
Site Address:	Northney Marina, Northney Road, Hayling Island		
Proposal:	Single storey side extension to existing marina services building.		
Application No:	APP/18/00783	Expiry Date:	01/10/2018
Applicant:	Marina Developments Ltd		
Agent:	Mr R Warmington	Case Officer:	David Eaves
	Canford Cliffs Architects		
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.

2 Planning History

02/51153/038 - Demolition of existing marina office and toilets, erection of single storey Marina Services building and associated external works., PERM,02/09/2002

02/51153/039 - Reconstruction and stabilisation of marina basin entrance bullnose and chalk bunds. (Retrospective), PERM,07/11/2002

02/51153/037 - Display of static internally illuminated advertisement panel to north elevation of Marina Services Building., PERM,21/05/2002

01/51153/036 - Renewal of temporary planning permission 96/51153/021 to retain security hut to South West of site., PERM,16/01/2002

01/51153/035 - Bank stabilisation and protection works in the form of rock armour over approximately 13 metres and burial of HV Cable. (Retrospective)., PERM,13/09/2002

01/51153/034 - New marina services building, boat sales area and alterations to car park layout, PERM,14/06/2001

00/51153/033 - Temporary variation of condition 22 of permission 97/51153/025 to enable use of 'Boat Services Building' for the warehousing and distribution of marine equipment as well as for the construction, repair and servicing of boats and components of boats. Insertion of 4 additional windows in south-west elevation of Boat Services Building erected under planning permission 97/51153/025., SPL,25/09/2000

99/51153/030 - External alterations to north elevation of marina centre building, PERM,26/05/1999

99/51153/031 - Temporary consent for a period of 5 years to allow an extension of the boat sales area adjacent to the Marina Centre & Marina Office and erection of associated viewing balcony, REF,22/07/1999

99/51153/032 - Retention of non-illuminated fascia signs to north west, north east and south east elevations, PERM,07/07/1999

98/51153/027 - Variation of Condition no. 2 of Planning Permission no. 97/51153/25 to ensure the off site highway works are carried out in association with the construction of the new Marina Basin or extension of the Marina office but are not required in association with the Boat Services building., PERM,17/04/1998

98/51153/028 - Erection of store building and yard enclosure (2.207m high) adjacent to boat services building, PERM,02/10/1998

98/51153/029 - New frontage to south wing of existing marina centre building, PERM,12/01/1999

97/51153/025 - Demolition of fire damaged building and construction of new boat services building and extension to existing marina office, together with revised car parking and internal arrangements, this to be carried out in association with new basin and mounding works previously approved under permission 89/51153/7, PERM,01/09/1997

03/51153/041 - Erection of 4 number single storey marine related light industrial business units., S106,14/01/2004

03/51153/042 - Renewal of temporary planning permission 97/51153/025 to allow for the use of boat services building for the warehousing and distribution of marine equipment, and for the construction, repair and servicing of boats and components of boats for a further 3 years until 1 October 2006., PERM,02/05/2003

05/51153/046 - Renewal of Planning Permission 03/51153/042 to allow for the use of the boat services building for the warehousing and distribution of marine equipment and for the construction, repair and servicing of boats and components of the boats, for a further 3., TPP,06/10/2005

06/51153/047 - Installation of landing pontoon., PERM,21/08/2006

08/51153/048 - Use of land as events area. (Renewal of temporary consent). , TPP,19/05/2008

90/51153/010 - Erect temporary marina sales and information office (Portakabin)., PERM,

90/51153/011 - Non-illuminated signs to elevations of temporary sales portakabin., PERM,

90/51153/008 - Installation of a hoist dock facility to enable the operation of a travelling marine hoist & lock up store., PERM,

91/51153/012 - Erect temporary marina sales and information office (portacabin), PERM,

93/51153/014 - Alteration of existing frontage of retail unit, PERM,

93/51153/015 - Change of use of six first floor rooms from overnight accommodation to independent bed-sitting rooms, PERM,

93/51153/016 - The installation of a portable security hut., PERM,17/08/1993

09/51153/049 - Renewal of temporary Planning Permission for varied use of boat services building. (Currently approved under Planning Permission 05/51153/046.), PERM,11/06/2009

APP/12/00424 - Application for Variation of Condition No/s 1 and 2 of Planning Permission 09/51153/049 to allow continued varied use of Boat Services building., TPP,28/06/2012

APP/17/01218 - Temporary variation of condition as currently amended under APP/14/01256, valid for further 3 year period from 01/02/2018., PERM,11/01/2018

APP/18/00423 - Siting of temporary offices for a period of three years., TPP,19/07/2018

3 Proposal

Single storey side extension to existing marina services building.

The proposed extension is shown as three units with small first floor areas. The design would pick up on the design of the existing marina services building.

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)
CS5	(Tourism)
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)
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

No comments received

Development Engineer - Highways

The Highway Authority have no adverse comment to this application.

Natural England

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

The site is adjacent to the Chichester and Langstone Harbours Special Protection Area (SPA) and Ramsar site, and the Solent Maritime Special Area of Conservation (SAC). The site is also notified at a national level as the Chichester Harbour Site of Special Scientific Interest.

We therefore recommend that the following conditions are appended to the planning permission:

. No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) to be undertaken during the bird overwintering period (ie. October to March inclusive).

. Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise noise, vibration and visual disturbance, the creation and impact of dust, run off into the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

With the above mitigation in place, Natural England has no objection to this application.

Construction Environmental Management Plan

Natural England advises a Construction Environmental Management Plan (CEMP) should be submitted to and approved in writing by the district ecologist/biodiversity officer that identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on species and habitats.

The CEMP should address the following impacts:

- . Storage of construction materials/chemicals and equipment;
- . Dust suppression
- . Chemical and/or fuel run-off from construction into nearby harbour
- . Waste disposal
- . Noise and vibrational impacts
- . Visual screening (for SPA birds).

The approved CEMP should be secured via an appropriately worded condition attached to any planning consent and shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Landscape advice

The proposed development is for a site within a nationally designated landscape namely the 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 paragraphs 170 and 172 of the revised National Planning Policy Framework. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. 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

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published Standing Advice on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at consultations@naturalengland.org.uk.

Highways Engineer, Development Engineer

The Highway have no adverse comment to this application.

Environment Agency

No comments received

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 adopted its Local Plan Housing Statement in December 2016 which is material to the determination of this application.

Also relevant to this proposal, though with limited weight, is the emerging Havant Borough Local Plan 2036 (HBLP2036), in preparation of which a Regulation 18 consultation took place in January and February 2018. The next key stage in the preparation of the HBLP 2036 will be consult on a Pre-Submission Draft (Regulation 19) which is anticipated to take place in early 2019. At this stage, the policies in the Plan may be afforded greater weight.

The above documents are available at www.havant.gov.uk/localplan.

Principle of Development

In the adopted local plan, the site is defined as falling outside the urban area as defined by policies CS 17 and AL2 of the adopted plan. The former indicates that brownfield land should be prioritised for development. I therefore consider the proposed development to be acceptable in principle, having regard to the fact that land in question is previously developed land subject to the consideration of detailed matters. In coming to this conclusion, I have also had regard to the fact that Policy H30 of the Draft (Regulation 18) HBLP 2036 identifies the site for housing and employment development.

Key considerations

The Regulation 18 Draft HBLP 2036 sets out a list of policy requirements for development at this site in Policy H30. Whilst of limited weight at this stage in the plan's preparation, the policy provides an overview of the key matters which development will need to address.

Taking into consideration the representations received to the draft policy, it is suggested that the key matters to be satisfied are:

- . Flood risk (including to the access to the site)
- . Visual impact, in particular on the impact on the setting of Chichester Harbour AONB
- . Impact on the Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC
- . Transport and access

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: 36

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1

Comment	Officer Comment
I represent the Northney Berth Leaseholders Association and following my earlier email and our telephone conversation make the following observations and comments on behalf of my members: 1. We are long leaseholders and under the Planning Act each having approximately 20 years to run on our leases, therefore believe we should have been served Certificate B's in relation to this application as it affects the terms of our leases.	The concerns with regard to correct notice have been raised with the planning agent who has confirmed the following: <i>It is confirmed that the existing Marina Services Building with adjoining margins and Car Park all remain wholly within Marina Developments Limited's Title and no part subject of any leasehold requiring requisite (Certificate B) notification. In the circumstances, the area subject of the submitted Application can be confirmed correctly addressed with the Certificate A Declaration. Connection to the public highway (Northney Road) is also confirmed via internal access roadway within overall Title of Marina Developments Limited.</i>
Notwithstanding, we are concerned that the present car parking arrangements which are already under pressure from visitors to the successful and welcome Salt shack Café are putting on berth holder and berth leaseholders parking facilities should be reviewed and additional spaces provided to compensate for the new occupiers needs and the loss of existing spaces that the development will occasion. With that proviso and subject to the comments/conditions suggested below	Further details in relation to parking have been provided. The Salt shack cafe is currently unauthorised and the development is under assessment by the Councils Enforcement Team. Further comments in relation to parking are provided in part 7 of this report.

we do NOT object to this planning Application provided the following reserved matter conditions are applied should the Committee be minded to resolve to grant consent; i - a construction management plan agreed with the leaseholders and implemented before any construction work is undertaken to ensure safe utilisation of the existing car parking facilities. ii - the replacement car parking spaces to be constructed before any building works are commenced. iii - In view of the increased usage an enhanced refuse/recycling scheme to be agreed than that in operation at present and installed/implemented on completion of the works to remedy the present unsatisfactory refuse /recycling regime situation. iv - a covenant on the landowner that the occupiers of the new business units restricting their use to that of marine related businesses should be applied. As Chairman of the above Association I would be grateful if you would advise me as to when this Application will come before your Committee. Would you also email me with the Committee report.	This is a matter for the internal management of the Marina in consultation with Berth Holders. An informative relating to concerns raised is recommended. Internal car parking arrangements are a matter for the management of the marina during and after construction. A condition is recommended in relation to refuse requirements. A planning condition is recommended in relation to the marina related uses.

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 upon marine based activity
- (iv) Environmental impacts
- (v) Flood Risk
- (vi) Parking
- (vii) CIL

(i) Principle of development

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 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.

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 AONB

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.

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. The proposed extension would be designed as an extension to the existing building incorporating similar design features and matching materials.

The NPPF paragraphs 170 and 172 emphasise the need to protect and enhance valued landscapes and the coast with great weight given to conserving and enhancing landscape and scenic beauty in AONBs.

It is considered in this case that the development on this brownfield site within an existing marina complex incorporating a design matching the existing building would result in an acceptable impact on the existing AONB landscape and would be appropriate to its location conserving the landscape.

(iii) Impact upon marine based activity

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.

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.

In terms of the uses proposed uses the agent has provided the following information:

Although a comparatively large site, Northney Marina remains fairly isolated and not particularly well-appointed in respect of customer support services. The latter deficiency is now proposed being addressed with new accommodation subject of Planning Application APP/18/00783. This proposes an arrangement of a new wing adjoining the existing Facilities block (Toilets/Shower/Laundry), providing 3 fairly modestly sized commercial units, but capable of further subdivision into smaller dependent upon precise requirements. These units are envisaged offering accommodation for a range of support services compliant with Policy definition uses summarised as follows:

(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.*

Whilst general boat repairs and servicing works can be addressed in workshops elsewhere on site, this need not preclude accommodation of certain specialist operatives (e.g. Communications/Navigation) within the new units, assuming on-board installations without workshop requirements.

A condition is recommended to limit the uses proposed to marine related uses. The wider Vending/Catering/Refreshment, Fitness training (previously listed in the Accommodation use and occupancy schedule) uses are not considered appropriate without a further application for planning permission and assessment in detail of the nature of the use, its scale and likely clientele (marina users or wider public). The schedule of uses has therefore been amended and is proposed to be conditioned.

(iv) Environmental impacts

With regard to environmental impacts, the site lies close to the protected environment of Chichester Harbour including SPA, SSSI, Ramsar designations and a SINCR (immediately adjacent to the proposed site).

The development site itself is an established car park and access area. Consultation with Natural England has been carried out and this has established that there are requirements for conditions in relation to noisy works timing and the need for a Construction Environmental Management Plan in order to prevent impacts to the sensitive sites and species. These conditions are recommended.

Given the existing nature of the site it is considered that providing works are carried out in accordance with these condition requirements the impacts on the SPA/protected sites can be appropriately managed.

(v) Flood Risk

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. The use is less vulnerable use and it is considered that the development is acceptable in flood risk terms.

(vi) Parking

The proposal is on an area partly currently used for car parking and the plans now clarify that there would be a reduction in parking of 16 spaces. The uses permitted will primarily serve the existing users of the marina improving facilities and therefore it is not anticipated that the development would result in substantial new on site parking requirements. Concerns have been raised in relation to Berth holders parking, however the Northney Marina site includes a number of existing parking areas and it is a matter for the marina management to rationalise the use and capacity of parking on the site. The Development Engineer has raised no objection to the proposals and the development is on private land where there is unlikely to be any impact on parking beyond the site.

(vii) CIL

Given the potential retail use of the building the proposal has been assessed against CIL requirements for out of centre retail. The Developers Guide confirms that out of centre retail developments with floorspace greater than 290sqm would be CIL liable. The floorspace of the proposed development does not reach that floorspace threshold.

8 Conclusion

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

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.

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.

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

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/18/00783 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:

Proposed Plans + Elevations Drawing Number 1
Site Car Parking Drawing Number 2
Design and Access Statement RW/PE/2892-4 August 2018
Flood Risk Assessment
Accommodation Use and Occupancy RW/PE/2892-11 Rev A December 2018
Marina Car Parking RW/PE/2892-10 October 2018

Reason: - To ensure provision of a satisfactory development.

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

- 4 No percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax - measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive).

Reason: To protect the habitats of the adjacent SPA, SSSI and Ramsar in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS 11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 5 Prior to the commencement of the development hereby approved, a Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Construction Environmental Management Plan shall identify the steps and procedures that will be implemented to minimise noise, vibration and visual disturbance, the creation and impact of dust, run off into the harbour and waste disposal resulting from the site preparation, groundwork and construction phase of the development. Once approved, the Construction Environmental Management Plan shall be adhered to at all times, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To protect the habitats of the adjacent SPA, SSSI and Ramsar in accordance with the Habitats Regulations, National Planning Policy Framework, and Policy CS11 of the Havant Borough Local Plan (Core Strategy) March 2011.

- 6 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 2018.

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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

