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30th November 2020

Director of Planning
Havant Borough Council
Public Service Plaza,
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Havant,
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For the attention of Mr Steve Weaver

Dear Mr Weaver

Tournerbury Esate, Hayling Island

Applications APP/18/00943 and APP/19/01262

The continued use of land and buildings for a wedding and event venue

You will be well aware we have two submissions before you awaiting determination; a submission (Certificate of Lawfulness for Existing Use and Development) seeking the lawful use of the site and associated operational development (ref: APP/19/01262) as a wedding and events venue, and a retrospective application for matters covered by the CLUED, but also including additional development implemented and used after the appropriate date for claimed established use set out in submission ref: APP/18/00943.

The submissions attracted local interest and objection on grounds of noise and potential adverse ecological impacts. Whilst the CLUED is a matter to be determined on fact alone, and objections do not have a direct impact on its determination, unless they provide factual evidence that contradicts the evidence on which we rely, we have acknowledged for local political reasons the planning authority would prefer to determine the submissions together sequentially; the establish use and development first, followed by the application for retrospective permission for development lying outside the scope of the CLUED. The latter will allow the council the opportunity to impose reasonable conditions as to the management of the site; conditions which cannot be applied to the CLUED.

We addressed noise issues some months ago in liaison with your Council Environmental Officers and reached a workable arrangement. The matter of ecological impacts has taken much longer to resolve as a result of the development existing and therefore it not being possible to assess potential impacts of proposed development.

We are however, very pleased to advise we have this week reached agreement with Natural England and the Hampshire County Council's ecologist acting on behalf of your council. We have agreed a pragmatic solution to the ecology issues which acknowledges both the intrinsic ecological value of the site and the fact the development has for the most part operated alongside environmental interests. In discussion with the parties we have not only completed all required surveys but have undertaken all necessary assessment, indicating that the site's activities can continue to operate on grounds that a reasoned visitor management strategy is introduced to manage activity to ensure the ecological interest is protected and enhanced for future generations. The Visitor Management Strategy has been discussed in detail with the ecology bodies and that which we now submit reflects the agreement reached. In reaching conclusions and devising the necessary management controls, we have taken account of all ecological

concerns raised in objection to the retrospective application, including those of the Chichester Harbour Conservancy. All environmental objections have been considered independently by both Natural England and Hampshire CC ecology and our responses to matters raised by objectors and those bodies in due course, have been considered similarly.

I attach for your consideration a shadow Appropriate Assessment as discussed and agreed with the two ecology bodies. Not only will this assist the council in undertaking its own Appropriate Assessment, but it includes, at appendix 3, the agreed visitor management strategy, which our client intends to implement at the site to manage activities and protect ecological interests. We have discussed previously the possibility of securing such a management tool by planning condition, and this was part of the reason for submitting the retrospective application. By extending the scope of the application to also include matters subject to the CLUED, it enables a management strategy to be applied across the site by condition. We can discuss the form and scope of such a condition when we consider appropriate conditions.

Also submitted with this letter is an up to date Bat Survey and an Ecological Impact Assessment. These two documents seek to pull together all outstanding matters relating to ecology at the site and address the local concerns which suggested elements of the site's ecology had been missed or were based on outdated information. The reports too have been discussed with the statutory consultees.

Given the documents have already been subject to detailed scrutiny by the consultees we do not believe it is necessary to further consult. On that basis you should have all necessary information to now determine the submissions before you. Please let us know if there is any final information you still require.

The one issue you have raised previously is that of the access and its potential impact on the private amenities of the immediate neighbour. We have advised that we have a lawful access for all purposes and at all times including intensification of our activity. The access can serve the existing and proposed development and opportunity exists to improve that access should it be required. Nevertheless, we have accepted that provision of a new access route could provide planning benefit and we have secured planning permission to enable this benefit to be realised.

You will also be aware that the neighbour, whose amenities stand to be improved through the provision of an alternative access has taken it upon himself to implement the permission but has since deviated from the approval such that the route is no longer appropriate for our use. We have written formally to the council requesting the unauthorised development be investigated, and we have objected to the submission of variations on grounds the changes do not allow the objectives of the access to be secured.

I look forward to hearing from you as soon as you have reviewed the enclosed information.

Yours faithfully,



Haydn Morris
HMPC Ltd
On behalf of Tournbury Woods Estate Estate
30th November 2020