



TOWN PLANNING &
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Planning Services

Havant Borough Council

Public Service Plaza

Civic Centre Road Havant

PO9 2AX

Our ref – SRL.047.19

7 August 2019

Dear Sir/Madam

**SUBJECT – PLANNING APPLICATION APP/15/00832: VARIATION OF
CONDITION 2 (APPROVED PLANS) & REMOVAL OF PLANNING CONDITION 3
(RE-SURFACING OF MUGA COURT)**

I am instructed by the Management Board of Havant RFC to lodge a planning application to seek the above.

Decision Notice APP/15/00832 is reproduced as **Appendix A** to this statement.

The matter of varying condition 2 (implementation in accordance with plans approved 2.12.2015 is relatively straight forward and has been driven by a change in funding streams and a desire to improve natural light penetration into the building.





The requested removal of condition 3 is related to the qualitative and ultimately quantitative improvements in the playing surface of the Artificial Turf Pitch (ATP) approved and built out last summer under permission APP/17/01327.

Arguments about those improvements were set out in the agent's statement supporting that application, submitted again as **Appendix B** to this statement.

The Board of the Club assert that these improvements far outweigh the improvements which might have otherwise been delivered by re-surfacing the MUGA court (seen in the photo below) as an ATP. The Club respectfully submits therefore that it is no longer necessary to improve the MUGA and that the intended improvement in a playing field facility for the community, administered by the English Rugby Football Union has already been delivered.



As a secondary driver, it is understood that council officials will be seeking funding to re-purpose the MUGA. Whilst those plans are as yet at a formative stage, it would seem foolish to resurface the MUGA if it were transpire that that was ultimately a waste of time and money.

In the interim, the children's day nursery approved under APP/15/00832, is an important community facility, which should not be fettered or its continued operation threatened by non-delivery of a no longer required resurfacing of the MUGA.

The ATP has been delivered and is functioning very well in the community, helping to deliver core strategy Policy CS1 not just for rugby but also for American football and walking soccer/5 aside football.

Paragraph 55 of the National Planning Policy Framework (NPPF, February 2019) sets out the tests of a planning condition as –

"...necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects."

Condition 3 to APP/15/00832 reads –

"The use of the children's day nursery shall not commence until details of the design and layout of the artificial grass pitch have been submitted to and approved in writing by the Local Planning Authority, following consultation with Sport England. The artificial grass pitch shall be constructed in accordance with the approved details and within 6 months of the commencement of the use of the children's day nursery, unless approved in writing by the Local Planning Authority."

Note: The applicant is advised that the design and layout of the artificial grass pitch should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England, National Governing Bodies for Sport. Particular attention is drawn to Artificial Surfaces for Outdoor Sports

<http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/artificial-sports-surfaces/>

Reason: *To ensure the pitch is fit for purpose and that compensatory sport provision is provided and having due regard to policies CS1 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework."*

The Board has set out its position on need and relevance of condition 3 above.

On the test of reasonableness, it is not considered reasonable to threaten the (continued) existence of the Children's day nursery by strict and slavish adherence to a condition which is no longer necessary.

The Board respectfully suggests that the reduced fire escape structure to the north elevation and other minor alterations to the plans approved 2.12.2015 under condition 2 are still compliant with Local Plan policy CS16 and now requests that

condition 3 to planning permission APP/15/00832 should be removed, with no detriment to the aims and objectives of CS1, now that the main ATP has been delivered.

Yours faithfully

Steve Lawrence

Director, ACHIEVE –

Town Planning and Urban Design Ltd

CC. Alan Newton, Commercial Director HRFC