

Supplementary Information

HAVANT BOROUGH COUNCIL
PLANNING COMMITTEE
THURSDAY, 1ST DECEMBER, 2022

Please note that the attached supplementary information was unavailable when the agenda was printed.

Agenda No Item

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|-------------|--|--------------|
| 5(a) | APP/21/01310 - Tournerbury Woods, Tournerbury Lane, Hayling Island | 1 - 6 |
| | Proposal: Change of Use of land and woodland (retrospective) as a wedding and events venue, including retention of permanent ancillary buildings and structures, the erection of removable structures (including marquees and temporary facilities), and the use of the land as a campsite in association with events. | |

[Additional Information](#)

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APPENDIX I

SUMMARY OF REPRESENTATIONS

Support

Economic/visitor considerations:

- After the last two years Councils should be supporting hospitality offerings such as Tournerbury.
- The Council should support local livelihoods and businesses.
- Proposal is a positive for Hayling and the Borough and should be supported.
- Local charities are supported by events at the venue.
- The use brings income, local jobs and visitors to the Island, adding to the local economy.
- Support for strong local businesses which employ local residents and enable other local businesses to employ and support others.
- The benefits of the proposal to the wider community outweigh any loss of amenity to individual residential properties.
- The wedding venue has a very natural feel to it.
- The business gives opportunities to the young and provides facilities for the community to balance housing supply.
- The wedding venue makes a lot of people happy who would not otherwise get to see the AONB.
- A beautiful, unique and special wedding venue, well supported by the organisers.
- Proposal supports tourism on Hayling Island.
- This is the only such facility in Havant Borough.
- Rejection of the application will send the message that the Council is not interested in creating a better Borough.

Environmental considerations:

- The site lies in the AONB and SSSI where accessibility by the public is a key function.
- The business helps maintain the woodland setting and the viability of the place.
- The site is the subject of good management and care, with environmental improvements during the applicants' ownership of the site.
- No evidence of litter or disturbance arising from the venue.
- The site is part of what makes Hayling Island unique.
- Making access available to Tournerbury should be supported.

Amenity considerations:

- The potential noise from the venue does not bother us.
- Living nearby the venue has not caused any disturbances.
- The team are caring towards suppliers and guests.
- Noise nuisance does not arise from the site.
- The level of activity proposed is not excessive.
- The mitigation proposed is over and above that offered by many businesses,

- including the nearby café.
- An existing live music venue operates nearby which is likely to affect the amenity of the Farm.
- Attendees at events are respectful and courteous.
- Character of Farm has changed over recent years with other types of business taking place.
- If permission is not granted then lawful forestry and agricultural activities may intensify in addition to the use of Woods Cottage for holiday lettings.
- Site has not raised any red flags with licencing authorities.

Transport and access considerations:

- Have not experienced any difficulties or conflict using the access to the site.
- Single lane access to a major hospitality venue is not a problem and is safe and secure.
- Other examples of single width accesses to venues have not given rise to accidents.
- The alternative access has not been built by the Farm in accordance with planning conditions.
- Existence of a potential alternative access is not a material consideration.
- The right of way has existed for a considerable time without limitations on its use.
- The Highways Authority have not objected to the use of the access.
- Objections based on 'Manual for Streets' criteria are not appropriate to this case.
- The access is wide enough for the type of traffic using it.
- Recent activity has taken place within the Farm to restrict passing places and affect the appearance of the approach to the site.
- Very few cattle movements take place across the right of way.
- Additional signage could resolve any potential issues with directions.
- Any differences over the right of way should be left as a private matter.
- A grant of permission for the development may help lead to an agreement over the alternative access.
- Claims made about accidents arising from the use of the right of way are not correct.
- Track improvements are not likely to take place without the venue having certainty over their business.

Objection

Environmental considerations:

- Agriculture and forestry use should be regarded as the lawful use of the site.
- Application fails to comply with national and international environmental designations on the site, and any permission will give rise to a Judicial Review.
- Ancient woodland needs to be preserved for natural wildlife and future generations.
- Harmful impact on the Iron Age hillfort, which needs to be preserved.
- The Council should reconsider the degree of serious harm attributable to unauthorised development within the SSSI.
- Enforcement action should be taken against the unauthorised development whilst awaiting the outcome of the application.
- The marquee is visible from My Lords Pond and contravenes the AONB.
- The proposed increase in usage of the site will impact on the ecology and wildlife of the remaining woodland space.
- The use would adversely affect a previously dark sky and quiet environment.

- The venue has been set up in a manner which has resulted in unconsented damage to the SSSI
- Concern that the development will result in the site no longer being in favourable SSSI status.
- The examples of other wedding and events venues provided by the applicant do not lie within SSSIs.
- Commercial gain should not be used as justification for damage to the AONB and SSSI landscapes.
- The idea of creating a clearing for a wedding and events venue and camp site in a SSSI is not acceptable; the site should be protected.
- There is no evidence that business use has added benefit to wildlife and habitats.
- Tents could be erected on unprotected land instead.
- Arboricultural Officer comments should be updated.
- Concern that Ecology Officer comments don't include guaranteed enforcement.
- The pontoon proposed would be an eyesore and likely to lead to noise nuisance.
- Need for enforceable conditions to limit activities.
- The fall back position does not extend to land in AONBs or SSSIs.
- Alleged breaches of Conditions 2,4,6 and 8 of Planning Permission 01/62340/001 in implementing the wedding and events venue.

Amenity considerations:

- Night and daytime disturbance from noise from the venue, including after hours from campers.
- Noise from the site means we have to close windows.
- Music causes noise pollution to nearby residents.
- Use causes health issues for adjoining residents due to late night disturbance involving noise, lights and behaviour of visitors.
- Premises Licence restrictions should be enforced.
- Light pollution across Mengham Creek.
- Health and safety risks associated with revellers in close proximity to the Harbour.
- Visitors to the venue cause a loss of amenity through noise and disturbance to the home life of the occupiers of the two family houses at Tournerbury Farm, including late at night.
- Visitors to the venue cause a safety and security risk to Tournerbury Farm.
- Instances of antisocial behaviour of visitors and trespass adversely affecting amenity of Tournerbury Farm and causing anxiety and loss of quality of life.
- Conflict with farm operations, including health and safety of workers and wellbeing and management of livestock.
- Unable to effect controls over access way because they will not be enforceable against main landowner, and therefore cannot be imposed as a matter of law.
- Lack of supervision over guests accessing/egressing venue through the farmyard.
- Management controls proposed relate only to the Estate and not to the access through the Farm.
- The Visitor Management Strategy is insufficient to address concerns and not clear as to monitoring – safety and mitigation measures should be secured through a S106 Agreement.
- Aside from the events themselves there are numerous planning meetings required which add additional visitors to the Estate using the access road on days outside of the 65 event days.
- Shooting events and the use of Woods Cottage adds to the usage of the access route on non-event days.
- Whilst guests have use of the Estate from 8am to midnight, staff leave later.

- Cattle and horses on the Farm are distracted by, and come into conflict with, visitors to the venue.
- Allegations of changes to the character of the Farm and/or illegal activity are refuted – and should not be relied upon in determining the application as the supporting evidence has not been placed in the public domain.

Transport and access considerations:

- Excessive traffic generation.
- Hayling Island already has access issues exacerbated by visitor traffic in the summer; the proposal will add to this.
- The right of way should be relinquished in favour of the alternative access route granted permission in 2017 as the right of way is no longer fit for the level of use being made of it. The alternative access would also be preferable in terms of highways.
- In securing permission for the alternative access track it appears the applicant shares concerns about the use of the right of way.
- The existence of the alternative route is an exceptionally important material consideration and it would be a legal error not to consider it.
- The applicants' claims that there is no legal bar to the intensification of use of the right of way through Tournerbury Farm are not accepted.
- Wedding traffic through Tournerbury Farm is a safety risk given proximity of machinery and livestock, and has resulted in near-misses.
- Instances of speeding traffic through the right of way.
- The surface condition of the track is not suitable for visitors to the venue and consideration should be given to requiring it to be upgraded – although this may require planning permission.
- Visitors and servicing vehicles taking access through Tournerbury Farm pose risks to users of the right of way.
- The transport assessments accompanying the application underestimate the full traffic movements associated with events.
- Safety risks associated with the use of the right of way, including where the route passes between deep ditches and lakes on either side.
- If allowed, use should be restricted to 30 events per annum, with no movements through the farmyard between midnight and 8am.
- Evidence of HGVs and other traffic moving in multiple directions across the Farm after midnight and into the early hours.
- Use of the access through the Farm by many vehicles including lorries, coaches and double decker buses make it unfit for the proposed use.
- Any improvements to the track could harm the character of the area.
- The imposition of a condition requiring works to deliver safe access to the site would be unlawful as it would involve land outside of the applicants' control.
- Lack of safe access for pedestrians where the track narrows.
- Information provided relating to alternative track applications APP/17/00207, APP/20/00626 and APP/21/00536.
- Applicants' submissions made as regards the width of the right of way are misleading.
- Concerns for safety of Farm and animals with the increase in traffic, including coaches, going through the Farmyard.
- Conflict between movement of horses through the farmyard and vehicle movements.
- Problems caused by use of access to neighbouring property cannot be acceptable.
- Public road leading to the site is in poor repair.
- Instances of cars getting lost trying to find venue – a safer route is required.

- Farm workers operate in daytime and know the dangers; visitors do not.

Other

- Applicant has already infringed planning restrictions and existing structures should be removed before further applications are considered.
- Consideration of the current application amounts to a breach of the Council's Local Enforcement Plan.
- The proposal amounts to a unilateral and unjustified attempt to enlarge the domestic curtilage of Woods Cottage.
- Lack of clarity over number of events applied for.
- Any permissions granted may lead to proposals for further buildings or uses.
- Very difficult for the Council and other regulatory bodies to police such a remote location.
- Presumption should be to refuse retrospective applications unless they present no problems, which is not the case here.
- Submissions made in respect of Certificate of Lawfulness Applications APP/19/00889 and APP/19/01262, enforcement appeal and extant Certificate of Lawfulness appeal resubmitted, contesting the lawfulness of the development the subject of those applications/appeal.
- Notice is required to be served on the adjoining landowners.

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