explore and identify options for addressing these, and then set out a preferred approach (except where this has already been dealt with through a spatial development strategy). This involves gathering evidence, carrying out a Sustainability Appraisal to inform the preparation of local plans and effective engagement and consultation with local communities, businesses and other interested parties.'*

In terms of infrastructure delivery, paragraph 55 states;

*'...At an early stage in the plan-making process strategic policy-making **authorities will need to work alongside** infrastructure providers, service delivery organisations, other strategic bodies such as Local Enterprise Partnerships, developers, **landowners** and site promoters.'*

In this case it is clear that the Council has not consulted with 'other interested parties' (in this case, my client's) and has not worked alongside the landowner. The process that has led to the proposed allocation therefore, conflicts with Government guidance.

One of the purposes of the examination of the Plan is to test whether the plan is sound. Paragraph 35 of the NPPF is clear on this matter stating that a plan can only be found sound if it is '*deliverable over the plan*



*period*'. Given the landowners objection, the proposed open space allocation is not deliverable and on that basis the plan cannot be found sound.

### **Open Space need**

Notwithstanding the comments above regarding the soundness of the Plan, the need for my client's land for open space purposes is unclear. In preparing its Plan, the Council commissioned an Open Space Needs Assessment which was carried out by LUC in February 2017 and assessed the open spaces to the north and south of my client's land. Long Lane Recreation Ground to the north (LUC site ID reference 9) is noted as being a natural turf pitch needing a series of works including changing room enhancements and court improvements. Neither have been done. Great Downs Amenity Space to the south (LUC site ID reference 69) is identified as being more informal. Eastleigh, and more specifically Bursledon, are identified as having a surplus of this type of space. Bursledon, Hamble and Hound is noted as having the highest provision of amenity space provision per 1000 population which remains the case based on projected quantity of amenity spaces in 2036. Both open spaces are identified as being of good quality. Based on the Council's own evidence, the current need for additional open space in Bursledon is unclear and it is not therefore, clear why my client's land has been incorrectly allocated for this purpose in this context. It is also apparent that investment in open space in this part of the District would be better spent carrying out identified works to existing open spaces (i.e. those set out above as being needed at Long Lane Recreation Ground)

It is important to note that my client's are not adverse to some of the land being brought forwards for an alternative use, which may include an element of open space as part of a more comprehensive proposal, however, they do object to the entire site being allocated for that purpose.

I trust these comments will be taken into account when the next stage of the Plan is prepared. Importantly, my client's request that the following actions are taken:

- 1.) The Policies map be corrected to remove any annotations showing my client's land as being allocated as Existing Open Space through Policy DM34; and
- 2.) The written part of the Plan be amended to delete Policy BU8 which proposes to allocate my client's land as open space. As set out above, given my client's objection to this proposal, the open space cannot be delivered and, therefore, the Plan cannot be found sound insofar as it relates to this aspect of infrastructure delivery.

My client's and I would welcome the opportunity to discuss the alternative uses for the site with the Planning Policy team.



Finally, should you have any queries regarding the contents of this letter please do not hesitate to contact me on [REDACTED]

Yours sincerely



cc. [REDACTED] Land Owners

Encs: Appendix A – Site Location Plan  
Appendix B – Block Plan