
Site Address: Hayling Island Sailing Club, Hayling Island Sailing Club
Overflow Car Park, Sandy Point, Seafarers Walk, Hayling
Island

Proposal: Variation of Conditions 8 & 11 of Planning Permission 04/52990/014 to
enable use of HISC overflow car park for overnight parking for up to 28 days and
nights per year for cars, boats and trailers (renewal of planning permission
APP/17/01013)

Application No: APP/19/01141 Expiry Date: 23/01/2020

Applicant: Hayling Island Sailing Club

Agent: Mr M Baker Case Officer: Daphney Haywood

Ward: Hayling East

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

The site comprises land adjacent to Lifeboat Station, Bracklesham Road, Hayling Island. The land which is used by Hayling Island Sailing Club is located at the south east corner of Hayling Island, within the Chichester Harbour AONB and adjacent a SINC and SAC and is therefore in a highly sensitive area of environmental protection. The site which is currently laid out as a car park for the Sailing Club is predominantly bounded by hedging of varying heights and thicknesses with a small amount of chain-link and close-boarded fencing where the site abuts residential dwellings. An area of woodland (which is part of a local nature reserve) abuts the southern part of the western boundary

There is a gate giving emergency access to this land via Seafarers Walk (a two storey, detached residential development), with the site otherwise being accessed by a spur running from the end of Bracklesham Road. There is a lockable vehicular barrier/gate providing access to the site, just behind the Lifeboat Station.

2 Planning History

04/52990/014- Change of use from derelict rough ground to shingle covered overflow parking for Hayling Island Sailing Club. Approved

04/52990/015-04/52990/014 to allow the car park thereby approved to be brought into use prior to the implementation of the detailed soft landscaping scheme to be undertaken in November 2005 Approved.

APP/17/01013 Variation of Conditions 8 & 11 of Planning Permission 04/52990/014 to enable use of HISC overflow car park for overnight parking for up to 28 days and nights per year for cars, boats and trailers.PP 2017

3 **Proposal**

Variation of Conditions 8 & 11 of Planning Permission 04/52990/014 to enable use of HISC overflow car park for overnight parking for up to 28 days and nights per year for cars, boats and trailers (renewal of planning permission APP/17/01013) The over spill car park is only for the benefit of members of Haying Island Sailing Club and their guests for Championships and open meetings and not for renting out or charging fees.

Condition 8 of 04/52990/014 states :-

This permission insofar as it relates to overnight parking of vehicles is for a limited period only expiring on 31 October 2006, on or before which date the use of the car park for overnight parking (i.e. between 2130-0700 hours) shall be discontinued permanently unless the prior written consent of the Local Planning Authority has been obtained for a further period. At no time shall any vehicles within the car park be moved between the hours of 2130-0700.

Reason: In order that the impact of overnight parking on the occupiers of the nearby residential properties can be properly assessed and having due regard to policies and proposals UB3 of the Hampshire County Structure Plan 1996-2011 (Review) and GDD1 of the Havant Borough Local Plan 1994.

Condition 11 04/52990/014

At no time shall: (1) any form of lighting/floodlighting be installed, erected or operated within the site; (2) any vehicle parked within the site be used for overnight sleeping accommodation, nor shall any camping take place within the site; (3) any boats, trailers or any other associated equipment or vehicles be stored or maintained within the site.

Reason: In the interest of the visual and ecological features and character of the area and the amenities of occupiers of nearby residential properties and having due regard to policies and proposals C1 and C5 of the Hampshire County Structure Plan 1996-2011 (Review) and C1, GDD1, C22 and C25 of the Havant Borough Local Plan 1994

The Club wishes for the temporary permission for the 28 day period to be made permanent for the overnight parking of cars, boats and trailers, so that it does not need to keep applying to renew the permission.

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))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
DM10	(Pollution)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy RECOMMENDATION

That Havant Borough Council, as local planning authority, be advised that Chichester Harbour Conservancy raises no objection to the principle of storing boats and boat trailers on the land subject to winter only being understood as 1 November to 1 March in any calendar year and also subject to the following planning conditions –

- That no camper vans be allowed to be stored at the site in conjunction with the boat/boat trailer storage;
- That no-one be permitted to camp at the site in connection with the boat/boat trailer storage;
- That no machinery/motors/fuel be stored at the site (to reduce risk of any leakage/pollution);
- That no repair or maintenance work be carried out to stored boats and boat trailers at the site;
- That no racking systems be brought onto the site, with all boat and boat trailers to be stored in direct contact with the ground;
- That no boats or boat trailers be brought onto/taken off the site outside 07.00 and 21.30 hours daily; and,
- That otherwise, the re-imposition of performance type conditions to permission 04/52990/014 (not referred to above) occurs, particularly No.12, relating to emergency use only of the Seafarers Walk access.

Planning Policy Framework*

NPPF paragraphs (Generally) 1-3, 6-9, 15-16, 38-43, 54-55, 96, 105, 117-118, 125, 149-150, 164, 166, 171, 174, 178 & 212-213 and, (Specifically) 10-14, 28, 47-48, 91, 108-109, 124, 127-130, 148, 155, 163, 170, 172, 175, 177, 180; **NPPG** - 6-8, 21a, 26, 31, 37; **HBLP (Core Strategy)** - CS1, CS8, CS11-CS13, CS15-CS17, DM1, DM8-DM10, DM14; **HBLP (Site Allocations)** - AL1-AL2, DM23; **DHBLPPV** - DR1, IN1, IN3, E1-E5, E8, E11, E14-E17, E19-E22, E24; **CHMP** - 1-3, 6, 8-10, 12-13; **PP** - PP01, PP02, PP09, PP18; Joint CHAONB, Borough Design Guide & Parking Standards SPD.

Conservancy Officers' comments and reasoned justification

1. Site and its context

- 1.1 The application site relates to open land to the south-west, west and northwest of the (two-storey) Lifeboat Station and is wholly within the

Chichester Harbour AONB.

- 2 There is a gate giving emergency access to this land via Seafarers Walk (a two storey, detached residential development), with the site otherwise being accessed by a spur running from the end of Bracklesham Road. There is a lockable vehicular barrier/gate providing access to the site, just behind the Lifeboat Station.
- 2 The land for the most part is closely cropped grass, overlying shingle. A number of low-level concrete structures, with rubber car tyres around them have been placed on the land, presumably to delineate where people may park. The land is predominantly bounded by hedging of varying heights and thicknesses with a small amount of chain-link and close-boarded fencing where the site abuts residential dwellings. An area of woodland (which is part of a local nature reserve) abuts the southern part of the western boundary. The southern part of the site is noted as an uncertain site for brent geese and waders under Policy DM23.
- 2 From the determination of APP/17/00178, I note the Sailing Club has use of 115 moorings and runs an extensive sailing programme.

2.0 Proposed development and related planning history

- 2.1 The covering letter from the applicant, dated 22.11.2019, makes it clear that the Club wishes for the 28 day period to be made permanent, so that it does not need to keep applying to renew the permission. Under the current consent the Club has been able to store boats continuously on the land 4th December to 28 January in the following year (i.e. two lots of 28 days in any calendar year) and be in compliance with its permission.
- 2.3 Permission 04/52990/014, granted 26.10.2004, originally allowed "Change of use from derelict rough ground to shingle covered overflow parking for Hayling Island Sailing Club".
- 2.4 Permission APP/17/01013 is due to expire on 28 February 2020.
- 2.5 The applicant has not referred to the importation of any stacking structures, so it assumed that all boats and boat trailers would be stored in direct contact with the ground surface. In any event, the Conservancy would argue that such stacking structures would be likely to require planning permission of themselves.

3.0 Key issues

- 3.1 The main issues from the Conservancy's perspective are -
 - The principle of the use being sought and whether any issues have arisen from the Conservancy's perspective since the granting of APP/17/01013;
 - The visual impact of the use on the landscape, including the overall height that boats and boat trailers may be stored at;
 - Protecting the nature conservation interests of the AONB; and,
 - Ensuring no contamination of the land resulting from any oil leakage from (motorised) boats.
- 3.2 The Conservancy has no objection in principle to allowing the 28 day period in any calendar year continuing on a permanent basis, subject to the

safeguarding planning conditions set out in the recommendation of this report.

- 3.3 With regard to impact on the AONB landscape, it is considered that the proposed use is generally screened, perhaps with the exception of boat masts, which are partly seen against the woodland to the west of the site from certain viewpoints and otherwise not appear too alien, given the extant consent and maritime setting. Restriction on the height of storage needs to be considered though and no racking ought to be permitted to be brought onto the site.
- 3.4 This is a rather remote part of the AONB and part of the site abuts a Local Nature Reserve, where tranquillity is valued. The Conservancy's ecologist does not consider that brent geese or waders would be likely to be using the land and I note the DM23 considerations do not wash over the site in terms of the extant local plan proposals map.
- 3.5 I would assume it is pretty unlikely that outboard motors would be left on stored boats for security reasons, but it is possible that boats with built-in motors may be stored. The Conservancy would be concerned if oil or other fuels leak from boats onto the land and find their way/leach into the Harbour. Might it be possible to require all boats (where relevant) to be drained of fuel before being stored on the land, perhaps under a management plan that the Club be asked to submit and police?

4.0 Conclusion

- 4.1 Subject to the safeguards identified, Conservancy Officers are supportive of this application.

Coastal Engineering

No comments received

Environment Agency

No comments received

Environmental Health Manager, Community Group

no objection to the proposal subject to conditions 5 (movement of vehicles) and 6 (lighting, sleeping, repairs) of 17/01013 remaining in place.

Hampshire Highways

Previously on a similar application the Highway Authority had no objection to this extended use on this site. I confirm that position remains and once again recommend no objection.

Landscape Team

Further details requested.

Officers note - The car park is existing and the surfacing and landscaping are as previously agreed. No changes in this respect are proposed.

Natural England Government Team

No objection

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: 4

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 5

Comment	Officer Comment
strictly no overnight sleeping. No motor homes or tents.	noted
The Applicant has previously breached approvals and failed to observe the Management Plan specified in Condition 1 of the current permission. In the circumstances, renewal should not be granted on an unlimited basis but instead should be temporary to allow further monitoring.	see section 7
None of the residents of Seafarers Walk had received any notifications (as required by the Management Plan (Plan) mentioned Condition 1 of the Permission) of any designated days for overnight use of the site notwithstanding that boats and trailers had been moved to the site and remained overnight for many days. Any further permission should be temporary to allow further monitoring of the use of the site and in particular observance of the Conditions.	see section 7
The 28 day limit has been breached, and camper vans parked on the site . The club should be required to maintain records of the use.	see section 7
Any grant of permission should again be temporary (3 years) as issues remain, and subject to conditions in respect to prevent campervans/motor homes and overnight car parking on the rest of the site, the submission of an updated management plan identifying how overnight stays will be monitored and provision of contact details which provide for 24 hr cover.	see section 7
Conflict between traffic and pedestrians.	existing situation
The existence of the parking area encourages unlawful camping, with bonfires, and movements through the night.	Noted but not the subject of this application.

7 **Planning Considerations**

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 on the Landscape Character of the AONB
- (iii) Impact on Nature Conservation Interests
- (iv) Impact upon residential amenity
- (v) Flood risk considerations

(i) Principle of development

The site comprises an existing permanent overflow car park for Hayling Island Sailing Club, but with a history of temporary permissions for parking overnight for up to 28 days in a year. The acceptability of the renewal of the current proposal to vary condition 8 and 11 of 04/52990/014 to enable overnight parking for cars, trailers and boats for 28 days on a permanent basis will depend on the considerations of the impact on the landscape, nature conservation interests, residential amenity and flood risk.

(ii) Impact on the Landscape Character of the AONB

The site occupies a coastal location to the west of residential development in Seafarers Walk and adjoining sites of importance for nature conservation. The site is currently set out for parking in accordance with planning permission 04/52990/014. The proposal does not involve any changes to the physical form of the land and the site is relatively well screened at a low level. CHC has requested that the stacking of boats be controlled and given the sites sensitive location and height of the screening this would be appropriate.

(iii) Impact on Nature Conservation Interests

The proposal relates to overnight parking on the existing car park which does not extend into the areas of nature conservation interest, however, given the siting abutting a Local Nature Reserve, Natural England has been consulted and raises no objection.

CHC have requested that all boats (where relevant) to be drained of fuel before being stored on the land, perhaps under a management plan that the Club be asked to submit and police. Given the potential for fuels leak from boats onto the land and leach into the Harbour this is appropriate.

(iii) Impact upon neighbouring properties

The site adjoins a number of residential properties and whilst the 2017 application did not involve the over night parking of camper vans/ camping, the movement of vehicles late at night can result in disturbance and a number of representations were received in respect to nuisance from activities associated with the overnight parking. To address this the planning permission was subject to a number of conditions including the submission and approval by HBC of a site management plan. The representations in respect to the current application identify that elements of the management plan have been breached including that neighbours were not notified of the days when the car park would be used for over night parking. This has been acknowledged by the club. In respect to the alleged breach of the 28 day limit the club has provided dates which indicate that in 2018 the overnight parking was 21 nights and for 2019 it was 17.

(v) Flood risk considerations

As the proposals does not seek permission for sleeping accommodation, there are no direct flooding concerns and the Environment Agency has raised no objection. However, as the site is in Flood Zone 2 previously the Eastern Coastal Partnership advised that it may be worthwhile to consider how the overnight use of the car park can be restricted during storm event, and it is recommended that the condition in respect to the Management Plan also covers this matter.

8 Conclusion

Subject to conditions as recommended, the impact on the neighbouring land uses is considered to be acceptable, however, given the previous history of breach of conditions it is recommended that a further temporary consent be granted but for a period of 5 years to enable the applicant to put in place and formalise management procedures to deal with potential nuisance, and a condition in this respect is proposed.

The recommendation is to grant planning permission subject to conditions including for a limited period only expiring on 31 March 2025.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT TEMPORARY PERMISSION** for application APP/19/01141 subject to the following conditions

- 1 This permission insofar as it relates to overnight parking of vehicles including trailers and boats is for a limited period only expiring on 31 March 2025, on or before which date the use of the car park for overnight parking (i.e. between 2130-0700 hours) shall be discontinued permanently unless the prior written consent of the Local Planning Authority has been obtained for a further period.
At no time shall any vehicles within the car park be moved between the hours of 2130-0700.

Reason: In order that the impact of overnight parking on the occupiers of the nearby residential properties can be further assessed and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

OS Location Plan
Overspill car park layout plan

Reason: - To ensure provision of a satisfactory development.

- 3 Within 31 days of the date of this permission an updated Management Plan setting out how the activities on the site will be supervised by the HISC, including the measures for dealing with the control of the access to prevent

obstruction, rubbish, security, use during storm events, camping, storage of fuel, repair, notification of neighbours and out of hours contact details . The Management Plan shall subsequently be implemented in accordance with the approved details.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 This permission shall enure for the benefit of Hayling Island Sailing Club only and shall not enure for the benefit of the land and the use hereby permitted shall be discontinued on the date when Hayling Island Sailing Club cease(s) to occupy the land.

Reason: To safeguard the amenities of the locality and occupiers of neighbouring property and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 At no time shall: (1) any form of lighting/floodlighting be installed, erected or operated within the site; (2) any vehicle parked within the site be used for overnight sleeping accommodation, nor shall any camping take place within the site; (3) any boats, trailers or any other associated equipment or vehicles be repaired within the site.

Reason: In the interest of the visual and ecological features and character of the area and the amenities of occupiers of nearby residential properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The access linking Seafarers Walk with the application site shall only be used as an emergency exit and shall on no account be used as a regular access/egress point.

Reason: In the interests of the amenities of the occupiers of residential properties within Seafarers Walk and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.