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Chief Planning Officer
Havant Borough Council
DX50005 Havant

For the attention of S Weaver Esq.

LARCOMES
LLP

SOLICITORS

Your Ref: APP/16/00021

Our Ref: AT/Mason

Date: 4 April 2016

Dear Sir,

re: APP/16/00021 Change of use from private equestrian yard to a mixed use comprising private equestrian yard and two pitch, private gypsy and traveller site (including amenity block and two touring caravan pitches). Land - Stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

We refer to this matter. We act for Mr and Mrs Mason of Hollybank Cottage and other residents.

This letter addresses a single issue to do with the current use of the property the subject of the current application and is not intended as a comprehensive objection.

The background to that use is comprised in two permissions relating to applications numbered 10/74070/000 and APP/14/00381. We have considered both of those. In our view both the applications were incorrect insofar as they showed within the application sites land not controlled by the applicant. It follows therefore that certificates A completed in both cases were wrongly submitted. We attach copies of both application plans. It will be noted that the extent of the land within red lines on these is the same. We also attach a copy of the plan from



Lawyer Members Andrew Turner, Julian Guértermain, Mark Tonley, Richard Hopgood, Lisa Moore, David Sumner

Non-Lawyer Member Janice Ward (Practice Director)

Associate Member Amanda-Jane Shackleton

Solicitors

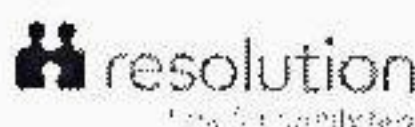
Christina Hayles, Lucy Linington, Gemma Bray

Fellows of the Institute of Legal Executives

Paul Lee, Sandra Phillips, Kate Tidman, Chloe Evans

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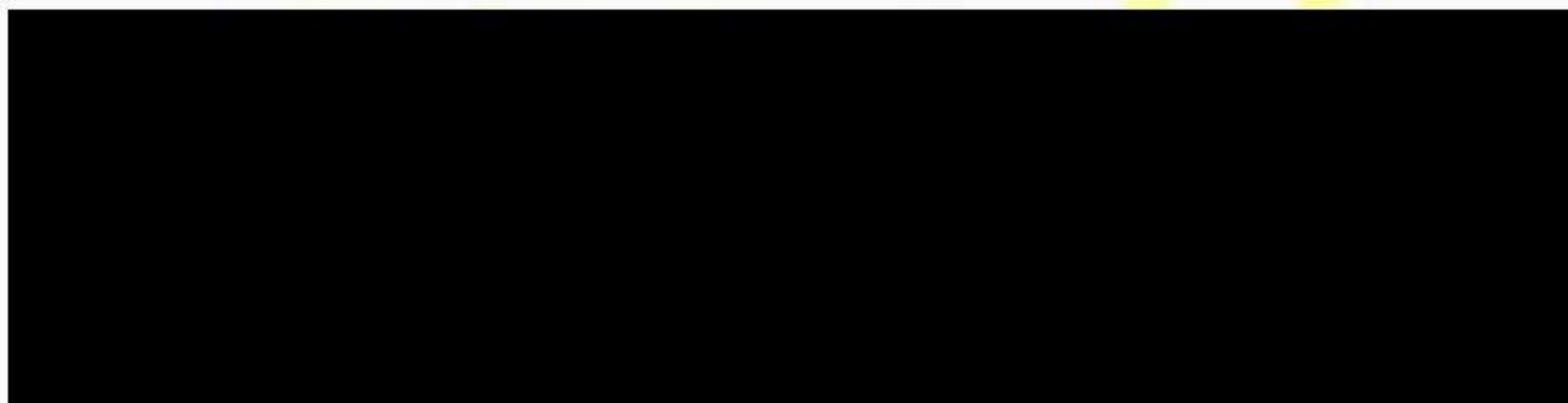
the current application showing the red line in a different place and we have highlighted in yellow the area of land that was included in the 2010 and 2014 applications but which is not in the current one. From a perusal of the Land Registry plans and titles it does not seem that land ownership extents have changed in the relevant period.

We believe that the most likely explanation for this discrepancy is that when the 2010 and 2014 applications were prepared the plans used were drawn following the OS field boundary lines rather than the actual title boundary. If that is the case given the fact that certificate A's would be incorrect, in our view these errors make the permissions unlawful.

More importantly perhaps the consequence of the incorrect mapping is that the actual physical position of the permitted stables and extension on the ground now is not where it should be (as shown on the permitted drawings) but considerably to the west and therefore nearer to Hollybank Cottage. The relative positions can be clearly seen on the three plans.

Assuming what we have said above is correct the Council cannot countenance an approval of a further application to extend the use of the site as submitted in the current application and must consider both the lawfulness of the two current permissions and the action that needs to be taken to ensure that the present buildings are correctly sited as they were permitted at the correct distance from Hollybank Cottage.

To assist the Council we also attach a copy of the relevant extract from the Land Registry records to show the various titles and a photo which illustrates the present position clearly and which is consistent with what we have said above.



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Site Plan 1:500

↑
North

HAVANT BOROUGH
COUNCIL

11 APR 2016

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VIEW	LOCATION	DATE	TIME	PHOTOGRAPHER	REMARKS
(1)	VIEW LOOKING WEST WITHIN SITE				
(2)	VIEW LOOKING EAST WITHIN SITE				
(3)	VIEW LOOKING WEST WITHIN SITE				
(4)	VIEW LOOKING EAST WITHIN SITE				
(5)	VIEW LOOKING EAST GOLF SIDE SITE				
(6)	VIEW LOOKING NORTH INTO SITE				

Location Plan 1:1250

La Crosse County 3000 Avenue B, La Crosse, WI 54601-1110

PROPOSED
- LANDSCAPING TO
REINFORCE EXISTING
NATURAL HEDGE

MIX OF FRUITBODIES, BULBIFORM
AND PEDUNCLE, TWO ROWS
AT STAGGERED 45CM INTERVALS
PLANTING HEIGHT - 1-1.5M
- 3 LTR POTS
T.P.O. x 2 - NO DEVELOPMENT
WITHIN ROOT
ZONE

**Proposed Field Shelters
along Copse Lane
Westbourne
Campshire
Q10 7UR**

Mr. L. Modawick

stallions possess

stallions possess

Antonia Apolcalon

Page 10 of 10

October 2009
50N @ A1

Young men

2024/09 01

100

Steve Studd, 1A Plymouth Road
Barnstaple, Devon PL6 8PP
Tel: 01323 8069 3524
Fax: 01323 8069 3611
E: info@redesign.co.uk
W: www.redesign.co.uk

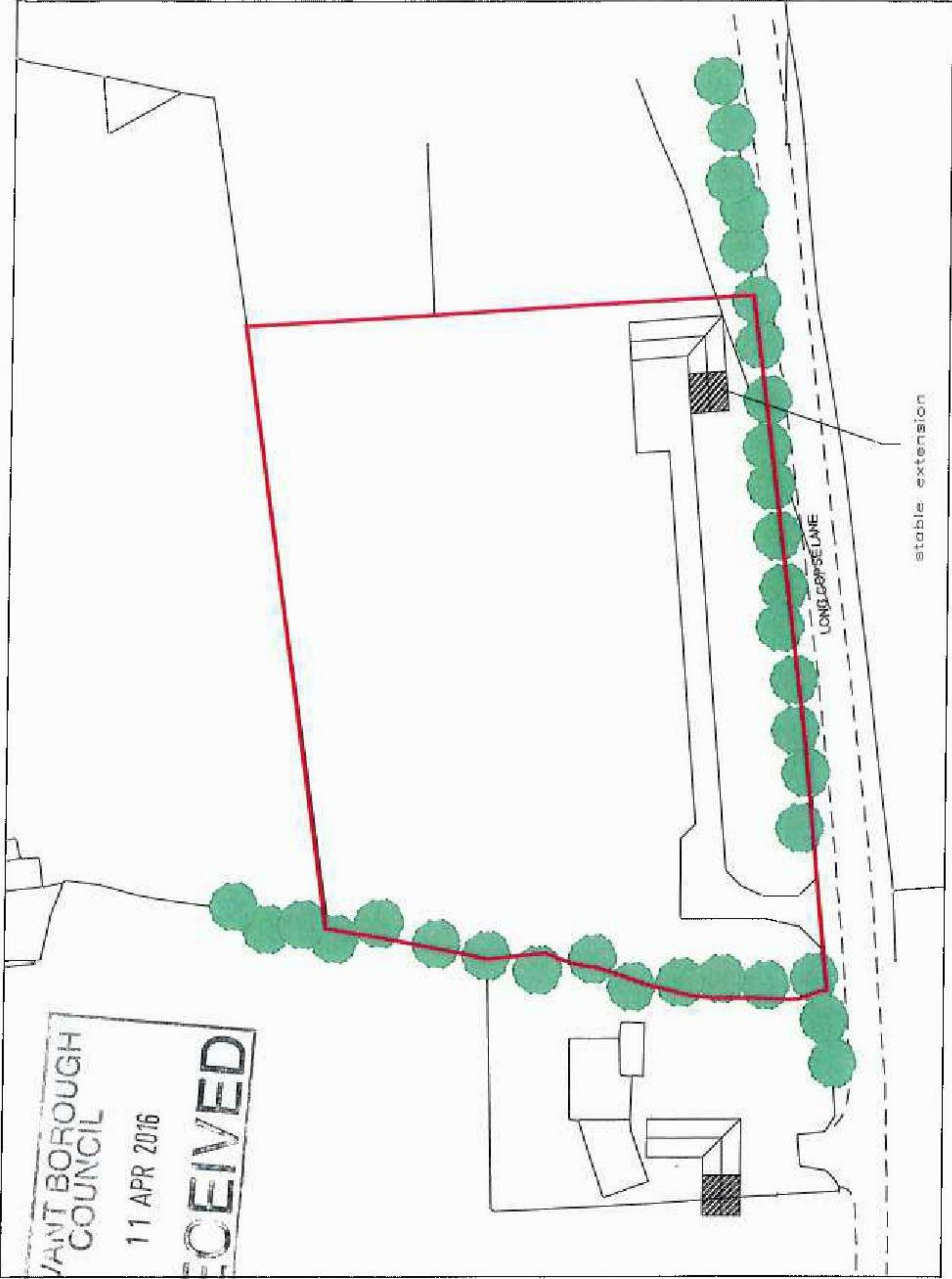
M D T

design co uk
architectural services

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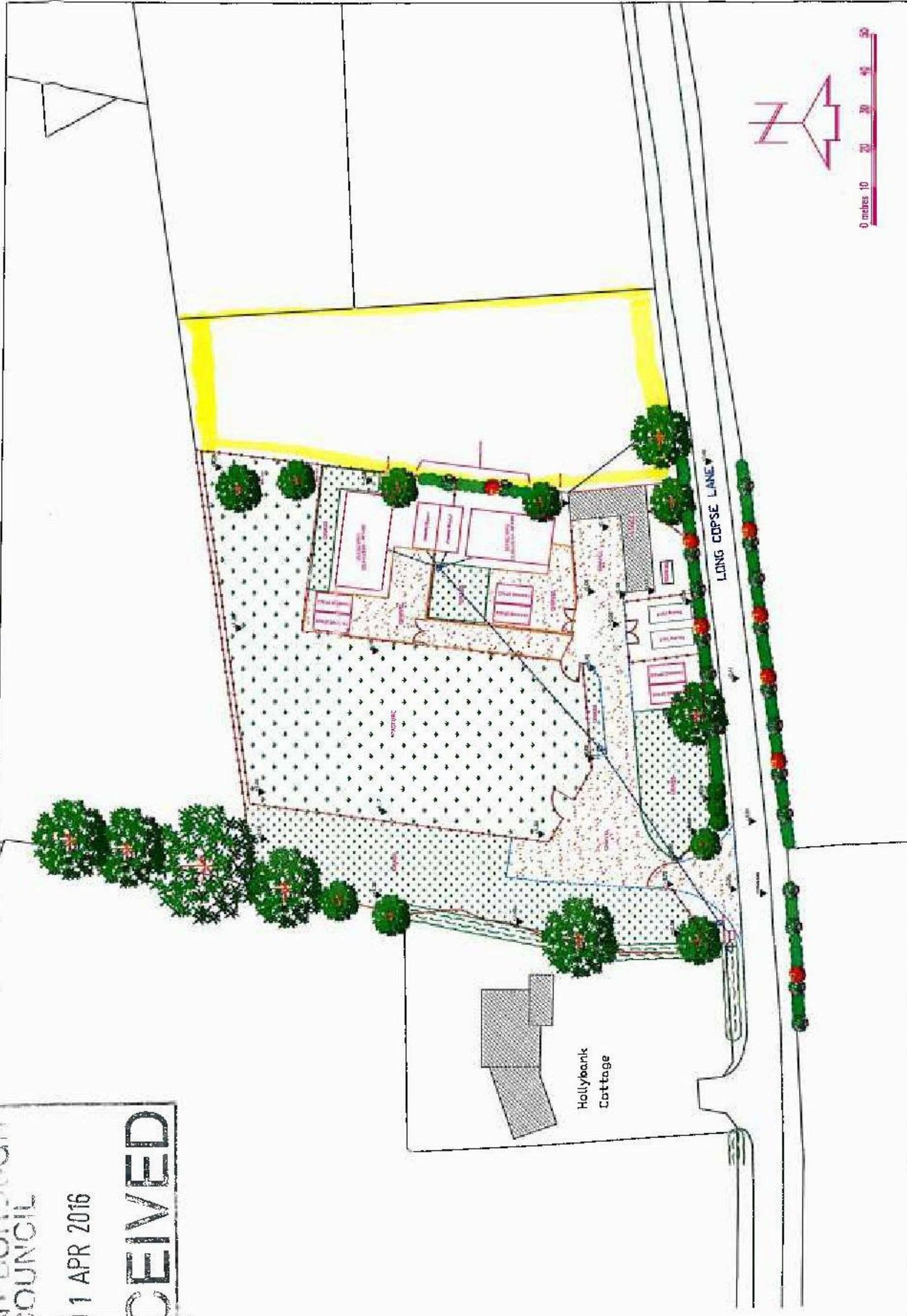


REV	DATE	NAME	REVISION
CREATIVE HERITAGE LTD OAK FRAME DESIGN AND CONSERVATION 166 COUNTY STREET DORSET TEL: 01305 371500 WWW.CREATIVEHERITAGE.CO.UK			
DRAWN BY	DORCHESTER	DATE	APR 14
CHECKED BY	BPIC	C.A.D.	
PROJECT NO	9399	DATE	APR 14
DESCRIPTION	9399.3.A		

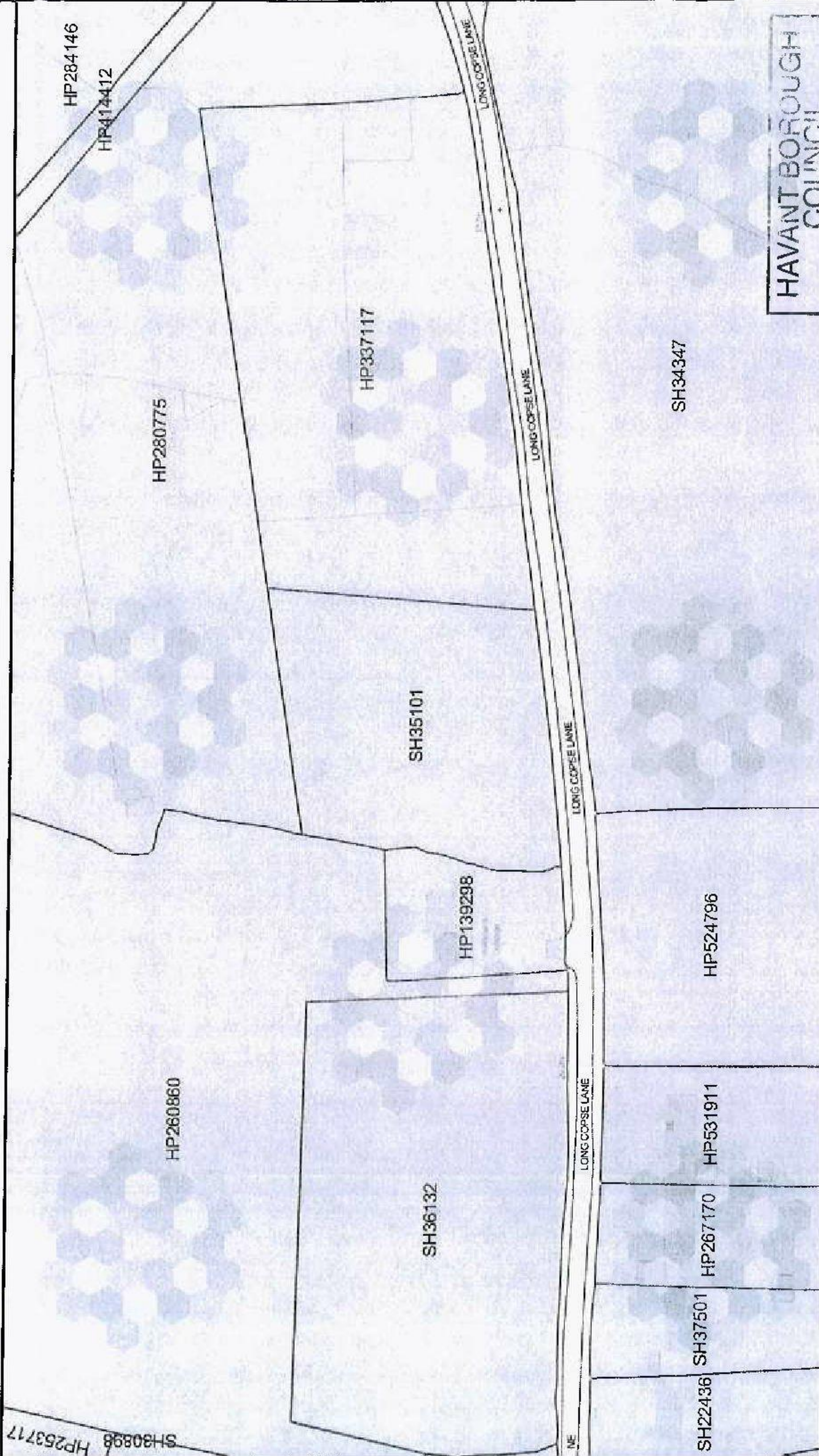
Mr L Madgewick stable extension

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HAVANT BOROUGH COUNCIL
1 APR 2016
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DRG No. 01297/2C



 S.A.B. DRAWING & DESIGN 26 MARGUERITE ROAD TIVERTON DEVON UNITED KINGDOM EX16 6TD TEL: +44 (0) 1884 254004 FAX: 0870 131 9176 E-MAIL: steve@sabdrawing.co.uk		THIS DRAWING IS SUBJECT TO PERMIT AND MUST NOT BE OFFERED OR REPRODUCED WITHOUT THE PERMISSION OF S.A.B. DRAWING & DESIGN. THIS DRAWING HAS BEEN PRODUCED FOR PLANNING PURPOSES ONLY. IT IS NOT A CONTRACT DOCUMENT. THE CLIENT MUST BE ADVISED THAT THE DRAWING IS NOT A CONTRACT DOCUMENT. THE CLIENT MUST BE ADVISED THAT THE DRAWING IS NOT A CONTRACT DOCUMENT.		TITLE		CLIENT	DRN. SAB	DRG. No.
				PROVISION OF PITCHES ON LAND OFF LONG COPSE LANE, EMSWORTH, HAMPSHIRE.		Mr L MADGWICK	DATE 08.03.15	01297/2C
				PROPOSED LAYOUT & LEVELS			SCALE A3 1:500	
		Rev/ Date		Revision				Rev. 1 (08.03.15)



HAVANT BOROUGH COUNCIL

0 5 10 15 20 25 30 35 40 50m

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Data last updated 10:00pm 28 MARCH, 2016

11 APR 2016 11:25

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Google Maps Photo of site with red edging added to show delineation



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