

Planning Application Response of Planning Policy

Application No:	APP/18/00943
Address:	Tournerbury Woods, Tournerbury Lane, Hayling Island
Development:	Change of Use of land and woodland (retrospective) as a wedding venue, including retention of permanent ancillary buildings and structures, the erection of temporary structures and the use of land as a campsite in association with events, and use of existing cottage for visitor accommodation.
Case Officer:	Steve Weaver
Comments by:	Jacqueline Boulter
Date of Comments:	5 December 2019

UPDATE TO COMMENTS INITIALLY PROVIDED ON 22 NOVEMBER 2018

Policy Status

Since the comments provided in November 2018, the emerging Local Plan has progressed further, with a Regulation 19 Pre-Submission Consultation taking place in February and March 2019. The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan still form the adopted development plan for the borough. The Pre-Submission Plan may be afforded limited weight. The above documents are available at www.havant.gov.uk/localplan.

Key Issues

There are no specific local policies governing this type of operation, but a number of policies are relevant to development in this location. Previous comments highlighted only those in the adopted Local Plan. It should be noted that most have equivalent policies in the emerging Local Plan, which are highlighted below.

Development outside the urban area: The site lies outside the urban area as defined by policies CS17 and AL2. These policies seek to guide development towards the urban area. However, it is hard to envisage how this particular use could be accommodated within the urban area; indeed, it is specifically making use of the space available on the agricultural land / the forest in this location. I do not consider that policies CS17 or AL2 are intended to govern this type of development, and it would therefore be inappropriate to raise an in principle objection on that point. The same is true of emerging policy E3, which in addition makes an exception for development which specifically and demonstrably requires a location outside of a built-up area.

Noise and Disturbance: The use as a wedding venue, and in particular the fact that it is to be largely outdoors, has the potential to generate noise and be a source of disturbance to surrounding uses. The applicant will need to demonstrate that the likely noise impact, and proposed mitigation measures are acceptable, in line with policy DM10. Emerging policy E22 has the same expectations.

Solent SSSI, SAC, and Brent Geese and Waders: It should be noted that the site lies adjacent to Chichester Harbour SSSI and SAC, and therefore it must be carefully assessed whether the provisions of policies CS11 and DM23, as well as national and international regulations regarding such sites is satisfied. In addition, immediately adjacent to the application site lies land which is noted to be a Core Area for Brent Geese and Solent Waders. Emerging policy E17 provides further detail on how such sites should be treated. It makes clear that a project level Habitats Regulations Assessment (HRA) and, if necessary, an Appropriate Assessment (AA) is required. I understand that this has not been done.

Development proposals adjacent to sites used by Solent waders and Brent Geese (SWBG) will only be permitted where design and layout of the development prevents access and disturbance to the adjacent SWBG site. This can either be achieved by avoiding development close to the adjacent SWBG site, or by providing a package of avoidance and/or mitigation measures which are agreed with the Local Planning Authority. I note that both Natural England and the Council's ecologist consider that insufficient information has been provided on ecological impacts.

Chichester Harbour AONB: The site lies within the Chichester Harbour AONB. The impact on the Special qualities of the AONB will need to be carefully considered to satisfy the provisions of policy CS12. Emerging Policy E5 reiterates this requirement. In this context, the content of the [Chichester Harbour AONB SPD](#) should also be noted.

Development in the Coastal Zone: Policy DM9 sets out additional provisions regarding development in the Coastal Zone in order to safeguard the character and appearance of the coast. Policy E4 in the emerging plan makes a distinction between proposed development in undeveloped areas of the coast and other areas of the coast. I consider that this site is in an undeveloped part of the coast. Here, the emerging policy states that development proposals will not usually be permitted, unless it can be demonstrated that the development requires a coastal location. This is a strengthening of the position as compared to the adopted local plan, which should be taken into account in the determination of this application, albeit it may be given only limited weight.

Flood Risk: The site lies within FZ2 & 3, and is therefore at risk of tidal flooding. While a wedding venue is considered to be less vulnerable to that risk and is therefore acceptable in principle in FZ2 & 3, the proposal also includes visitor accommodation. National guidance on Flood Risk specifically requires such proposals to have a flood warning and evacuation plan (see paragraph 056 at <https://www.gov.uk/guidance/flood-risk-and-coastal-change>). The applicant has submitted a Flood Risk Assessment, which sets out the management procedures in place to deal with flood risk on the wider site, and confirms that other than the cottage no visitor accommodation is proposed in areas at risk of flooding. The cottage itself is an established residential use, and therefore its use as visitor accommodation does not increase flood risk on the site.

Conclusion

Under adopted policy, there is no in principle policy objection to this proposal provided that the applicant satisfies concerns regarding the operational impacts of the proposal on neighbours and the wider environment, in particular the sensitive landscape and nature conservation interests in and around the harbour. It should be noted, however, that the emerging Local Plan 2036 takes a stronger line regarding the acceptability of development in undeveloped coastal areas; though this has limited weight.