
Site Address:	Land at Northney Marina, Northney Road, Hayling Island		
Proposal:	Siting of temporary offices for a period of three years.		
Application No:	APP/18/00423	Expiry Date:	28/06/2018
Applicant:	Mr Roger Marina Developments Ltd		
Agent:	Mr Jobbins Luken Beck	Case Officer:	Rachael McMurray
Ward:	Hayling East		

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

The site 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

02/51153/040 - Application for permanent variation of Condition 22 of Planning Permission 97/51153/025 to enable the 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., WD,24/03/2003
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

10/51153/050 - Renewal of temporary Planning Permission 04/51153/044 for the siting of temporary office accommodation, WD,22/04/2010

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

3 Proposal

The proposal is for the siting of 5no. modular office buildings. The need for the

temporary office buildings are in connection within the Marina operations and for existing office tenants who are currently located in the adjacent Rotunda building, which is due to be converted to residential use shortly.

The proposed offices are required for a period of 3 years and will enable the marina to accommodate existing and new staff whilst preparing more comprehensive proposals for the site in accordance with the emerging Local Plan.

The proposed buildings would not require foundations and would be single storey and of a simple appearance. They would be located to the south of the site, close to the entrance and to the boundary with the Langstone Hotel car park. The units would be 2.6m in height and be of a standardised portacabin appearance with UPVc doors and windows. The offices would include the provision on 12no. parking spaces and 8no cycle spaces. It would comprise the blocking up of a vehicular entrance to the 'rotunda' however, a new access is proposed to the north of the proposed units.

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
DM14	(Car and Cycle Parking on Development (excluding residential))
DM3	(Protection of Existing Employment and Tourism Sites)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
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

Recommendation – No objection, subject to –

- Only use within Class B1(a) of the Town and Country Planning (Use Classes Order 1987 (as amended);
- implementation with the specified materials;
- tree retention and protection during the build process; and,
- removal and reinstatement of land at the end of the temporary period granted (no more than 5 year term suggested).

Following a site visit made 22.5.18 and having regard to the Policy framework* below,

the proposed units, would not be too visible from the overall entrance to the site or the Harbour, but clearly visible from within the site.

Could not see existing office building (shown on Cover Storey drawing 18001/P210) when making my site visit so assume this has already been demolished/removed.

Assumption units are to decant those having to leave the adjacent 'Rotunda' building, given the prior approval granted to change to residential use under reference APP/17/01042, albeit this is not clear from the submitted design and access statement to justify the need for further (net 357 sq.m) built form outside the development plan defined 'urban area'.

It is accepted that the development would be seen in the context of surrounding buildings and therefore not be prominent in the AONB landscape.

By helping the economic viability of the Marina, the proposals would also accord with the conservancy's own planning principle PP02. It is not really understood why the applicant is only seeking temporary permission and no length of temporary period has been specified in the submitted particulars. However, given the pre-fabricated nature of the structures proposed it is considered that no longer than a 5 year term ought to be granted.

The Conservancy supports the applicant's desire to retain trees that exist on the site.

Engineering/Drainage

No response provided.

Environment Agency

No comments to make on this application.

Highways Engineer, Development Engineer

Initial response:

A Transport Statement should be included within the application making reference to a generic travel plan.

Further response:

Further to clarification from the agent, it is confirmed that a Transport Statement and Travel Plan are now not required.

Natural England Government Team

The site is located in a sensitive area with respect to the nearby ecological designated sites – the Chichester and Langstone Harbour SPA, Ramsar site and Solent Maritime SAC. However, due to the location, nature, size and temporary nature of the proposed development, Natural England has no comments with respect to these designated sites.

We note that there will be some vegetation clearance on-site. Natural England has not assessed the application and associated documents for impacts on protected species and habitats and recommends that your authority consults a Hampshire County Council (HCC) ecologist. Natural England also encourages all applications to incorporate biodiversity opportunities in and around developments and ensure measures to enhance biodiversity are included in the application.

The proposed development is 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 115 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 116 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.

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

Planning Policy

The application site lies outside of the urban area as defined by Policies CS17 and AL2 of the Local Plan. These policies seek to restrict development outside of urban areas and AL2 sets out specific exceptional circumstances where development may be acceptable. CS17 has a similar function, but also acknowledges that brownfield land should be priorities for development. As the land in question is previously developed land, and having regard to the temporary nature of the proposal, I consider that the proposed development is acceptable in principle, provided detailed considerations can be satisfied. Policy H30 of the Regulation 18 Draft Local Plan is a draft allocation for development of this site for housing and employment.

The Regulation 18 Draft HBLP 2036 sets out a list of policy requirements for development this site in Policy H30. While that list is clearly intended for permanent development, including residential, and therefore some matters may be less pertinent for this temporary use, the draft policy nevertheless gives a good overview of the key matters which development will need to address. These would include flood risk, visual impact in particular on the Chichester Harbour AONB, impact on the Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC and 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: 68

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 0

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) Parking / Highways considerations
- (iv) Effect on sensitive areas/SSSI etc

(i) Principle of development

7.2 The application site lies outside of the urban area as defined by Policies CS17 and AL2 of the Local Plan. These policies seek to restrict development outside of urban areas and AL2 sets out specific exceptional circumstances where development may be acceptable. 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, I consider that the proposed development is acceptable in principle, provided detailed considerations can be satisfied. Policy H30 of the Regulation 18 Draft Local Plan is a draft allocation for development of this site for housing and employment.

7.3 The Regulation 18 Draft HBLP 2036 sets out a list of policy requirements for development this site in Policy H30. While that list is clearly intended for permanent development, including residential, and therefore some matters may be less pertinent for this temporary use, the draft policy nevertheless gives a good overview of the key matters which development will need to address. These would include flood risk, visual impact in particular on the Chichester Harbour AONB, impact on the Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC and transport and access.

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

7.4 The proposed units would be single storey in height (2.6m) and of a simple modular design. They would be located to the southern most part of the site, close to the boundary with the adjacent hotel. Policy CS11 considers the potential impact on the Chichester Harbour AONB. Chichester Harbour Conservancy have been consulted and have responded that they raise no objection to the proposal as the visual impact of the proposed units from and on the Chichester Harbour AONB would be limited.

7.5 Landscaping on the site would mainly be retained, particularly along the east boundary in the form of existing trees. A new hedgerow would be planted along the north elevation to mark a buffer with the adjacent rotunda building. However, it would be

considered appropriate to apply a landscaping condition to a planning permission to agree further details of plant types and to ensure their retention for the duration of the planning permission.

- 7.6 The units would have the appearance of a temporary nature and would only be in situ for a period of three years and therefore would not have a long term impact on the visual amenity of the marina, or the adjacent AONB.

(iii) Parking / Highways considerations

- 7.7 It is not anticipated that any additional highway issues would result from the proposal, as they would mainly be used by existing staff from the rotunda building. The Council's Highways Engineer is satisfied that neither a travel plan and / or transport statement is required. Parking is proposed for the office use in the form of 12 no. spaces and 8 cycle spaces. The provision of 12 no. spaces falls short of the Council's adopted parking standards by 0.5 spaces, however the cycle parking is in accordance. Overall, a minimal short fall of 0.5 spaces would not constitute a refusal of the application, as there is other parking available on the site further north which is available for visitors to the marina staff.

(iv) Effect on Sensitive Areas/SSSI etc

- 7.8 The site is located adjacent to SSSI/Ramsar etc and within the AONB. Natural England raise no objections to the proposal and it is considered that the impact on nature conservation would be limited and acceptable.

8 Conclusion

- 8.1 In conclusion the proposed temporary offices are considered acceptable in principle and in terms of its impact on the character and appearance of the AONB, highways and nature conservation and the application is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT TEMPORARY PERMISSION** for application APP/18/00423 subject to the following conditions:

- 1 This permission shall be for a limited period expiring on 1st August 2021 on or before which date the buildings shall be permanently removed from the site and the land shall be restored to its former state unless the prior written consent of the Local Planning Authority has been obtained in writing for a further period.
Reason: The buildings are of a type not considered suitable for permanent retention and having due regard to policies CS12 and 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:

Site Location Plan - P100 - P1
Proposed typical site elevations east and north - P245
Proposed site layout - P210
Proposed typical plan and roof plan - P220
Proposed typical site elevations west and south - P246
Proposed typical elevations - P240

Reason: - To ensure provision of a satisfactory development.

- 3 The car parking, servicing and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall be retained thereafter for their intended purpose.
Reason: In the interests of highway safety and having due regard to policy DM14 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 4 Notwithstanding any description of materials in the application, no above ground construction works shall take place until confirmation of the external finish of the portacabins hereby approved have been submitted to and approved in writing by the Local Planning Authority. Only the materials so approved shall be used, in accordance with any terms of such approval.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 5 No development hereby permitted shall be commenced until a more detailed soft landscaping scheme for all open parts of the site not proposed to be hardsurfaced has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall specify the proposed finished ground levels in relation to the existing levels, the distribution and species of ground cover to be planted, the positions, species and planting sizes of the trees and shrubs to be planted and/or retained, and timing provisions for completion of the implementation of all such landscaping works.
The implementation of all such approved landscaping shall be completed in full accordance with such approved timing provisions. Any tree or shrub planted or retained as part of such approved landscaping scheme which dies or is otherwise removed within the first 5 years shall be replaced with another of the same species and size in the same position during the first available planting season.
Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 6 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as an offices Class B1(a) and for no other purposes within Class B of the above Use Classes Order.
Reason: In the interests of amenity and having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

