

The Planning Inspectorate

QUESTIONNAIRE SECTION 195 AND SECTION 26K LAWFUL DEVELOPMENT CERTIFICATE APPEAL (Online Version)

You must ensure that a copy of the completed questionnaire, together with any enclosures, is sent to the appellant/agent. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

This and any documents which you have indicated as 'To follow' should also be sent to the case officer by the date given in the start letter.

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/X1735/X/21/3278706

Appeal By

MR AND MRS CHRIS AND ALICE SNELL

Site Address

Tournerbury Woods
Tournerbury Lane
Hayling Island
Hampshire
PO11 9DL

PART 1

1.a. Do you agree to the written representations procedure? Yes ☒ No ☐
*Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*

2a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes ☐ No ☒

2.b. Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes ☒ No ☐

Please explain

The nature of the development and its context, which is central to consideration of this case, can only be fully appreciated by visiting the site.

2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes ☐ No ☒

2.d. Would the Inspector have to go onto any privately owned adjoining land as well as the appeal site itself? Yes ☒ No ☐

Please state where:

The access to the site runs across land that is not in the ownership of the appellants, albeit that a right of way is understood to exist.

3.a. Are there any other matters (for example appeals, applications or orders) relating to this land, which are now before the Secretary of State? Yes ☒ No ☐

Please give our reference number(s) and if necessary attach details

Two current appeals:
Enforcement Notice appeal ref APP/X1735/X/21/3278706
Planning Appeal ref APP/X1735/W/21/3278661

3.b. Do you consider that it would be preferable to decide all the matters together?

Yes ☒ No ☐

PART 2

4. Was a valid application and any fee required, received and accepted for the development appealed against?

Yes ☒ No ☐

5. Does the appeal relate to a planning condition?

Yes ☐ No ☒

6. Is there a planning officer's report to committee or delegated report and any other relevant document/minutes?

Yes ☒ No ☐

Please provide a copy.

☒ see 'Questionnaire Documents' section

7. Was there an enforcement notice in force at the date of the application?

Yes ☐ No ☒

8. Are there any related reasons you may have for questioning the validity of the appeal?

Yes ☐ No ☒

9. Are there any related applications now before the local planning authority (LPA)?

Yes ☐ No ☒

10.a. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;

Yes ☐ No ☐

Date the DPD/Neighbourhood Plan is likely to be adopted:

10.b. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;

Yes ☐ No ☐

10.c. your Authority's CIL charging schedule is being/has been examined;

☐

10.d. your Authority's CIL charging schedule has been/is likely to be adopted.

☒

Please provide the date of adoption:

01/08/2013

10.e. are there any other matters relevant to determining the appeal which you think we should know about at this stage?

Yes ☒ No ☐

Please provide details:

The site lies within Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar Site. Tournurbury is also designated as a unit of the Chichester Harbour Site of Special Scientific Interest (SSSI). In addition, the eastern part of the site lies adjacent to the Solent Maritime Special Area for Conservation (SAC). The site lies within the Chichester Harbour Area of Outstanding Natural Beauty. Part of the access runs through a Scheduled Ancient Monument.

☒ see 'Questionnaire Documents' section

11. Do you wish to attach your statement of case?

Yes

☐ No



12. This appeal is made under section:

Section 191



Section 192



Section 26H



LPA Details

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.



LPA's reference

APP/19/01262

Completed by

Jacky Clark

On behalf of

Havant Borough Council

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Steve Weaver

Phone no (including dialling code)

02392 446530

Email

planning.development@havant.gov.uk

Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.

QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/X1735/X/21/3278706

Appeal By MR AND MRS CHRIS AND ALICE SNELL

Site Address
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The documents listed below were uploaded with this form:

Relates to Section: PART 2
Document Description: 6. A copy of the planning officer's report to committee, the delegated report, or any other relevant document/minutes.
File name: APP_19_01262-DELEGATED_REPORT-1490669.pdf
File name: APP 19 01262 Decision Notice.pdf

The documents listed below are to follow by post:

Relates to Section: PART 2
Document Description: 10.e. Details of any other matters relevant to determining the appeal.

Completed by Not Set

Date 22/07/2021 15:45:57

LPA Havant Borough Council