
Site Address:	Howards Car Spares, Mill Rythe Lane, Hayling Island, PO11 0QQ		
Proposal:	Side extension to industrial unit.		
Application No:	APP/17/00203	Expiry Date:	01/05/2017
Applicant:	Mr Simmons Solent Marine		
Agent:	Mr Murray I J Murray Associates	Case Officer:	Rachael McMurray
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

The application site is located on Mill Rythe Lane on Hayling Island. The area is characterised by industrial uses, some of which relate to the marine industry being close to the harbour. The application site comprises an industrial unit of 800m² with a ridge height of 5.5m and an open yard enclosed by a 3.8m high metal fencing painted green. The site was used for a number of years as a car dismantling and scrap metal site and has now become a manufacturing facility for Marine pontoons. It has vehicular access from Mill Rythe Lane.

The site is within the AONB boundary and Council's defined Coastal Zone, adjacent to open land used by Brent Geese, with land designated as a site important for nature conservation south east of but not adjoining the site. There is a mixture of buildings at and around the site, which have a wholly commercial, utilitarian appearance of single and two storey scale and a mixture of materials from brick, render and corrugated cladding.

2 Planning History

04/70048/000 - Change of use to grazing land to include retention of portable field shelter and storage provision. (To be agreed)., UNK,

04/70085/000 - Continued use of land for grazing and stabling up to 3 horses with storage facility for hay/tack/food. Stables and storage will be "mobile"., WD,07/02/2007

01/53376/011 - Retrospective application for use of land south east of Howards as open storage associated with the permitted use of the adjacent site for the dismantling of vehicles and plant and retailing of vehicle and plant parts obtained from such processes. Hard surfacing of area in concrete and erection of 3.5m high boundary fence., S106,29/04/2004

93/53376/007 - Proposed development Outline Planning Permission for construction on the south s

ide of Mill Rythe Lane of (i) a workshop/office building within a fenced open storage compound, all for the purpose of vehicle and plant dismantling and recycling (including ancillary retailing) with ancillary customer car parking provision and (ii) a house with domestic garage, PERM,05/06/1997

97/53376/009 - Construction of a workshop/office building within a fenced open storage yard, al
l for the purpose of vehicle and plant dismantling and recycling (including ancillary retailing) with ancillary customer car parking provision, PERM,19/02/1998
02/53376/012 - Variation of landscaping as approved under planning permission 94/53376/009, UNK,
08/53376/014 - Change of use of part of building, currently being used in connection with car/plant breaking and the storage and sales of car/plant spares, to M.O.T. testing B2 use., PERM,03/02/2009
GEN/13/00400 - Proposed purchase of land for overnight storage of vehicles, ,22/07/2013 17:12:44
GEN/13/00435 - Change of use from B2 light industrial warehouse with open storage for cars to b8 to include storage of caravans and boats, and b8 self storage on site warehouse., ,04/06/2013
GEN/13/00606 - Classification of use of land., ,16/07/2013 12:13:27
APP/13/01153 - County Matters Application for change of use to civil engineering depot with office, materials recycling facility and extension of site into adjacent paddock for use for plant operator training., WD,17/12/2013
GEN/13/01112 - Oak in dangerous condition, ,03/12/2013
APP/14/00204 - County Matters Application for change of use to civil engineering depot with office, and associated materials recycling facility., WD,24/03/2014
APP/14/00455 - Change of use to mixed B1 B2 and B8 from existing Sui Generis use as scrapyards/metal recycling yard., PERM,20/08/2014
APP/15/00654 - Removal of condition 6 of Planning Permission APP/14/00455 to allow the exterior yard of the site within the fenced compound area to be used for the completion of manufacture, repair and storage of manufactured product (Pontoon). , WD,06/08/2015
APP/15/00881 - Variation of Condition No/s 2 and 6 of Planning Permission APP/14/00455 (Change of use to mixed B1, B2 and B8 from existing Sui Generis use as scrapyards/metal recycling yard) relating to use of a crane and use of the exterior yard; and discharge of conditions 7a and 7b., PERM,23/10/2015

3 Proposal

Side extension to industrial unit, utilising matching materials and a pitched roof at the same height as the existing building. The additional building floor space will allow some of the processes currently undertaken outside to come inside, giving the business more flexibility to operate in all weather conditions.

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)
CS20	(Transport and Access Strategy)

DM10 (Pollution)
DM8 (Conservation, Protection and Enhancement of Existing Natural Features)
DM9 (Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

No comments received. _

County Minerals

No comments received. _

Engineering Services, Havant Council

No drainage comments

Environment Agency

No objections.

Highways Engineer, Development Engineer

The Highway Authority have no adverse comment to this application but I would point out to the Planning Authority that Mill Rythe Lane is not adopted highway. The the red line should include the road up to its junction with the adopted Havant Road and notice should be served on anyone who has a legal interest in the road.

Officer comment: Looking back at the previous planning permissions on the site, the red line on those did not extend to Havant Road. It would therefore be unreasonable to request the same for this application.

Natural England Government Team

This application is in close proximity to the Chichester and Langstone Harbour Special Protection Area (SPA), which also notified as the Chichester and Langstone Harbour Ramsar site and the Solent Maritime Special Area of Conservation (SAC). The site also lies in close proximity to the Chichester Harbour Site of Special Scientific Interest (SSSI).

The development site is adjacent to a site (H50B) classified as 'important' as a high tide roost for Brent Geese, which is a qualifying feature of the aforementioned SPA, and next to two sites identified as 'uncertain' for waders (H50B and H50A) in the Solent Waders and Brent Goose Strategy 2010 Update.

As a precautionary measure, we recommend that the following condition is 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 (i.e. October to March inclusive).

Provided that the applicant is compliant with this condition, Natural England is satisfied that the applicant has mitigated against the potential adverse effects of the development on the integrity of the European site(s), and has **no objection** to this aspect of the application.

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: 1

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) Effect on the character and appearance of the area
- (iii) Highway considerations

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

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

The extension would use identical materials to the existing building and would feature its own pitched roof with the same ridge height. Overall it is considered that its impact on the character and appearance of the area would be limited and would provide an overall improvement in the visual appearance of the yard within the streetscene. It would be located to the west of the existing building and therefore not as visible from Chichester Harbour AONB. Furthermore, it would be no higher than the existing building.

Natural England has advised that the development site is adjacent to a site (H50B) classified as 'important as a high tide roost for Brent Geese, which is a qualifying feature of the aforementioned SPA, and next to two sites identified as 'uncertain for waders (H50B and H50A) in the Solent Waders and Brent Goose Strategy 2010 Update. They have suggested a condition to avoid 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). This will be included on the permission.

(iii) Highway considerations

The Development Engineer (DE) has been consulted and has advised that there are no specific highway issues with the application. The unit is to house equipment and machinery which is currently in an open yard. The DE has raised a point about the placement of the red line and questions whether this should extend up to Havant Road however, this was not a requirement on the previous applications and therefore would seem unreasonable to request an amended plan when this has not been considered relevant previously.

8 **Conclusion**

The proposal is considered to be acceptable and is recommended for approval.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/17/00203 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:

A101 V4-4 LOCATION PLANS

A102 V4-4 MAIN SITE-FLOOR PLAN

A103 V4-4 ILLUSTRATIVE VIEWS

A104 V4-3 PROPOSED FLOOR PLAN/FULL SITE PLAN

A105 V4-4 SITE SECTIONS

A106 V4-4 STREET SCENE ELEVATIONS

A107 V4-4 PROPOSED ELEVATIONS

A108 V4-4 EXISTING ELEVATIONS

Reason: - To ensure provision of a satisfactory development.

- 3 The external materials used 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.
- 4 The premises shall be used only for purposes falling wholly within the scope of Use Classes B1(c) and/or B2 and/or B8 and for no other purpose whatsoever including any other purpose in Class B1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order.
Reason: To provide uses that are appropriate to the locality and the nature of the site and in the interests of the level of traffic generated by the development and having due regard to Policy CS2 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 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: Having regard for the nearby environmentally sensitive sites and and having due regard to Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.