

HAVANT BOROUGH COUNCIL

At a meeting of the Planning Committee held on 31 August 2023

Present

Councillor Keast (Chairman)

Councillors Patrick (Vice-Chairman), Coates, Denton, Linger, Rason and Weeks

Other Councillors Present:

Councillor(s): Stone and Philippa Gray

34 Apologies for Absence

There were no apologies for absence received for this meeting.

35 Minutes

RESOLVED that the minutes of the Planning Committee held on 20 July 2023 be approved as a correct record and signed by the Chairman; and the minutes of the Site Viewing Working Party held on 24 August 2023 be received.

36 Declarations of Interests

There were no declarations of interests relating to matters on the agenda.

37 Matters to be Considered for Deferment or Site Viewing

38 APP/23/00076 - Tournerbury Woods, Tournerbury Lane, Hayling Island

(The site was viewed by the Site Viewing Working Party)

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. Construction of vehicular track from the public highway to the proposed wedding and events venue at Tournerbury Woods.

The Committee considered the written report and recommendation from the Head of Planning to grant permission.

The Committee received supplementary information, circulated prior to the meeting, which included:

1. Written deputations submitted by
 - a. Ms Barnett
 - b. Ms Barwick

- c. Ms Batchelor
- d. Ms Brookes, on behalf of Havant Climate Alliance and Havant Friends of the Earth
- e. Mr Fine
- f. Mr Ford
- g. Ms French, on behalf of Holbury Consultancy Services
- h. Ms Knowles
- i. Ms Meredith
- j. Mr Morris, the applicant's agent
- k. Mr and Mrs Phillips
- l. Councillor Payter
- m. County Councillor Quantrill
- n. Professor Raper

The Committee was addressed by:

1. Professor Raper, who reiterated the issues set out in the written deputation submitted.

Professor Raper also claimed that 175 trees have disappeared from the development site.

2. Councillor Stone, who reiterated the issues set out in the written deputation on behalf of Councillor Payter
3. County Councillor Quantrill, who reiterated the issues set out in the written deputation.

Councillor Quantrill added there would be many economic benefits associated with permitting the application. The site would be a unique venue for attracting business. Monies generated by the site could also be reinvested in the local community. The site could also generate parking income for the Council.

4. Ms Meredith, who reiterated the issues set out in the written deputation submitted.
5. Mr Morris, the applicant's agent, who reiterated the issues set out in the written deputation submitted on behalf of the applicant.

Mr Morris added that environmental harm would not be brought by the development of the site. Contrarily, the environment within the site would be enhanced.

The officers commented on the issues raised by public speakers and in the written submissions as follows:

- The complaint running with Natural England would be a separate matter and not for the Council or the Planning Committee to adjudicate.
- The most up-to-date representation made by Natural England had raised no objections to the application.

- Natural England had made no changes to their latest representation.
- There were no requirements to upgrade the existing tracks that runs through the woodland in the application.

In response to questions from members of the Committee, officers pointed out that:

- a. The track along the northern boundary provided a hard permanent track that allows vehicles to safely pass. No further works were required to make it usable for traffic.
- b. The Council has a range of enforcement powers to remedy breaches of conditions. Appropriate action would be taken depending on the severity of the breach.
- c. There were a number of conditions in the reports covering the concerns raised by Members.
- d. Dogs on lead was not a new feature in this application.
- e. Site manager and staff on site would monitor dogs within the venue.
- f. There were a number of conditions covering various issues such as noise and number of venues to be held in the site.
- g. The Council would take breaches of planning conditions very seriously.
- h. The matter of fire risk and fire safety were not a matter within the purview of local planning authority. Responsibility for fire safety at venue would rest with Hampshire Fire & Rescue Service.
- i. The Hampshire Fire & Rescue Service has been consulted in regard to the application.
- j. It wasn't possible to impose a condition to require the new access track to be delivered within a set timeframe because the track was outside of the control of the applicant.
- k. There were no tree removals required to deliver the site's development requirements.
- l. The representations on this application, such as complaints were all published on the relevant planning pages on the Council's website.

The Committee discussed the application in detail together with the views raised by deputees.

The Committee raised concerns regarding the supervision on the use of the campsite. The Committee also raised concerns about the completion of the new access track along Tournerbury Farm. Nonetheless, the Committee considered that there is a realistic probability that the track would be completed.

RESOLVED that application APP/23/00076 be granted permission subject to:

- (A) the receipt of updated versions of the Wedding Guest Visitor Management Strategy and Noise Management Plan as set out at Paragraphs 7.57 and 7.75 of the officer report;
- (B) completion of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act to secure the avoidance and mitigation package of £7,283.00 as set out at Paragraph 7.11 of the officer report; and

- (C) the following conditions (subject to such changes and/or additions that the Head of Planning considers necessary to impose prior to the issuing of the decision):
- (1) The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Plans

Location Plan with access to Public Highway and camping area (green outline) dated 20/01/2023

Topographic Survey with Parking Annotated – Job No. 05918_TPOP_500_REV_D published 01 February 2023

Topographic Survey – Link of Proposed Access to Existing Right of Way – Drawing No. 9048/01 published 01 February 2023

BJC Planning Location and Site Plan no.: H125/2021.04.23/SPRr published 01 February 2023

Gifford Tree Service Arboricultural Impact Assessment/Statement and Tree Protection Plans dated 4th October 2021

Paul Basham Associates Coach Vehicle Tracking PBA Drawing No. 097.0006.001 Revision B

Elevations File 1 – Job No. 05918_ELEVS1_PRE published 01 February 2023

Marquee Floor Plan published 01 February 2023

Elevations File 2 – Job No. 05918_ELEVS2_PRE published 01 February 2023

Deck Area Floor Plan published 01 February 2023

Documents

Shadow Habitats Regulations Assessment (Holbury Consultancy Service, November 2021)

Ecological Impact Assessment (HES, December 2020)

Bat Survey report (HES, December 2020)

Noise Management Plan (*updated as (A) above*)

Tournerbury Woods Estate Wedding Guest Visitor Management Strategy (*updated as (A) above*)

Holbury Consultancy Service Technical Note dated 5th July 2023

Holbury Consultancy Service Technical Note dated 14th June 2023

Holbury Consultancy Service Technical Note dated 2nd March 2023

Mayer Brown 'Connection To Existing Estate Track' document dated July 2023

Noise Assessment report prepared by Owen Clingan of Aurcale Acoustics dated 17 October 2013

Soundproof Marquees – Mitigation Strategy produced by Direct Acoustic Solutions Limited dated 12 June 2019

Flood Risk Assessment December 2021 published 01 February 2023

Drainage, Foul Sewage and Utilities assessment published 01 February 2023

Transport Statement dated November 2021

Nitrogen budget (Holbury Consultancy Service, June 2022)

Reason: - To ensure provision of a satisfactory development.

- (2) The use of the site as a wedding and events venue shall not commence until the access route to the venue from Tournerbury Lane, as shown on the approved 'Location Plan with access to Public Highway and camping area (green outline)' dated 20/01/2023 has been completed and made available for such use.

Reason: In order to prevent unacceptable levels of noise and disturbance to occupiers of the adjacent Tournerbury Farm dwellings; and to avoid conflict between visitor movements and the safe and satisfactory functioning of the farmyard activities as a whole; and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- (3) The site shall not be used as a wedding and events venue at any time unless the access route to the venue from Tournerbury Lane, as shown on the approved 'Location Plan with access to Public Highway and camping area (green outline)' dated 20/01/2023 is available and used for access to the venue for all purposes.

Reason: In order to prevent unacceptable levels of noise and disturbance to occupiers of the adjacent Tournerbury Farm dwellings; and to avoid conflict between visitor movements and the safe and satisfactory functioning of the farmyard activities as a whole; and having due regard to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- (4) Construction of the vehicular track to the site, as shown on the approved 'Location Plan with access to Public Highway and camping area (green outline)' dated 20/01/2023 shall be carried out in full accordance with the following approved documents:

Track from Tournerbury Lane to western boundary of Estate (lying within Tournerbury Farm):

- BJC Planning Location and Site Plan no.: H125/2021.04.23/SPRr published 01 February 2023
- Gifford Tree Service Arboricultural Impact Assessment/Statement and Tree Protection Plans dated 4th October 2021
- Paul Basham Associates Coach Vehicle Tracking PBA Drawing No. 097.0006.001 Revision B

Connection of track to existing northern boundary track within Estate

- Holbury Consultancy Service Technical Note dated 5th July 2023
- Holbury Consultancy Service Technical Note dated 14th June 2023
- Holbury Consultancy Service Technical Note dated 2nd March 2023
- Mayer Brown 'Connection To Existing Estate Track' document dated July 2023

Reason: In the interests of the amenities of the locality and the nearby and on-site environmentally sensitive areas, and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (5) No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of LA(max)(fast)(1 hour) 69 dB – measured at the sensitive receptor) shall be undertaken in the construction of the vehicular track hereby approved during the bird overwintering period (i.e. October to March inclusive).

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (6) Unless otherwise agreed in writing by the Local Planning Authority, the length of track running from Tournerbury Lane to its connection with the existing northern boundary track within the Estate hereby permitted shall not be brought into use prior to the completion of the implementation of all hardsurfacing in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 01 May 2020 in respect of Condition 4 of Planning Permission APP/17/00207; viz:

- Mr & Mrs G Phillips letter dated 2 December 2019, as supplemented by Grahame Phillips letter dated 2 February 2020

- Web links document received 5 February 2020
- County Highways Laboratory aggregate specifications for 6F5 Sub Base and Type 1 Recycled received 5 February 2020
- Compliment slip and sample of planings received 5 February 2020

Reason: In the interests of the amenities of the locality and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

(7) Unless otherwise agreed in writing by the Local Planning Authority, the length of track running from Tournerbury Lane to its connection with the existing northern boundary track within the Estate hereby permitted shall not be brought into use prior to the completion of the implementation of all drainage provision in full accordance with the plans and particulars approved in the Local Planning Authority's Discharge of Condition Notice dated 01 May 2020 in respect of Condition 3 of Planning Permission APP/17/00207; viz:

- Mr & Mrs G Phillips letter dated 2 December 2019, as amended by Grahame Phillips letter dated 2 February 2020
- Plan of new track at Tournerbury Farm received 5 February 2020
- Web links document received 5 February 2020

Reason: To safeguard the amenities of the locality and ensure that all such drainage provision is constructed to an appropriate standard and quality and having due regard to policies and proposals CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

(8) All existing hedges or hedgerows shall be retained, unless shown on the approved drawings as being removed. Any parts of hedges or hedgerows removed without the Local Planning Authority's consent or which die or become, in the opinion of the Local Planning Authority, seriously diseased or otherwise damaged within five years following contractual practical completion of the approved development shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with plants of such size and species and in such positions as may be agreed with the Local Planning Authority.

Reason: To ensure the continuity of amenity afforded by existing hedges or hedgerows and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (9) All trees and hedgerows proposed along the vehicular track hereby permitted shall be planted during the first planting season following the bringing into use of the track. The trees shall comprise 8-10cm regular standard size trees. Any trees or hedge plants planted which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or hedge plants of similar size and species to those originally required to be planted.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (10) The premises shall only be open to the public between 08:00hrs and midnight on wedding or event days. Any performances of live, recorded, amplified or acoustic music within the marquee acoustic enclosure shall finish by 23:00hrs.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (11) (i) The number of weddings and events per year shall be limited to 65, and guest numbers shall be limited as follows:

Maximum Number of Patrons	Maximum Number of Weddings and Events Per Year
250	10
200	10
150	30
90	15

- (ii) The number of camping pitches in any year shall not exceed 88.

Reason: In order to secure appropriate control of the uses hereby approved, in the interests of the amenities of the locality and the nearby and on-site environmentally sensitive areas, and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (12) The weddings and events in each 3-month period shall be reported to the Local Planning Authority in accordance with the following schedule:

Months	Reporting Deadline
January, February, and March	1 May of that same year
April, May and June	1 August of that same year
July, August, and September	1 November of that same year
October, November and December	1 February of the following year

The reports shall include the date and number of patrons that attended each event; and the number of camping pitches.

Reason: In order to secure appropriate monitoring of the uses hereby approved, in the interests of the amenities of the locality and the nearby and on-site environmentally sensitive areas, and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (13) All recorded or live music to be provided within the marquee area for the entertainment of wedding or function guests shall only be employed within the designated acoustic enclosure / dance floor area sited there-in, and the noise level within this enclosure shall not exceed the maximum LAeq (time) 95dB as recommended.

Reason: In the interests of the amenities of the locality and having due regard to policies CS16, and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (14) During the months of October to March (inclusive), any music noise from the application site shall not exceed LA(max)(fast)(1 hour) 69 dB on any part of the foreshore area within the Special Protection Area (SPA).

Reason: In the interests of the nearby environmentally sensitive areas and having due regard for Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (15) Unless otherwise agreed in writing by the Local Planning Authority, the use of the application site for wedding and event venue purposes shall at all times be carried out strictly in accordance with the provisions set out in the following documents:

- Noise Management Plan (*updated as (A) above*)
- Tournerbury Woods Estate Wedding Guest Visitor Management Strategy (*updated as (A) above*)

Reason: In order to manage the impact of the uses hereby approved, in the interests of the amenities of the locality and the nearby and on-site environmentally sensitive areas, and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- (16) Development shall proceed strictly in accordance with the Shadow Habitats Regulations Assessment (Holbury Consultancy Service, November 2021), Ecological Impact Assessment (HES, December 2020) and Bat Survey report (HES, December 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological mitigation and enhancement measures shall be implemented as per the ecologists' instructions. All ecological enhancement measures shall be retained in a location and condition suited to their intended function.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- (17) On the fourth anniversary of the planning permission hereby granted, and for every four years thereafter, a report of an ecological survey of the Estate woodland shall be submitted to the Local Planning Authority. The physical extent of each survey shall accord with that contained in the submitted Natural England document 'A review of the condition of Tournerbury Woods, part of Chichester Harbour SSSI' dated November 2022, and each survey shall address the condition of the woodland in relation to the objectives set out in that document, and set out management measures in the event that any of those objectives fall below favourable condition.

Reason: In order to secure appropriate monitoring of the impact of the uses hereby approved, in the interests of the amenities of the locality and the nearby and on-site environmentally sensitive areas, and having due regard to policies CS11, CS16, and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Appendices

- (A) Location Plan
- (B) Annotated Site Plan
- (C) Marquee Elevations
- (D) Marquee Floor Plan
- (E) Gazebo Elevation
- (F) Log Cabin and Decking Elevation
- (G) Log Cabin and Decking Floor Plan
- (H) Proposed Vehicular Access
- (I) Wedding Guest Visitor Management Strategy
- (J) Noise Management Plan

39 APP/23/00057 - 126 West Street, Havant, PO9 1LW

Proposal: Proposed dropped kerb.

The Committee considered the written report and recommendation from the Head of Planning to grant permission.

The Committee acknowledged that the application was referred to the Committee as this was a staff application and discussed the application in detail.

RESOLVED that application APP/23/00057 be granted permission subject to the following conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

L01 REVA Amended Location Plan
B01 REVA Amended Block Plan
A101 REVA Amended Site Plan

Reason: - To ensure provision of a satisfactory development.

- 3 The dropped kerb hereby approved shall not be brought into use prior to the completion of the drainage works shown on approved drawing A101 REVA. Such drainage provision shall be retained at all times thereafter.

Reason: In order to secure satisfactory highway design that does not result in runoff the public highway, and having due regard to Policies CS16 and CS20 of the Havant Borough Local Plan (Core Strategy) 2011.

Appendices:

- (A) Amended Location Plan
- (B) Amended Crossover Plan
- (C) Front elevation showing location and measurement of dropped kerb

The meeting commenced at 5.00 pm and concluded at 6.55 pm

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Chairman