

Mr & Mrs Levy
Broad Oak Copse Lane Hayling Island
PO11 0QB

Critchley Architecture And Design
(CAAD) Ltd
The Old Bakery 34 North Street Havant
PO9 1PT

Change of use
Notification of Decision: Approve with Conditions

Application Number: APP/25/00150

Site Address: Land at Broad Oak Hotel, Copse Lane, Hayling Island

Proposal: Siting of 1No. shepherds hut for Class C1 Tourist Accommodation on the land adjacent to Broad Oak for 10No. months per annum including change of use from residential curtilage to land for tourism use and ancillary parking.

Further to your application received on 5 March 2025 which was valid from 4 July 2025, Havant Borough Council, as Local Planning Authority, **Approve with Conditions** the above proposal in accordance with the submitted plans and particulars as detailed below.

This permission is subject to compliance with:

- (i) The plans and other documents submitted with regard to your application; and
- (ii) The following conditions:

Conditions:

1	The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted. Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Shepherds Hut 22016-408 Location Plans 23019-106 Rev A Proposed Site Plan 23019-407 Rev. A Flood Risk Assessment June 2025 Revision B Earth Environmental & Geotechnical

	<p>Aboricultural Impact Assessment and Preliminary Method Statement MDJAC-BS25106-AIAPMS-01 Rev. A 3rd March 2026</p> <p>Havant Occupancy Calculator</p> <p>Solent Nutrient Budget Calculator</p> <p>Design and Access Statement V2 Issue – May 2025</p> <p>Email dated 3/11/25– BNG deminimis</p> <p>Reason: To ensure provision of a satisfactory development.</p>
3	<p>Notwithstanding the approved plans, the bases for the siting of the shepherds hut shall not exceed 8 small areas of concrete measuring 40cm by 30cm as per the email dated 03/11/2025.</p> <p>Reason: In order to comply with BNG legislation and in the interests of visual amenity and to accord with policies CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Schedule 7A of the Town and Country Planning Act 1990.</p>
4	<p>The accommodation hereby permitted shall only be occupied for tourist holiday accommodation for up to 10 months per calendar year and shall not be used as a sole or main residence or separate unit of accommodation. A logbook must be kept of paying visitors, their arrival and departure dates, which must be made available for inspection by the Local Planning Authority upon request.</p> <p>Reason: To monitor the 10 month per calendar year tourist use and in line with the completed appropriate assessment to ensure adequate mitigation for protected sites, having due regard to policies DM4, CS5, C11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Regulation 63 of the Conservation of Habitats and Species Regulations 2017.</p>
5	<p>The development hereby permitted shall not be occupied until:</p> <p>(a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; and</p> <p>(b) All measures necessary to meet the approved water efficiency calculation have been installed.</p> <p>Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH</p>

	<p>Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011</p>
6	<p>At all times following occupation of the development hereby approved, all measures for water usage within the submitted nutrient budget shall be maintained in the development in perpetuity.</p> <p>Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. In compliance with Regulation 63 of the Conservation of Habitats and Species Regulations 2017, the local planning authority has a duty to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council has also had regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.</p>
7	<p>The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement (Reference MDJAC-BS25106-AIAPMS-01- REV A and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).</p> <p>Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.</p>
8	<p>There shall be no more than one shepherds hut or caravan stationed on the site associated with the hereby approved use of the site for tourism.</p> <p>Reason: In accordance with the application description, in the interest of amenity and in line with the completed appropriate assessment to ensure adequate mitigation for protected sites, having due regard to policies DM4, CS5, C11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, the National Planning Policy Framework and Regulation 63 of the Conservation of Habitats and Species Regulations 2017.</p>

Informatives:

1	<p>In accordance with paragraphs 39-51 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:</p> <ul style="list-style-type: none">· Offering a pre-application advice service, and· Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and, <p>In this instance:</p> <ul style="list-style-type: none">· You were updated about issues after the initial site visit,· Your application was acceptable following receipt of additional information and amended documents and no further assistance was required.
2	<p>The site is at risk of future flooding. The measures set out in the submitted Flood Risk Assessment should be followed and you are advised to sign up to the Environment Agency's Flood Warning system via the following link: https://www.gov.uk/get-flood-warnings</p>

Other Important Information:

1.	<p>This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.</p>
2.	<p>Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.co.uk</p>
3.	<p>Any failure to adhere to the details of the approved plans , and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.</p>

Paul Barton

Paul Barton

Interim Head of Planning

Havant Borough Council
21 April 2026

PLEASE NOTE THE FOLLOWING IMPORTANT INFORMATION TO BE READ ALONGSIDE YOUR NOTIFICATION OF DECISION

1: APPEAL INFORMATION

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

- These notes are for information only and do not purport to set out the law on the subject.
- Only the applicant possesses the right of appeal.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice and you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement and you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If this is a decision to refuse consent to work on a tree which is subject to a Tree Preservation Order and you want to appeal against your local planning authority's decision then you must do so within 28 days of the date of this notice.
- If this is a decision to refuse any other type of application and you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/appeal-householder-planning-decision-for-householder-applications>; <https://www.gov.uk/appeal-planning-decision-for-full-applications>; <https://www.gov.uk/planning-inspectorate> for anything else.

- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

2: BUILDING CONTROL

IMPORTANT NOTICE FOR APPLICANTS WITH REGARD TO BUILDING REGULATIONS

This notice only relates to the decision of Havant Borough Council under the Town and Country Planning Acts. It does not relate to any other application that may be required any other Act, Regulation, Byelaw or Order where the Council's approval may be needed.

For further guidance as the need for consent under the Building Regulations, please telephone Havant Borough Council's Building Control team on: 023 9244 6571

3: FURTHER INFORMATION FOR APPLICATIONS RELATING TO NEW VEHICULAR ACCESS/DROPPED KERBS

If your application includes a dropped kerb, please visit Hampshire County Council's guidance here: <https://www.hants.gov.uk/transport/parking/droppedkerbs>

This page provides essential information for residents, explaining that planning permission and dropped kerb consent are two separate requirements. While planning permission may be granted by the local planning authority, dropped kerb consent must still be obtained from Hampshire County Council, as they are responsible for managing access to the public highway.

It is particularly important to highlight that for applications involving classified roads (A, B, and C roads), applicants must provide evidence of planning permission as part of their dropped kerb application. This ensures that all necessary safety, traffic, and infrastructure considerations are properly addressed.

4: SOUTHERN GAS ADVISORY NOTE

In June 2021 SGN issued a comprehensive advisory note

There are a number of risks created by built over gas mains and services; these are:

Pipework loading - pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.

Gas entry into buildings - pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.

Occupier safety - lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development and
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone: 0800 912 1722 / Email: plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>

SGN personnel will contact you accordingly.