

From: Phil Rowe [<mailto:phil@proweplanning.co.uk>]
Sent: 24 April 2016 16:41
To: Planning and Development Shared Mailbox
Cc: Steve Weaver; lesmadgwick
Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth -Supporting Evidence to Demonstrate a Nomadic Way of Life
Importance: High

Steve,

Proposed Development: 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).

Please find attached:

- **Supporting Evidence to Demonstrate a Nomadic Way of Life**
Les Madgwick Date of birth: [REDACTED]
Jimmy Madgwick (Les's son) Date of birth: 1 [REDACTED]
- **Witness statements from members of the travelling family confirm that the applicants maintain a nomadic way of life and continue to travel for a living.**

I can confirm that Les and his son Jimmy are happy to accept a personal condition as part of the planning permission to reflect their circumstances.

If you have any further questions please do not hesitate to contact me.

Thank you in advance for your assistance.

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

From: Phil Rowe

Sent: 22 April 2016 10:17

To: 'planning.development@havant.gov.uk' <planning.development@havant.gov.uk>

Subject: FW: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Importance: High

From: Phil Rowe

Sent: 22 April 2016 10:12

To: 'Steve Weaver' <Steve.Weaver@havant.gov.uk>
[REDACTED]

Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Importance: High

Steve,

With regards to clarifying information:

1. I attach a copy of the completed CIL forms; *as far as I can see mobile homes are a change of use and as such ineligible for such contributions; please correct me if I'm mistaken.*
2. Solent Special Protection Area (SPA) contribution – I can confirm having spoken to the applicants that they would have no objection to making a total contribution of **£409.60** (£176 per dwelling (together with an administration fee of £20 and a monitoring fee of £8.80 per dwelling) to mitigate against the effects of recreational disturbance on the Solent Special Protection Area (SPA). **I will get the applicant to make the payment direct to the Council quoting the reference number APP/16/00021.**
3. I am being hand delivered some sworn statements from Les's wider family later today to confirm that he and his son maintains a travelling lifestyle with them which I forward upon receipt.
4. I will also finalise a **Travelling and Background statement** for Les and his son Jimmy to put into words what he has explaining to me later today.

All information will be with you **no later than 9am on Monday 25th April**

Thank you in advance for your assistance.

Please use and note our new email address phil@proweplanning.co.uk
[REDACTED]

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

From: Steve Weaver [<mailto:Steve.Weaver@havant.gov.uk>]

Sent: 19 April 2016 13:57

To: Phil Rowe <phil@proweplanning.co.uk>
[REDACTED]

Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage,
Long Copse Lane, Emsworth

Dear Mr Rowe

Thank you for your reply. I note your comments and can confirm that the application is not due to be determined until next week; therefore provided you are able to put forward any new information to me by no later than 9am on Monday 25th April, I and my colleagues should be able to consider its implications within the current timeframe for determination of this case.

Regards

Steve Weaver
Development Manager
Planning Services
Direct Dial Telephone Number (023) 9244 6512
Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: steve.weaver@havant.gov.uk
www.havant.gov.uk
www.facebook.com/havantboroughcouncil
www.twitter.com/havantborough

From: Phil Rowe [<mailto:phil@proweplanning.co.uk>]

Sent: 19 April 2016 10:19

To: Steve Weaver
[REDACTED]

Subject: FW: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage,
Long Copse Lane, Emsworth

Steve,

Thank you for your email. I will get the requested information regarding the traveller status of the applicants over to you in the next few days.

Please can you confirm you will keep the application undetermined until this information has been provided.

I will get the CIL information over to you and can confirm that we have no objection to making the Ecological mitigation payment.

Please use and note our new email address phil@proweplanning.co.uk

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

From: Phil Rowe [<mailto:phil.rowe72@bluebottle.com>]

Sent: 17 April 2016 10:49

To: Phil Rowe <phil@proweplanning.co.uk>

Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Steve Weaver <Steve.Weaver@havant.gov.uk>

From: Steve Weaver [<mailto:Steve.Weaver@havant.gov.uk>]

Sent: 14 April 2016 13:14

To: 'Phil Rowe' [REDACTED]

Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Dear Mr Rowe

Further to my email of 1st April 2016 I note that we do not appear to have received any further information from you as to the nature and need for the accommodation, and therefore the application will proceed to be determined in light of the information you have already supplied below, and with the initial application submission.

On a separate note, discussions with colleagues have highlighted the following additional areas where information is required:

(1) Community Infrastructure Levy (CIL)

CIL was implemented by Havant Borough Council on 1st August 2013. As a result, and as the application is considered to involve the creation of 2

dwellings, the Additional Information Form relating to CIL should be completed and forwarded to the Council to support the application. The relevant form can be downloaded here

https://ecab.planningportal.co.uk/uploads/1app/forms/cil_questions.pdf

(2) Ecological mitigation

The 'Habitats Regulations' set out how Local Planning Authorities must deal with planning applications that have potential to impact on Special Protection Areas (SPAs) and other European protected sites. The legislation says that local planning authorities must not grant consent for a development that would, either alone or in-combination with other developments, have a likely significant effect on a European protected site, unless full mitigation is provided. Work undertaken in connection with the Council's Local Plan has identified that any net increase in residential development in the Borough will contribute to a significant impact on the integrity of wintering and passage waterfowl of the nearby coastal SPAs through recreational disturbance. As a result all net new residential development within the Borough is required to mitigate these impacts.

In the current case the proposal would result in two new dwellings and in accordance with the adopted Havant Borough Council Local Plan (Core Strategy) Policies CS11 and CS21 together with Havant Borough Local Plan (Allocations) Policy DM24 provision should be made for the mitigation of the development impact on the Special Protection Area (SPA). Given the scale of the proposal, the Council (in consultation with Natural England) is prepared to accept a financial contribution toward the cost of mitigation of the development's impact on the SPA through the Solent Recreation Mitigation Partnership.

Should the application be recommended for approval therefore, the Council would seek financial contribution towards the Solent Recreation Mitigation Partnership before being in a position to issue any consent. Natural England has advised that a contribution of £176 per dwelling will be required to mitigate against the effects of recreational disturbance on the Solent Special Protection Area (SPA), together with an administration fee of £20 and a monitoring fee of £8.80 per dwelling.

Whilst I am not in a position to confirm whether planning permission will be granted, I would ask at this stage whether your client would agree to the specified contribution in the event that the application were recommended for approval.

Further information on financial contributions can be found in the document 'Developer Contributions Guide' which can be found on our website www.havant.gov.uk. Further information is also available on the Solent Recreation Mitigation Partnership Financial Contribution.

I am currently in the process of reviewing representations and consultations received in connection with the application. Should these identify the need for additional information over and above that requested above, I will contact you again. However I would ask that you nevertheless reply in respect of points (1) and (2) above within

the next 7 days in order that the position is clear before I make my recommendation on the application.

Regards

Steve Weaver
Development Manager
Planning Services
Direct Dial Telephone Number (023) 9244 6512
Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: steve.weaver@havant.gov.uk
www.havant.gov.uk
www.facebook.com/havantboroughcouncil
www.twitter.com/havantborough

From: Steve Weaver
Sent: 01 April 2016 09:23
To: 'Phil Rowe'
Cc: Planning Policy and Urban Design
Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Dear Mr Rowe

Thank you for your response.

I note your comment that you consider there is a general outstanding need for gypsy pitches in Havant. In this regard I would refer you to paragraphs 2.31-2.35 of the adopted Havant Borough Local Plan (Allocations) 2014, which sets out the conclusions of the Traveller Accommodation Assessment for Hampshire 2013: "there is no identified need for permanent Gypsy and Traveller pitches in Havant Borough up to 2027."

The link to the Allocations Plan is [here](#) and the Traveller Accommodation Assessment [here](#).

In light of the Local Plan position, and the fact that this is the start point for decision-making on planning applications, please could you set out in more detail what material considerations apply to this site which you consider would indicate that a contrary position should be taken?

In addition, from the information submitted with the application, and the findings of my visit to the site yesterday, I had anticipated that the application was being made on behalf of, and for the accommodation needs of, the Madgwick family. Your note below suggests that this may not in fact be the case; in which case the need for the pitches clearly needs to be demonstrated in a more general sense. It also remains unclear as to whether these pitches are being applied for on a permanent or temporary basis.

I will be away from the offices from today until Tuesday 12th April; in the meantime please could you include my planning policy colleagues in your reply (the cc'd address) as they are still formulating their response to the application.

Regards

Steve Weaver
Development Manager
Planning Services
Direct Dial Telephone Number (023) 9244 6512
Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: steve.weaver@havant.gov.uk
www.havant.gov.uk
www.facebook.com/havantboroughcouncil
www.twitter.com/havantborough

From: Phil Rowe [<mailto:phil.rowe72@bluebottle.com>]
Sent: 31 March 2016 17:22
To: Steve Weaver
Subject: RE: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth
Importance: High

Steve,

Thank you for your email.

I can confirm that this application for 2 pitches is required to meet the **general outstanding need for gypsy pitches within Havant**. It is clear from the latest GTAA that there is a strong unmet demand.

I can confirm that any occupiers of the plots will meet the **Annex 1: Glossary definition; the applicants would readily accept such a planning condition.**

Notwithstanding, whilst the applicants do meet the definition and additional evidence **could** be provided if required, on the basis that they are undecided at this stage whether they would occupy the pitches themselves there is no need to provide further evidence as to their travelling status at this stage.

If you disagree that there is an outstanding unmet need for additional pitches; i.e. you believe it would be necessary to evidence a personal need please let me know ASAP and I will discuss further with the applicants.

If you have any further questions please do not hesitate to contact me.

Thank you in advance for your assistance.

Kind regards

Phil Rowe, BA Hons, BTP (Planning)
PROwe Planning Solutions

07946 641835

Melton Lodge,
Rusper Road,
Newdigate,
Surrey. RH5 5BX

From: Steve Weaver [<mailto:Steve.Weaver@havant.gov.uk>]

Sent: 29 March 2016 15:16

To: 'phil.rowe' [REDACTED]

Subject: Planning Application APP/16/00021 - Land & stables adjacent to Hollybank Cottage, Long Copse Lane, Emsworth

Dear Mr Rowe

I write further to the above planning application, which you have lodged on behalf of Mr James Madgwick. Whilst the consultation period for statutory consultees and third party representations remains ongoing in respect of the application, it would be of assistance if you could confirm whether, on behalf of your client, you intend to supply any further information to support the application along the lines set out in the DCLG 'Planning policy for traveller sites' August 2015; specifically:

24. Local planning authorities should consider the following issues amongst other relevant matters when considering planning applications for traveller sites:

- a) the existing level of local provision and need for sites*
- b) the availability (or lack) of alternative accommodation for the applicants*
- c) other personal circumstances of the applicant.....*

Annex 1: Glossary

1. For the purposes of this planning policy "gypsies and travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

2. In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:

- a) whether they previously led a nomadic habit of life*
- b) the reasons for ceasing their nomadic habit of life*
- c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

I note Dr Murdoch's assertion in the submitted Design and Access Statement that the "appellant" (sic) is a Gypsy and Traveller within the meaning of Annex 1, but no

further information is supplied to address the matters contained in Annex 1 or paragraph 24 of the PPTS. I am also mindful that the application seeks permission for two pitches; however it is unclear at this stage what the circumstances are that necessitate this request. Confirmation is also needed as to whether the pitches are being applied for on a temporary or permanent basis.

Should you wish to supply further information to support the application, please could you do so within the next 14 days.

Regards

Steve Weaver
Development Manager
Planning Services
Direct Dial Telephone Number (023) 9244 6512
Havant Borough Council, Public Service Plaza, Civic Centre Road, Havant PO9 2AX

Email: steve.weaver@havant.gov.uk
www.havant.gov.uk
www.facebook.com/havantboroughcouncil
www.twitter.com/havantborough

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