

IN THE MATTER OF AN APPLICATION FOR A CERTIFICATE OR LAWFULNESS UNDER SECTION 191 TOWN AND COUNTRY PLANNING ACT 1990 APP/19/01292 ('the Application')

WITNESS STATEMENT

OF SUE PHILLIPS

I, **SUE PHILLIPS** of of Tournebury Farm, Tournurbury Lane, Hayling Island PO11 9DL WILL SAY as follows:

1. I have looked at the evidence presented by the applicant in this matter and it has prompted me to undertake the painstaking task of producing a number of tables setting out and tallying up where possible the dates and times of events for years 2008 to 2016.
2. The tables are set out at **exhibit SP1**. It is clear that the activities are not consistent with the use of any of the land in the manner described in the application for a period of ten years. Indeed, the applicant appears to have relied upon permitted development rights for much of the period. I would ask the local planning authority to give an equal amount of energy to determining the true location and dates of the alleged activities as I have done.
2. I have not taken into account the bookings calendar because it has been redacted. I can only say that the number of events alleged to have taken place that rely upon a reference to an electronic bookings calendar appear to be far greater than that reflected in the primary documents and my own personal experience.
3. The evidence is consistent with my personal and direct experience as a neighbour to the Tournurbury Woods Estate since well before the period of time relevant to the determination of this application. The fact is there was very little activity at all but there was definite change in what was going on after 2015.
4. My understanding is that the applicant removed the marquee every year in winter up until the spring of 2016. Photographs supplied by the applicant indicate that in 2013 it was sited on grass and not on a gravel base. Much of the other development and hardstanding appeared after that time and I am sure that were the Council to consider satellite images it would not be difficult to make an assessment. Much of the area where the marquee is was woodland before being cleared. It was just part of the wood not part of the cottage area.
5. This is consistent with a significant uptick in activities from 2016 onwards. The Woods Cottage was historically part of a much larger estate that the one now held by the applicant, but shooting took place away from the Cottage. I have found a Google Image that shows a black tent that I understand was used for shooting parties and is outside the area described by the applicant as being the "Wood Cottage

and environs". I have attached this information as **exhibit SP2**. The shoot uses the whole of the woods and not just the area around the cottage. Indeed, it stands to reason that you wouldn't shoot around the Cottage, Marquee and Carpark. On shoot days, the shoot meet in Tournerbury Golf Centre Café, for breakfast and to discuss the days format. They then move into the wood in convoy. As a rule the shoot has not used the Cottage on shoot days but has used the small dark marquee situated in Woods Field which is not within the area in this application. This is endorsed by photos produced by Mr and Mrs Snell. See EB 20024 which clearly shows the marquee as being of a dark material. Mr Snell does have up to two days of his own, where he invites guests, where they may have lunched in cottage, but it is unclear if these are by invitation or commercial clients as uncertain from invoice evidence.

6. It is surely not right that the applicant can put together all the different activities he is setting out and have them lumped into one tourism and leisure use. Even the applicant has admitted that the activities are all quite different. As for Woods Cottage it was part of a larger estate that the one currently and it is wrong to suggest it was ever grand enough to have its own park and gardens.

7. I only began to have concerns about the use of the applicant's land from 2015 onwards as it impacted our amenity with participants travelling across our land. Much of what the applicant says about openness of use is not inconsistent with exercising permitted development rights. Even advertising a wedding venue from time to time from 2011 doesn't mean that there was the level of intensity we have had to put up with in later years. In fact, around 20 weddings a year would provide quite an income and so he might well have set up a company earlier than the time at which he began to ignore planning controls.

8. In terms of the background to all the buildings and their changes over time, I refer to the points made in our representation on withdrawn certificate application APP-19-00889 on behalf of AGP dated 28 October 2019 as these are enclosed stand as representations for this application. As the Council has retained the material relating to that earlier application it seems to me that it is quite right that it ought also to be taken into account. Those representations are sent together with this witness statement and a legal note on the issues drawn up by our solicitor.

9. One thing that is certain is that I witnessed big HGV's with building materials going to the site from 2016 onwards and coming out empty. We can provide a list of disruption and problems we have had with events since 2017 in a way that we had not experienced before, should the Council require further information. We are happy to be contacted by officers.

Dated this day of 13 February 2020

I believe the facts stated in this witness statement are true

SUE PHILLIPS