
Site Address: Northney Marina Office, Northney Marina, Hayling Island,
PO11 0NH

Proposal: Single storey extension to existing Marina Services Building including solar panels (Amendment to Planning Permission APP/22/00479) and alterations to existing car park.

Application Type: Full Planning Permission

Application No: APP/23/00469 Expiry Date: 06/09/2023

Applicant: C/O Agent
Marine Development Limited

Agent: Mr Jobbins Case Officer: David Eaves
Luken Beck

Ward: Hayling East

Recommendation: **GRANT PERMISSION**

1 Site Description

The site is located within Northney Marina and partly on an existing car park. The proposal would essentially extend an existing marina building. The site is also adjacent to pontoons with yacht moorings in the marina basin and the Salt Shack cafe.

2 Planning History

APP/13/00062 - Temporary siting of 2No. 13m x 3m containers (for a period of 3 years)., TPP,25/03/2013

APP/18/00765 - Use of land as external events area, with associated reception lodge accommodation, for temporary 3 year period., WD,16/10/2018

APP/18/00783 - Single storey side extension to existing marina services building., PERM,04/01/2019

APP/19/00475 - Temporary siting of 2No. storage containers for a 3 year period.(Renewal of planning permission reference APP/16/00256), TPP,19/08/2019

APP/19/00941 - Retrospective application for use of land for siting of temporary brokerage office and 3No. storage units for 3 years. (Revised scheme to Planning Permission APP/18/00423)., TPP,14/11/2019

APP/21/00883 - Retention of Salt Shack Cafe and external terrace area., PERM,26/11/2021

APP/21/01358 - Temporary variation of condition 22 of Planning Permission 97/51153/025 to extend the period of varied use as most recently amended by Temporary Planning Permission reference APP/17/01218 for a further 3 year period. , PERM,11/03/2022

APP/22/00479 - Single storey extension to existing Marina Services Building (Renewal of Planning Permission 18/00783)., PERM,11/11/2022

Officer Comment: *This is the linked previous permission.*

APP/23/00100 - Use of existing hardstanding for temporary siting of up to 5 years for the existing portable office building for use by Jaykay Marine Sales., TPP,17/05/2023

APP/23/00142 - Use of existing hardstanding for temporary siting of up to 5 years for a portable office building for use by Bar Marine Electrical., Current Application

APP/23/00421 - Retrospective application for stand alone metal framed tent structure (15.1 x 9.06m) used for yacht repairs for period of 5 years
, TPP, 20/09/23

3 Proposal

Single storey extension to existing Marina Services Building including solar panels (Amendment to Planning Permission APP/22/00479) and alterations to existing car park. The application is accompanied by a Construction And Environmental Management Plan (CEMP) which seeks to outline and mitigate any potential impacts of the construction process on the receptors surrounding the development site, the environment within and around the site.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Chichester Harbour Area of Outstanding Natural Beauty Joint SPD 2017

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS20	(Transport and Access Strategy)
CS5	(Tourism)
DM10	(Pollution)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
DM23	(Sites for Brent Geese and Waders)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

Chichester Harbour Conservancy's Response

Recommendation – No objection, subject to –

- (a) the planning conditions imposed on APP/18/00783 and APP/22/00479 being reimposed to this consent, especially condition 3;
- (b) removing the permitted development rights that would allow the offices to be lost to residential conversion; and,
- (c) That the solar panels to be affixed shall be wholly black in colour, including their surrounds, which shall not be bare aluminium/metal.

This is a variation of permission AP/22/00479, which itself was a renewal of permission APP/18/00783, which lapsed.

The changes between APP/22/00479 and the current APP/23/00469 would appear to be as follows –

- proposes a revised internal layout to a rectangular, rather than 'L' shaped footplate of greater length;
- the removal of the proposed floorspace within the roof; and,
- resultant minor changes to elevational treatment.

The agent has subsequently confirmed by submission of amended plans, that solar panels (72) are to be affixed to the roof surfaces of the extension.

The site is very prominent from the Harbour and a public footpath to the east off Northney Road.

It would seem the original existing building was consented under 02/51153/038 in September 2002. That decision notice is not viewable on-line, so I am unable to determine if the offices were reserved for occupation by marine related enterprise only. The proposals would significantly increase the footprint of this building located outside of the 'Urban Area' where the focus for new development under Policies CS17/AL2 apply. Outside of those areas, developers are supposed to demonstrate an essential need.

It is accepted that this accommodation would be closely related to the marina activities and facilitate boating in the Harbour, especially given the loss of existing office accommodation from the recent residential conversion of the former 'Rotunda' under a prior approval consent.

Having regard to the Policy framework* below, the extension would still be related to marine industry and meet the wider aspirations of The Conservancy's Planning Principle 02.

Its design and form would match the existing building.

Granting this planning permission would have no harmful effect on the AONB nor the purposes of its designation, given the fallback position of APP/22/00479.

Given the disruption to enterprise during the Covid Pandemic, it is important that marine related businesses be allowed to flourish to support boating activity in Chichester Harbour.

*Policy framework

NPPF - 1-3, 6-12, 20, 28, 38-42, 47-48, 54-55, 81-85, 107-108, 111, 119, 122, 130, 134, 153-154, 159, 161, 174, 176, 180, 185, 212-213; NPPG ID's – 2, 3a, 6-8, 26 & 37; HBLP – CS1, CS2, CS11-CS12, CS16-CS17, DM1, DM3, DM8-DM10, DM14; HBLPA – AL1-AL2; SVHBLP* - DR1, KP3, IN3, E4-E5, C1; CHMP – 1, 2, 10, 13; PP – 01-02; SPD.

NPPF – National Planning Policy Framework – (July 2021)

NPPG – National Planning Practice Guidance (March 2014 onwards)

HBLP – Havant Borough Local Plan (Core Strategy)(2011)

HBLPA – Havant Borough Local Plan Allocations DPD (December 2013)

SVHBLP - Submission version Havant Borough local plan 2036 (23.6.2021)* but withdrawn March 2022.

CHMP – Chichester Harbour AONB Management Plan (2019-2024)

PP – Conservancy's Planning Principles (adopted 17-10-2016 onwards)

SPD

Borough Design Guide (2011)

Joint CHAONB SPD (2017)

Councillor Leah Turner - Hayling East

No comment received

Councillor Mark Coates

No comment received

Councillor R Raines - Hayling East

No comment received

Ecologist HBC

Final Comments:

I have reviewed the amended Construction Environment Management Plan (CEMP) Revision 2 (MDL Marinas, September (December) 2023). Additional detail has been provided on the location of the wheel washing area, alongside reassurance that this area will drain to the existing drainage system. I am now content with the CEMP and it is for the applicant and their appointed contractor to implement it fully.

Further Comments:

I have reviewed the submitted Construction Environment management Plan (CEMP) (MDL Marinas, September 2023). Overall the CEMP is mostly adequate, although I consider that further reassurance is required in terms of explain how waterborne pollutants will be controlled. The CEMP explains that vehicles will be pressure washed at the site entrance: this is within very close proximity to sensitive protected habitats and the potential for sediment-laden runoff to enter the natural environment is obvious. It is imperative that this material does not wash into the adjacent habitats but is rather captured fully by the main drainage system.

Further Comments:

Following your recent site visit and my review of the photographs you took, I am happy to state that the vegetation within the site appears to be of limited ecological value. I am content that the proposed works are not likely to result in unacceptable impacts to biodiversity.

Original Comments:

The application is not accompanied by any ecological information. I have therefore carried out my own non-exhaustive desk-based assessment using the application documents, online sources and GIS mapping. I would not raise any concerns in relation to the small building extension: the modern building is highly unlikely to be suitable for supporting protected species.

The car park extension will necessitate the loss of some areas of managed grassland and what appears to be trees/scrub to the north-west of the services building. Whilst I would not expect this to be of significant ecological value, 'amenity' type grasslands in coastal locations can be of botanical interest, supporting scarcer grasses and herbaceous species. I would therefore welcome the submission of some recent, good quality photographs of the area to be affected: this should enable me to provide a more informed assessment. I would also welcome further information on how the loss of vegetation may be compensated for within the site.

I note that Natural England have requested that a Construction Environment Management Plan (CEMP) be secured to ensure that potential impacts to nearby international and national designated sites are avoided. I would concur with this request, and it will be necessary to secure a CEMP detailing how potential impacts from pollution, noise, and visual disturbance will be managed during construction.

NPPF, Circular 06/2005 and Natural England Standing Advice, require that planning decisions are based on full, up-to-date ecological information and it is essential that all necessary survey, assessment and mitigation information is available to the Local Planning Authority prior to determination, particularly in the case of protected sites, habitats and species, which are a material planning consideration. This will enable the Local Planning Authority to determine the application on the basis of full knowledge about the potential ecological impacts of the proposal and to ensure that any impacts can and will be mitigated.

Environment Agency

No comment received

Hampshire Highways

Thank you for your consultation on the above planning application. The Highway Authority wish to make the following comments.

Due to the scale of the proposal, being 5 dwellings or less, and that there is no change to the vehicular access, HCC's standing advice should be referred to in the first instance. As a result, the Highway Authority will not provide detailed comments on this planning application. For more information on standing advice please use the following link: www.hants.gov.uk/transport/developers/consultation

Natural England Government Team

Further Comments:

SUMMARY OF NATURAL ENGLAND'S ADVICE
NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

Original Comments:

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation the application would have an adverse effect on the integrity of Solent Maritime Special Protection Area and Chichester & Langstone Harbours. Special Area of Conservation

In order to mitigate these adverse effects and make the development acceptable, Natural England advises that the following mitigation measures are required / or the following mitigation strategy should be secured:

- Submission of a Construction Environmental Management Plan (CEMP)

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Further advice on mitigation

Construction Environmental Management Plan (CEMP)

Without best practice working methods and mitigation there is risk during the construction phase of the development that pollution from machinery, equipment or materials may enter into the water. Natural England recommends that a Construction Environment Management Plan (CEMP) is produced prior to start of the works and submitted and approved in writing by your authority.

The CEMP should include the following:

- A list of defined potential impacts on the SPA & SSSI
- Details of methods for pollution control to ensure that no pollution (such as debris from dust or surface run off) is able to enter the water.
- Details on the storage and disposal of waste on site
- Details on how sediment/concrete/other debris that may be accidentally released during construction will be captured to prevent entering the water
- Details of Biosecurity to ensure that all equipment brought onto site does not bring any contaminants such as invasive species onto the site and into the waters.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

It is advised that, if necessary, any measures proposed to mitigate construction impacts on European designated sites are outlined for incorporation into your authority's Appropriate Assessment.

In addition, Natural England would advise on the following issues.

Chichester Harbour Area of Outstanding Natural Beauty (AONB)

The proposed development is for a site within a nationally designated landscape namely Chichester Harbour AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals, paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Protected species

Natural England has produced standing advice to help planning authorities understand the impact of particular developments on protected species. We advise that the standing advice is interpreted for you by your district ecologist, or an equivalent independent party with the necessary expertise. Natural England will only provide bespoke advice on protected species where they form part of a SSSI or in exceptional circumstances.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 281 (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our Discretionary Advice Service.

Planning Policy

Policy Status

The Local Plan (Core Strategy) and the Local Plan (Allocations), together with the Hampshire Minerals and Waste Plan form the development plan for the borough. In addition to these, the council has adopted a Housing Delivery Position Statement. These documents are available at www.havant.gov.uk/localplan.

Previous Permissions

Permission for a similar proposal was previously granted under reference APP/18/00783 and APP/22/00479. The policy considerations remain largely unchanged from the time of the second permission.

Principle of Development

The site lies outside the urban area as defined by policies AL2 and CS17. However, the proposal is an extension to an established use on previously developed land within the grounds of the marina. The principle of development is considered acceptable.

The proposal is also considered to be supported by policies CS2 (employment) and CS5 (tourism), which give support to marine businesses and tourism uses.

Flood Risk

National and Local Policy (CS15) requires flood risk to be avoided or mitigated to ensure that development is safe. The use is considered a 'less vulnerable use'. The site lies within flood zone 1 now and in the future, although it is recognised that the access road passes through flood zones 2 and 3, and with climate change other parts of the site may be at risk of flooding. It is considered that the development is acceptable in flood risk terms

Consideration of Impact

A number of policies are relevant to the assessment of the visual and functional impact of the proposal, which will be the determining factors in this application:

- Development in the Coastal Zone – development is only considered acceptable in the coastal zone if landscape, access, recreational and ecological impacts are avoided or addressed in line with DM9
- Chichester Harbour AONB - National Policy and Local Plan Policy CS12 require the protection of the qualities of the AONB. The visual impact of the proposal should therefore be carefully considered. The Chichester AONB SPD may assist in this regard.
- Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC – the site lies immediately adjacent to these protected areas; while the development is relatively minor, and proposed to be located on the existing car park area, its impact needs to be considered. The Council's ecologist and/or Natural England may wish to comment further.
- Design – Policy CS16 expects high quality design in all development

Summary

It is noted that the scheme is similar to permissions previously granted, and the policy position remains largely the same. The proposal is acceptable in principle in policy terms, subject to the detailed consideration of its visual and functional impact, most notably in relation to its coastal location in the AONB and close to protected marine habitats.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 25

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I would like to object to the subject application for planning permission /Amendment APP/22/00479. I am a resident / leaseholder at the Roundhouse apartment block situated to the rear of the existing Northney Marina Office. My apartment is at the rear of the block on the first floor. The existing Marina Office roof already partially obscures the view of Chichester harbour.	Comment noted- please see 'planning considerations' section of the report.

The proposed extension to Marina Office will further obscure the view / outlook from my apartment and also from other similar first floor apartments in the block particularly as a result of the proposed height of the roof. I would therefore appreciate the Council planning department taking my comments / objection into account when giving this application relevant consideration.	
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7 **Planning Considerations**

7.1 Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

- (i) Principle of development
- (ii) Impact upon the character and appearance of the area and AONB
- (iii) Impact on residential amenity
- (iv) Impact upon marine based activity
- (v) Environmental impacts
- (vi) Flood Risk
- (vii) Parking
- (viii) CIL

(i) Principle of development

7.2 The application site is located outside the built up area as defined by policies CS17 Havant Borough Local Plan (Core Strategy) 2011 and AL2 Havant Borough Local Plan (Allocations) 2014. The site is however well established as a marina, the proposal would extend existing marina facilities and the site is considered to be brownfield land that CS17 indicates should be prioritised for development as set out below:

Development will be permitted that makes the most effective use of land in the borough by granting planning permission that:

Prioritises development on previously developed land, including redundant, derelict or underused land and buildings within the urban area.

7.3 The site is also subject to policy DM9 (development in the coastal zone). This requires that development has no harmful effects on the Chichester Harbour protected areas (SSSI/RAMSAR/SPA etc). These impacts are considered below. In addition the development would need (in summary) to maintain and enhance the appearance and distinctiveness of settlements and landmarks along the coast (*the development would be viewed in the context of a working marina and associated uses and buildings*), Contribute positively to the landscape having regard to best practice on the design of new buildings in coastal locations (*considered below*), ensures public access retained and provided where appropriate (*the siting of the proposed building would not fetter access to the coast*), would result in improvements to or redistribution of moorings etc.

(no impact), would not be detrimental to infrastructure for, and quality of, water based recreation etc. *(the proposed marina related uses should enhance water based recreation facilities)*, provides recreational opportunities that do not adversely affect the character and appearance of the coast *(assessed below)*.

(ii) Impact upon the character and appearance of the area and the AONB

- 7.4 The site is located within the Chichester Harbour Area of Outstanding Natural Beauty and the site is located within the existing marina which includes mooring facilities, marina and industrial buildings, facilities and parking areas.
- 7.5 The existing marina facilities building includes a reception foyer, shop and toilets/showers and has a modern design incorporating dark timber boarding, low level brickwork, a concrete tiled brown roof and low level glazing. This current proposal follows two previous planning applications, APP/18/00783 and APP/22/00479 which have been approved for extensions to the marina office building. The previous application APP/22/00479 comprised of a very similar design to that currently proposed under this application however that had an L shaped design and comprised of space at first floor level.
- 7.6 The proposed extension under this application would incorporate similar design features to the existing building and would extend in the area fronting the harbour the same as the previous proposal and would have a total width of approximately 23 metres. It would have a pitched roof with a height of approximately 6.3 metres and would feature several windows and doors to the north east, north west and south east elevations. This space would create 3 internal spaces serving marine related industries including boat sales and brokerage use, training and instruction use and boat owner services. Black pv solar panels are also proposed to the front and rear roof slopes. Proposed materials include oak colour composite cladding and roof tile to match existing.
- 7.7 The Chichester Harbour Conservancy have been consulted on this proposal and have the following comments:

Recommendation – No objection, subject to –

- (a) the planning conditions imposed on APP/18/00783 and APP/22/00479 being reimposed to this consent, especially condition 3;*
(b) removing the permitted development rights that would allow the offices to be lost to residential conversion; and,
(c) That the solar panels to be affixed shall be wholly black in colour, including their surrounds, which shall not be bare aluminium/metal.

These conditions will be applied. Conditions on the use have also been applied.

(iii) Impact upon residential amenity

- 7.8 To the west of the site, approximately 65 metres away is The Roundhouse which is a residential apartment building. It is noted that the proposed extension would have some impact on views from some apartments in The Roundhouse however views are not considered to be a material planning consideration. It is also noted that previous proposals have already been accepted at the site allowing for extensions of a very similar nature. The extension would be sited a significant distance from The Roundhouse therefore avoiding any concerns in terms of mass and bulk/overbearing impacts.

(iv) Impact on marine based activity

- 7.9 The development is for marina based units and the agent has provided additional information setting out the types of uses envisaged. It is considered appropriate to restrict the types of uses to be accommodated such that they are linked to the marina use and are appropriate to development in the coastal zone as required by policy DM9.
- 7.10 The facilities provided are also considered to support marine based recreational activity which is supported in principle by the tourism and coastal policies of the Council.
- 7.11 In terms of the uses proposed the agent has provided the following information:

In terms of use, the intended occupiers will provide services/support to the marine industry and general boating fraternity and as before will fall within the following categories;

Boat Sales and Brokerage

Including Boat sales, Charter/Rental and related Management

Insurance/Financial services

Boat Serving/Valeting

Instruction

Including specialist training, sailing school or similar

Marine inspection/surveying/safety consultants including related equipment provision and maintenance

Boat Owner Services

Including general chandlery, supplies including clothing

Specialist services installation such as navigation aids/marine communications

Boat transfer/handling and maintenance management

- 7.11 A condition is recommended to limit the uses proposed to marine related uses. The schedule of uses is proposed to be conditioned.

(v) Environmental Impacts

- 7.12 The site is located adjacent to Chichester Harbour and its national and international designations as a SPA, SSSI, RAMSAR and SAC. A Construction and Environmental Management Plan (CEMP) has now been provided. Natural England have been consulted in regards to this proposal and have made the following comments :

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

- 7.13 A condition for the works to be carried out in accordance with the CEMP will be added to any planning approval.

7.14 The Council's Ecologist has also been consulted on this proposal and has raised no objections.

(vi) Flood risk _

7.15 In relation to flood risk, the site lies within flood zone 1 although it is recognised that the access road passes through flood zones 2/3 and a future flood zone . The use is 'less vulnerable use' (Flood Risk Vulnerability Classification) and it is considered that the development is acceptable in flood risk terms.

(vii) Parking _

7.16 This proposal would result in the loss of an area used for car parking, however, there would also be new spaces created by the redevelopment of the grass area and loss of the grass verge located to the west of the proposed extension area and car park. This would result in the loss of the bin store area - the new location of which would be required via planning condition and the addition of 8 new parking bays including a disabled parking bay on the existing tarmac . New spaces on the grass area to the west are also proposed and this would create 9 new parking spaces.

(vii) CIL

7.17 Given the potential retail use of the building the proposal has been assessed against CIL requirements for out of centre retail. The Developers Contributions Guide confirms that out of centre retail developments with floorspace greater than 280sqm would be CIL liable. The floorspace of the proposed development does not reach that floorspace threshold.

8 Conclusion

8.1 In conclusion, the principle of development on this brownfield site is considered to be acceptable subject to other environmental and landscape impacts.

8.2 The development is considered to have an acceptable design complementing existing development on the wider site and would have an appropriate impact on Chichester Harbour AONB. The uses proposed are subject to appropriate conditions considered complementary to the marine based uses at the marina and would meet the requirements of the Councils Coastal Zone policy.

8.3 Environmental impacts have been addressed and conditions are recommended to ensure that impacts on protected environments and species are suitably mitigated. Parking has also been considered and subject to appropriate management can be suitably addressed on site.

8.4 Planning permission can therefore be recommended subject to appropriate conditions as set out below.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00469 subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by 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:

LOCATION & BOUNDARY PLAN uploaded 13th July 2023
LOCATION PLAN Drawing No. 683418-GA-001 P05
ROOF PLAN Drawing No. 683418-MDL-GA-RLG-006 P03
EXISTING & PROPOSED SITE PLAN Drawing No.
683418-MDL-GA-RLG-002 P07
GROUND FLOOR PLAN Drawing No. 683418-MDL-GA-RLG-003 P06

ELEVATIONS & SECTION A-A Drawing No. 683418-MDL-GA-004 P07

3D RENDERING Drawing No. 683418-MDL-GA-005 P07
SITE LAYOUT PLAN - CAR PARK uploaded 13th July 2023
PARKING STATEMENT uploaded 13th July 2023
SOLAR IN ROOF LAYOUT - CONCEPT Drawing No. 2023 MDL -
Concept-Roof
PLANNING DESIGN AND ACCESS STATEMENT May 2023
CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN MDL
MARINAS Rev 002 dated 26th September 2023

Reason: To ensure provision of a satisfactory development.

- 3 The solar panels proposed shall be finished wholly black in colour including their surrounds which shall not be bare aluminium / metal.

Reason: To reduce the visual impact of the development on the character and appearance of the Area of Outstanding Natural Beauty and having due regard to policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

Reason: In the interests of the amenities of the area and having due regard to policies CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) the development hereby permitted shall be used solely for marine related uses as set out below and for no other purpose without agreement in writing by the Local Planning Authority:

(a) Boat Sales/Brokerage

- Boat Sales, Charter/Rental and Agency Management
- Insurance/Finance services
- Boat Servicing/Valeting

(b) Instruction

- Specialist training, Sailing Schools
- Marine Inspection/Surveying and Marina Safety generally, including related equipment provision and maintenance

(c) Boat Owner Services

- General Chandlery supplies including clothing
- Specialist services installations
- Boat transfer/handling and maintenance management
- Specialist operatives (e.g. Communications/Navigation) without workshop requirements

Reason: To ensure that uses are compatible with and complementary to the existing use of the site and to prevent unsustainable non-marine uses at the site having due regard to policies CS17, CS20 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbA max - measured at the sensitive receptor) is to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

Reason: To ensure that the development does not have an adverse effect on the integrity of Solent Maritime Special Protection Area and Chichester and Langstone Harbours Special Protection Area which would be contrary to the Habitat Regulations, the Wildlife and Countryside Act 1981 (as amended) and policies CS11, DM9 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM23 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 7 The development hereby permitted shall be carried out in accordance with the Construction and Environmental Management Plan dated 26th September 2023 Revision 002 - MDL Marinas

Reason: To ensure that the development does not have an adverse effect on the integrity of Solent Maritime Special Protection Area and Chichester and Langstone Harbours Special Protection Area which would be contrary to the Habitat Regulations, the Wildlife and Countryside Act 1981 (as amended) and policies CS11, DM9 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM23 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.

- 8 The development hereby permitted shall not be brought into use unless and until details of refuse storage have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the site is adequately serviced for waste having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.