

Our Ref:- H/125/MK

Your Ref:- APP/18/00943

Havant Borough Council
Development Control
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

6th December 2019

Dear Mr Weaver

Tournerbury Woods, Tournerbury Lane, Hayling Island

I have been asked by [REDACTED] to submit representations objecting to the current application at the above site. These representations are made in addition to those sent to Rachael McMurray on 4th December 2018.

[REDACTED]
This letter does not seek to comment on any legal issues, just planning matters raised by the application proposal.

Whilst my clients do not have any objection to the use of the site as a wedding and events venue, campsite and the holiday cottage, provided all ecological habitats, SSSI and SPA requirements are met, they do, however, strongly object to the significant increased use of the private road through Tournerbury Farm by patrons visiting the Estate.

You will no doubt be aware that Rachael McMurray's report into application APP/17/00207 confirmed in section 3: *'At present, the only access into the estate is through Tournerbury Farm which is causing an issue with the ongoing operations within the farm itself by way of additional traffic passing through.'* The application to construct a vehicular track from the public highway to Tournerbury Woods Estate for the purpose of avoiding agricultural operations in Tournerbury Farm was approved on 4th May 2017.

The land to construct the track is still available for Mr Snell to use, to avoid traffic travelling through the farm and over the Scheduled Ancient Monument, creating a safer environment for Mr Snell's customers to access and egress the site. My clients will be submitting an application shortly to discharge planning conditions and then will carry out work to implement the planning permission before its expiry date. This will be done in the hope that

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Mr Snell can finally agree to use the alternative Right of Way, which I am sure everyone would agree would benefit the working operations of Tournerbury Farm.

It is evident that Officers understood in 2017 that there were problems with additional traffic passing through Tournerbury Farm, yet this latest application would encourage the escalation in activities at the site. This would not be acceptable to my clients, whose family and working lives have been made a misery by the use of the private road (Right of Way) through the farm by patrons visiting the Woods Estate.

The Design & Access Statement advises on page 5 that over time Tournerbury could hold between 100-200 events per year. It isn't just the number of events currently held now or in the future that is of concern but the number of people who could attend each event. Again, the Design & Access Statement confirms on page 6 that weddings and events range in size from 15 people to 500 people, most of whom will evidently be travelling by car to the Estate. The hours of use/duration of events described on the same page of the Design & Access Statement mean that there would be a steady stream of vehicles driving through the farm to access the Estate from 8am to well beyond midnight when cleaning staff leave the venue.

In addition to an increasing number of events and patrons visiting the site, staff numbers are also predicted to grow to 45-50 full time staff.

The Transport Statement confirms within Appendix A that there have been 42 weddings during 2019 (up to 5th October 2019) and that the average number of day guests this year are 107 and evening guests 57.

The Highway Review of Right of Way through Tournerbury Farm describes the width of the tracks through to the Woods Estate in paragraph 10; however, when describing the narrowest section of the track at about 3m in width, there is no mention of deep water either side of this section of the track. The total length of the Right of Way through the private farm extends to 325m (paragraph 13).

Paragraph 34 from The Highway Review of Right of Way through Tournerbury Farm confirms that on an average wedding day there would be *circa* 53 vehicular trips in the run up to a wedding. This would equate to 0.9 vehicles a minute driving along the Right of Way during a one-hour period when the farm will be working, with forklifts, tractors and trailers being used in the yard and, depending on the time of the year, the movement of livestock through the yard. It isn't conducive to a working farm to potentially have so many vehicles driving through the farmyard.

High traffic speeds have only been dealt with by the imposition of speed bumps and 5mph signs, contrary to what is suggested in paragraph 37.

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There is no consideration in The Highway Review of Right of Way through Tournerbury Farm to the impact of vehicles passing by the barns within the farmyard, resulting in animals constantly being disturbed by noise and headlights.

My client submitted with his 4th December 2018 representations a list of the impacts upon his family's personal lives and wellbeing and health and safety risks associated with the use of the Right of Way through the farm by visitors to the Woods Estate. The concerns raised remain valid today. The list of concerns is being resubmitted with this letter and the Council is requested to publish them on its website.

Whilst not raised in the previous representation, the condition of the surface along the Right of Way down to the Woods Estate is poor, uneven, extremely narrow in places and contains pot holes. This is not at all suitable for the buses, lorries, vans, taxis and private cars who are all expected to drive to the Estate. One of the submitted photographs show how narrow the track beyond the farmyard is, at about 3m in width, and this is bordered on both sides by deep water.

Hampshire County Council's highway comments on this application are disappointing. They accept that the local highway network can accommodate the quantum of traffic from the venue, but do not offer any comments on the suitability of the Right of Way for drivers driving to and from the Woods Estate. It is considered that upgrading the surface of the Right of Way would be a benefit to drivers driving to and from the Woods Estate.

The Planning Policy Response to this application advises that a Habitats Regulations Assessment (HRA) and, if necessary, an Appropriate Assessment (AA) is required. Given the sensitivity of the site's location in proximity to designated sites, it is disappointing that the ecological comments made by Hampshire County Council and Natural England have not, at the time of writing, been addressed. This Response also identifies a number of the principal policies against which the application should be assessed. One which has not been referenced is Policy CS16: High Quality Design from the Council's Core Strategy. As has already been outlined in this objection letter, the issue of noise and disturbance to both the objector and his livestock from the existing (and proposed) development is of great concern and it is considered that the application does not satisfy this policy.

Chichester Harbour Conservancy suggest that an upper cap on events would be one way in which the LPA could monitor and effectively enforce against the Estate, if necessary.

My clients would ideally like the application to be refused and the Council to enforce against any unauthorised uses and/or activities taking place at the site. If the application is to be recommended by Officers, a cap on the number of events held each year at the Woods Estate would be one way for the Council to take back some control. An upper limit could be no more than 30 events per year, with access through the farm. Alternatively, there would

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be no objection to the number of events accessed by drivers using the alternative, approved access track. To avoid vehicles driving through the farmyard in the early hours of the morning, all vehicles, including those belonging to cleaning staff, should have left the venue by midnight at the latest. Upgrading the surface of the Right of Way should be considered by the LPA and this could be the subject of a Grampian planning condition. This is without prejudice to my client's position on the private Right of Way which is of course subject to ongoing litigation.

Finally, I am aware that Certificate A was completed on the application form, whereas Certificate B should have been completed and notice served on my clients. They own the farm through which access is required to serve the Woods Estate.

I am advised that you and Mrs Mansi are due to visit Mr & Mrs Phillips shortly and I would be grateful if you could take on board the above concerns in advance of that meeting.

I am also forwarding to you under separate cover two emails including photographs taken of vehicles which have caused issues whilst driving through Tournerbury Farm.

Please do not hesitate to contact me should you have any queries.

Yours sincerely



Enc.