

To:
Mr Murray
I J Murray Associates
200 Sea Front
Hayling Island
PO11 0LF

For: Mr & Mrs Murray

**The Town and Country Planning (Development Management Procedure) (England)
Order 2015
Refusal of Planning Permission**

Application Number: APP/19/00744

Site Address: Poundcroft Stables adjacent 173, Havant Road, Hayling Island

Proposal: Change of use from grazing land to campsite with 28 fully serviced pitches, including construction of two new shower/toilet blocks, office building and ancillary structures.

Further to your application received on 24 July 2019, which was valid from 03 August 2019 Havant Borough Council, as Local Planning Authority, **Refuses Planning Permission** for the above proposal.

The reason(s) for the Council's decision to refuse planning permission is/are:

- 1 By virtue of the site's location within a non-urban area and a coastal zone, adjacent to Langstone Harbour, which is a designated Ramsar, SAC, SPA, SSSI, Local Nature Reserve and the Hayling Billy Trail, the proposed siting of caravans and associated additional structures, hard surfacing and paraphernalia, would be detrimental to the open and rural character of the site and to the visual amenity of the area. The proposal would result in an urbanisation of the site, including possible loss of frontage hedge from visibility splay provision, that would be harmful to the sensitive setting of the area. Without a Visual Impact Assessment it has not been adequately demonstrated that the proposal would not materially harm the rural character and coastal setting of the site. The proposal is therefore considered contrary to adopted policies CS11, CS16, CS17, DM9 of the Havant Borough Local Plan (Core Strategy) 2011; policy AL2 of Havant Borough Local Plan (Allocations) 2014; emerging policies E3 and E4 of the Pre-Submission Havant Borough Local Plan 2036; and the National Planning Policy Framework.
- 2 The proposed campsite would result in increased human activity with associated noise, disturbance and light, that would disturb protected species within Langstone Harbour which is a designated SSSI, Ramsar, SAC and SPA and adjacent a Local Nature Reserve. Part of the site is also a SINCE and no Ecological information or Biodiversity Mitigation and Enhancement Plan has been submitted to address the ecological impacts. On the basis of the lack of ecological information available to the Local Planning Authority it is not considered that the proposed development could be

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undertaken without harm to protected habitats and species. The proposal is therefore contrary to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011; policies DM23 and DM24 of the Havant Borough Local Plan (Allocations) 2014; emerging policies E14, E15 and E16 of the Pre-Submission Havant Borough Local Plan 2036; the National Planning Policy Framework and Wildlife and Countryside Act 1981.

- 3 The site falls within Flood Zone 3 and as holiday accommodation constitutes at least More Vulnerable development, requiring both a Sequential and Exception Test, as set out in the NPPF. In the absence of such tests and without an acceptable Flood Risk Assessment, the proposal is considered to represent unsustainable, inappropriate development in an area of high risk of flooding. Furthermore the submitted drainage solution and use of cess pit is considered inappropriate and unjustified. The proposal is therefore contrary to adopted policies CS15 and DM10 of the Havant Borough Core Strategy, 2011, emerging policies E19 and E20 of the Pre-Submission Havant Borough Local Plan 2036; and the National Planning Policy Framework.
- 4 Increased use of the existing access onto the A3023 would likely cause undue interference with the free flow of traffic and safety and convenience of the users of the adjoining highway. Without further information including interrogation of TRICS, visibility splays, geometry of the access and tracking details, it is considered that the highway safety and amenity issues have not adequately demonstrated that there would be no harm to users of the highway. Additionally the submission does not take account of the Hayling Island Transport Assessment and Addendum (January 2020). The proposal is therefore contrary to policies CS20, and DM12 of the Havant Borough Local Plan (Core Strategy) 2011; emerging policies IN3 and IN4 of the Pre-Submission Havant Borough Local Plan 2036; and the National Planning Policy Framework.
- 5 The use of the site as a campsite could generate noise and disturbance at all times of the day and night that would have an adverse effect on the amenities of occupiers of nearby properties. It is therefore contrary to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, emerging policy E22 of the Pre-Submission Havant Borough Local Plan 2036; and the National Planning Policy Framework.
- 6 It is considered that the layout and siting of the proposed operational development and associated below ground servicing has not had sufficient regard to the precise siting of the boundary trees which are important in the local landscape. Without a more detailed Arboricultural Impact Assessment, Method Statement and Tree Protection Plan it has not been adequately demonstrated that the trees on the site would be safeguarded and retained, contrary to policies CS11 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011; emerging policy E18 of the Pre-Submission Havant Borough Local Plan 2036; and the National Planning Policy Framework.
- 7 On the basis of the information submitted and in the absence of a suitable agreement to secure appropriate mitigation measures, the development would be likely to have a significant effect on the Solent European Sites as a result of increased recreational pressure and decrease in water quality. A Habitats Regulations Assessment would need to be undertaken and without the proposal is contrary to Policies CS11, CS21 and DM24 of the Havant Borough Local Plan (Allocations Plan), emerging Policies E16 and EX1 of the Pre-Submission Havant Borough Local Plan 2036 and The Conservation of Habitats and Species Regulations 2017 (as amended).

In coming to its decision the Council considered plans and other documents submitted with regard to your application and the relevant policies of the Havant Borough Local Plan and other planning policy documents including the National Planning Policy Framework.

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Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.gov.uk/pes
- (3) In accordance with paragraphs 38-50 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:
 - Offering a pre-application advice service, and
 - Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit,

Your application is considered unacceptable for the reasons set out in this Decision Notice.

Simon Jenkins

Simon Jenkins
Director of Regeneration and Place

10 July 2020

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.
- **Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.**
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

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IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on:

023 9244 6571