

Site Address:	Northney Marina Office, Northney Marina, Hayling Island, PO11 0NH		
Proposal:	Relocation of office for temporary siting of up to 5 years for a portable office building for use by Bar Marine Electrical.		
Application Type:	Full Planning Permission		
Application No:	APP/23/00142	Expiry Date:	13/09/2023
Applicant:	Mr Welch Marina Developments Ltd		
Agent:	Mr Jobbins Luken Beck MDP Ltd	Case Officer:	Joseph Toole
Ward:	Hayling East		

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

The site lies at Northney Marina which is situated on the north eastern edge of Hayling Island, overlooking the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and other environmental designations. The marina comprises car parking, boat storage and related uses, a number of industrial buildings and a substantial building (rotunda building) in commercial and residential use. It is located adjacent to the Langstone Hotel and is accessed from Northney Road.

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

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/23/00421 - Retrospective application for stand alone metal framed tent structure (15.1 x 9.06m) used for yacht repairs for period of 5 years., TPP.20/09/2023

APP/23/00469 - Single storey extension to existing Marina Services Building including solar panels (Amendment to Planning Permission APP/22/00479) and alterations to existing car park., PERM,

3 Proposal

Relocation of office for temporary siting of up to 5 years for a portable office building for use by Bar Marine Electrical.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

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))
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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 (1)

Chichester Harbour Conservancy's Response

Recommendation 1 – Objection: whilst wishing to support marine enterprise in the AONB, the accommodation building is poorly sited within the AONB, given its proximity to the harbour shoreline.

Recommendation 2 – The local planning authority ought to seek a relocation of the accommodation/building to a more discrete position within the marina.

The site is very prominent from the Harbour and a public footpath to the east off Northney Road. The building is very utilitarian in its appearance and in a poor state of decoration/condition.

Notwithstanding the site's location within an established marina, a more discrete location ought to be negotiated by the local planning authority, given the appearance of the structure sought for retention, within the Marina area.

The proposals are 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. However, the current siting is considered to be too conspicuous within the ANOB and the application ought to be withdrawn and a more screened location sought for its retention on an alternative site within the marina.

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

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, but the current location of a non-permanent built solution is considered

Chichester Harbour Conservancy (2)

Chichester Harbour Conservancy's Response

Recommendation – No objection, subject to -

- (a) relocation of the temporary building within 2 months of the date of the decision notice;
- (b) redecoration of the exterior of the temporary building within 3 months of the date of the decision notice; and,
- (c) removal of the temporary building from the site on or before 30 July 2028.

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

The building is very utilitarian in its appearance and in a poor state of decoration/condition. Its exterior should be redecorated.

The alternative location detailed in your 16 August 2023 email is more discrete and would be seen and largely screened in the context of larger built form at the site.

The proposals are 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 building would still be related to marine industry and meet the wider aspirations of The Conservancy's Planning Principle 02.

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. That the alternative location still offers a non-permanent built solution is considered less than ideal and a temporary permission is therefore recommended to safeguard to the character and appearance of the Chichester Harbour AONB.

Councillor Leah Turner - Hayling East

No comment received

Councillor M Wilson - Hayling East

No comment received

Councillor R Raines - Hayling East

No comment received

Ecologist

Thank you for consulting me on this planning application.

Whilst the proposed location of the portable office building is approximately 165m to the east of Chichester and Langstone Harbours SPA and Ramsar, Chichester Harbours SSSI and Solent Maritime SAC and 15m to the north of North Common & Saltmarsh SIN, as it will be sited on an area of existing hardstanding, is portable and small in scale, I am not concerned that the proposals would have an adverse impact on designated sites, notable habitats or protected species and therefore raise no concerns.

Please do not hesitate to contact me if you have any queries.

Hampshire Highways (1)

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

The Highway Authority have reviewed the proposals and are satisfied that this will not have an adverse impact on the wider highway network.

Having regard to the above, the Highway Authority provide no objections to this planning application.

Hampshire Highways (2)

Thank you for your reconsultation on the above planning application.

The applicant has provided a revised location for the portable office building which falls on private land. The Highway Authority have reviewed the proposals and are satisfied that this revised location does not have an adverse impact on the wider highway network.

Having regard to the above the Highway Authority provide no objections to this planning application.

Natural England Government Team

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.

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: 29

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

Comment	Officer Comment
No comments received	

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 including the AONB
- (iii) Impact upon residential amenity
- (iv) Parking / Highways considerations
- (v) Effect on Sensitive Areas/SSSI etc

- (i) Principle of development

7.2 The application site is situated within a non-urban area where further development is only considered acceptable if it is consistent with the policies for the countryside set out in national policy. In that regard Paragraph 84 of the NPPF is considered to be of relevance to this case, whereby it sets out provisions to support prosperous rural economies:

Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*

- 7.3 In the adopted local plan, Northney Marina is defined as non-urban, and policy AL2 seeks to restrict development in these locations, except in exceptional circumstances. CS17 has a similar function, but also acknowledges that brownfield land should be prioritised for development. As the land in question is previously developed land, and having regard to the temporary nature of the proposal, it is therefore considered that the proposed development is acceptable in principle, provided detailed considerations can be satisfied. Proposals for development in the non urban areas need to be considered on the basis of the local plan policies and also the NPPF policies on rural areas. There are a number of established developments outside the built up area on Hayling Island. In this case the proposal is for a business related use. Subject to consideration of the impact of the built form on the character of the countryside, the principle of the development is considered acceptable in this marine-related setting.

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

- 7.4 This proposal comprises the relocation of the temporary portable office building housing a marine electricals business and extension of time for its temporary siting within the marina. This proposal has been relocated further within the marina following the initial proposal submission following concerns raised by the Chichester Harbour Conservancy in relation to its existing location and the visual impact of this on the AONB. The location is now proposed to the south of the existing marina office building and Salt Shack cafe. It is considered that this siting would be more acceptable given the location closer to the other marina buildings and the location set further away from the edge of the site and subsequent visibility from the harbour and AONB- for this reason the Chichester Harbour no longer object to this proposal in its revised siting. This is pending the allocation of 3 conditions which comprise of the redecoration of the building and relocation of the building within 2 months of the decision notice. The third condition relates to a 5 year temporary consent which the applicant has applied for. The conditions regarding the redecoration of the building and 5 year temporary consent would be added to the decision notice if permission is forthcoming. With regards to the recommended condition for the relocation of the building within 2 months of the decision notice, this condition is not considered necessary or relevant meet the test as to conditions. As such, this condition has not been recommended. Overall, the proposal would in accordance with Policies CS11, CS12 and CS16 of the Havant Borough Core Strategy (2011).

(iii) Impact upon residential amenity

- 7.5 The roundhouse building is located to the west of the site however this would be largely screened from view by the existing marina office building - no harmful impact to residential amenity has been identified, therefore complying with Policy CS16 of the Havant Borough Core Strategy (2011).

(iv) Parking / Highways considerations

- 7.6 The agent has confirmed that the building will make use of the existing marina car park. This is for the marina management company to maintain - it is noted that the use would not result in the requirement for the parking of multiple vehicles on site and therefore the use of the main car park is considered acceptable noting there is a large area of parking space available.

(v) Effect on Sensitive Areas/SSSI etc

- 7.7 The site is located adjacent to Chichester Harbour and its national and international designations as a SPA, SSSI, RAMSAR and SAC. Natural England have been consulted in regards to this proposal and have no objections to uphold, neither does the Council's Ecologist, therefore complying with Policy CS11 of the Havant Borough Core Strategy (2011).

8 Conclusion

- 8.1 The scale, siting and design of the proposal is acceptable in principle in this non-urban setting and would have limited and acceptable impact on the character of the area including the AONB and the neighbours giving it is a temporary permission and is therefore considered to be appropriate and recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT TEMPORARY PERMISSION** for application APP/23/00142 subject to the following conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

24 Aug 2023 LAND 9 REV D SITE PLANS & ELEVATIONS

Reason: To ensure provision of a satisfactory development.

- 2 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 services as set out below and for no other purpose without agreement in writing by the Local Planning Authority:

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 Havant Borough Local Plan 2011 and the National Planning Policy Framework.

- 3 The exterior of the temporary building shall be redecorated to any uniform dark muted colour in accordance with the Joint Chichester Harbour Area of Outstanding Natural Beauty SPD within 3 months of the date of the decision notice and retained thereafter unless agreed otherwise by the Local Planning Authority.

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

- 4 This permission shall be for a limited period expiring 5 years after the decision date, on or before which date the building hereby permitted shall be permanently removed from the site and the land shall be restored to its previous condition unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.

Reason: The building is not considered suitable for permanent retention and having due regard to policies CS11, CS12, CS16 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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.