
Site Address:	Northney Marina, Northney Marina, Hayling Island		
Proposal:	Relocation of existing temporary office and community units plus associated works, to have a lifespan of approximately 3 years.		
Application No:	APP/21/00930	Expiry Date:	03/11/2021
Applicant:	MDL Marinas Ltd		
Agent:	Mr Woodhouse	Case Officer:	Selina Donophy
	Cover Storey Architects		
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.

The site is adjacent to Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC.

2 Planning History

04/51153/043 - Erection of single storey building for boatyard office., WD,16/11/2004
04/51153/044 - Erection of single storey building. (Re-submission)., TPP,09/02/2005
04/51153/045 - Temporary use of land for events functions., TPP,25/01/2005
10/51153/050 - Renewal of temporary Planning Permission 04/51153/044 for the siting of temporary office accommodation, WD,22/04/2010
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/18/00423 | Siting of temporary offices for a period of three years. TPP 19.07.2018
APP/18/00783 | Single storey side extension to existing marina services building PERM 04.01.2019
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 23.09.2019
APP/20/00247 | Siting of 3No. storage containers (temporary permission until the 1st February 2021). TPP 15.05.2020
APP/20/01084 - Use of area with facilities (Serving Building) for temporary 3yr period for preparation and consumption of light refreshments for marina customers. TPP 08.01.2021
APP/21/00883 - Retention of Salt Shack Cafe and external terrace area., DEL,

3 **Proposal**

Relocation of existing temporary office and community units plus associated works, to have a lifespan of approximately 3 years.

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)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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Submission Version Havant Local Plan

E1*	(High quality design)
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Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 **Statutory and Non Statutory Consultations**

Chichester Harbour Conservancy

Chichester Harbour AONB Unit Recommendation – No objection

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site is located within an urban settlement built-up location within the AONB.

Suggested considerations: -

- a temporary period not in excess of 31 October 2024 (or 3 years from determination date) shall apply to the siting and use of the unit as described in the application submission
- removal of the units and reinstatement of land shall take place at the end of the temporary period granted
- within the temporary time period a permanent built solution for the temporary use shall be prepared for formal planning consideration in the future (i.e. no further temporary permission should be considered or issued)

- schedule of materials and finishes to be agreed with LPA and the structures shall be maintained with an external treatment and finish as per the schedule of materials to be as indicated on submitted application forms /or as subsequently agreed with the LPA (the use of a natural, dark coloured / stained timber boarding is preferred by the Conservancy, the use of light or pale / pastel colours should not be used).
- no external lighting shall be provided or operated in conjunction with this temporary use
- the temporary use shall relate to the use of the area and temporary building for storage, office use only and shall not include any other use or activity
- the operation of the temporary use shall only take place between the hours of 08:00 and 18:00 daily from 1 March to 30 September and between the hours of 08:00 and 17:00 daily from 1 October to 28 February annually. .
- any and all glazed windows / rooflights / doors should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times in order to minimise and reduce the amount of light illumination of the new window openings to comply with the Dark Skies approach and to limit disturbance to wildlife (AONB PP09/ Management Plan Policy 1 / Policy 2 / Policy 3).
- any and all glazed windows / rooflights / doors should be fitted with dark tinted glass glazing panels during mornings and day-time hours in order to minimise and reduce the amount of sunlight reflection of the new window openings to comply with the navigational safety approach and to limit disturbance to wildlife (AONB PP01 / Management Plan Policy 4 / Policy 5 / Policy 3).

1- The planning history raises issues of seemingly continuous temporary permissions for accommodation within the marina site with little attempt to provide a long-term solution through permanent structures. The permanent accommodation requirements of the site are not achieved by this further temporary measure.

2- The landscape of the locality is a semi built-up appearance with the predominant character being related to employment and marina activity uses. The prevailing local surrounding environmental character of the area would be unlikely to be harmed by the proposal.

3- AONB Planning Principles PP01, PP02, PP09 are relevant to this proposal. The commercial / recreational proposal provides a ground floor footprint with no increase overall but a clear change in positioning within the larger marina complex. The glazing areas are modest but should require some blinds or shuttering controls to comply with PP09 and Joint SDP guidance. With this caveat the proposed works can be provided in line with AONB PP09 guidance without significant or substantial intrusion to the dark skies policy. Management Plan Policy 1 and Policy 2 are applicable. The glazing aspects also trigger Policy 3, Policy 4 and Policy 5.

4- The mixed planning use of the marina complex (blue-line site) would not be changed by this submission. The principle of the proposed use and activity would not likely be a significant concern.

There is no new or additional land use operational aspect sought for the site by the current proposal.

5- The location of the proposal is within a partial built-up setting. Given the setting, the layout generates little noticeable change to the sites spatial character. The works relate to the site and have a satisfactory relationship in distance to nearby buildings with the spatial building-grain of the immediate surrounds being unchanged. The layout design on the site works within the planning unit can be carried out without harm to the general surroundings within the AONB protected national landscape. The visual perceived structures have little massing / bulk and would be unlikely to be noticeable from public vantage points outside the marina complex.

6- The scale of the development would be modest within the setting of the marina complex. The works are minor in coverage and both subservient and proportionate to the other buildings on the site. The perceived massing is considered to be acceptable for AONB impact purposes. The physical works would have a largely unnoticeable visual impact on the wider AONB protected landscape environment.

7- The architectural design and appearance of the proposal is utilitarian in concept, the visualisation is appropriate for a mixed commercial / recreational land use. The glazed areas are limited and not potentially noticeable from the harbour waters to the north, as seen between existing buildings. Within the local setting this appearance would diminish within the wider AONB protected national landscape.

The external matching materials to be used are sympathetic to the location.

8- The proposal for relocation / positioning of existing uses is unlikely to have an impact on the tranquillity of the AONB wider area or harm the environmental quality of this location within the AONB. The glazing areas should require dark skies protocol screen blinds to be installed.

9- The proposal would be unlikely to result in any substantial increase in the demands for recreational activity in the locality or add to the associated disturbance of wildlife areas. Assuming that there is no wildlife uses of the areas to be removed, the proposal would not therefore be viewed as harmful to the wildlife or biodiversity of the site. Measures to mitigate the impact of ecological disturbance should not be necessary. Native wildlife improvements could be considered generally through the installation of bird and bat boxes at the site, hedgehog houses, and similar easy applied wildlife improvements.

Summary Conclusion

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site is location within the countryside area environment in the AONB.

The positioning of the proposals would have a localised impact on the character and appearance of the site and the immediate surrounds. The scale, design and appearance with suitable construction materials would enable the proposal to be provided within its setting without serious harm to the wider AONB protected national landscape. The suggested construction materials would be acceptable to those of the surrounding development in this locational situation.

The control of light emission associated with the portable cabin windows should be restrained and proportional to the desire to maintain the character and ambiance of the AONB. The amount of glazing with an outlook towards the harbour waters would require the employment of tinted glass throughout to reduce the possible impact to the wider area from sunlight reflection.

Given its setting, the proposal is considered not to be unduly prominent, intrusive, or be detrimental to the character or the appearance of the wider Area of Outstanding Natural Beauty (AONB) in terms of landscape character.

The development proposal in the AONB would be unlikely to have any identifiable harmful impact on matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. CHC has no substantive objection to the submitted proposal. The temporary proposal is '*on-balance*' generally acceptable within the AONB and has a limited external impact to the wider AONB protected landscape.

Councillor Leah Turner - Hayling East

No comment

Councillor M Wilson - Hayling East

No comment

Councillor R Raines - Hayling East

No comment

County Archaeologist

Planning Application APP/21/00930 Temporary Buildings Northney Marina, Northney Marina, Hayling Island

Thank you for your consultation. The Northney Marina site is associated with records of a Bronze Age hoard and buried archaeology relating to harbour edge prehistoric activity. Ground works in this area may have archaeological implications. The nature of any foundation of these temporary buildings is not clear, but as far as I can tell it seems that the buildings will sit directly onto the existing hard surface (with only some soakaway as ground works). If this is the case I would not raise any archaeological issues.

However if clarification could be sought and it is not the case, and if substantive groundworks are implied, then I would be grateful for the opportunity to comment further in the light of those ground work details.

Case Officer comment : *The applicant has confirmed that the units are current set on paving slabs and this is how they will be set following the relocation - no excavation for foundations will be undertaken.*

Natural England Government Team

Thank you for consulting us on the above application

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection. The units and the proposed relocation sites are within an active marina and are not immediately adjacent to designated sites is therefore unlikely to result in adverse impacts from increased recreational disturbance.

Royal Society for the Protection of Birds

No comment received

Ecology

Thank you for consulting me on this application. Thank you for your patience.

I would not raise any concerns in relation to ecological matters.

If you have any queries please don't hesitate to contact me.

Southern Gas Networks - stage 1

Please find an extract from our mains records for your proposed work area, any SGN assets are described in the map legend. **On some occasions blank maps may be sent to you, this is due to your proposed work being in a no gas area but within our operational boundaries.**

This mains record only shows the pipes owned by SGN in our role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or pipes owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If we know of any other pipes in the area we will note them on the plans as a shaded area and/or a series of x's.

The information shown on this plan is given without obligation or warranty and the accuracy cannot be guaranteed.

Service pipes, valves, siphons, stub connections etc. are not shown but their presence should be anticipated. Your attention is drawn to the information and disclaimer on these plans. The information included on the plan is only valid for 28 days.

On the mains record you may see the low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes.

A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of the mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas pipes.

It must be stressed that both direct and consequential damage to gas plant can be dangerous for your employees and the general public and repairs to any such damage will incur a charge to you or the organisation carrying out work on your behalf. Your works should be carried out in such a manner that we are able to gain access to our apparatus throughout the duration of your operations.

If you require any further information please do not hesitate to contact us.

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: 27

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 and the AONB
- (iii) Impact upon residential amenity
- (iv) Ecological issues
- (v) Flood risk
- (vi) Parking

(i) Principle of development

7.2 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. The Submission Havant Borough Local Plan also includes Policy KP3 which identifies Northney Marina as an area in need of investment and improvement to existing marina facilities. It states how both marinas (Northney marina and Sparkes marina) provide a range of marine related employment which is recognised as a key sector by the Solent LEP and it is important to ensure marina sites are retained and enhanced for such purposes accordingly.

7.3 There have been various applications relating to temporary permissions for containers over the years at this site. Under application reference APP/19/00941 this application directly related to the previous 3 year temporary permission of the containers which form part of the application, albeit in a different location. It is also noted before that there was a revised scheme Planning Permission APP/18/00423, which was for the siting of 5 temporary offices (B1A) with parking which was never implemented.

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

7.4 This proposal seeks a 3 year temporary permission to relocate the four containers currently located to the south east of the roundhouse within Northney Marina. Containers A, B and C would be relocated to the south west of the roundhouse and to the rear of the Mallard Building which is a flat roofed building used by marine businesses. Container 4 would be located to the east of the roundhouse adjacent to the boat yard and marina reception/office building. Container A is currently used by an on site yacht brokers, units B and C are used by a local rowing club for equipment storage and committee/meeting space. Unit D is used by the marina also for storage of equipment.

7.5 The containers would be located within the marina where there is already much built form. The units are single storey in height (2.4m) and of a simple modular design. They would not be widely visible from the edge of the harbour so would not form a prominent feature of the marina setting. The proposed relocation sites are not deemed to be particularly prominent nor harmful in appearance and the context of the area adjacent to other buildings and the yard area does not make the containers appear out of keeping.

The Chichester Harbour Conservancy has been consulted in regards to this proposal as this is sited within the AONB. The Chichester Harbour Conservancy upholds no objection to the proposal however does highlight the need for a more permanent solution. Relevant planning conditions can be imposed to address some of the Conservancy's suggestions - however it is not considered reasonable to require the use of tinted glazing/screens for the windows or limit hours of use, given the modest scale of the containers and their location directly adjacent to other forms of development of far more prominent form and impact upon the AONB.

(iii) Impact upon residential amenity

- 7.6 The new location for the containers is not judged to result in harm to neighbour amenity. There are residential apartments in the roundhouse however the containers would be located further away from the roundhouse than the current location.

(iv) Ecological issues

- 7.7 The areas of land south, east and west of the site are identified as primary support areas and secondary support areas for Solent Waders and Brent Geese and the site is adjacent to Chichester and Langstone Harbours SPA, Ramsar and SSSI designations and Solent Maritime SAC.

The containers are temporary structures and the proposal does not include any additional containers to the site from those previously granted planning permission. The relocation of the containers will free up the existing plots whereby they are currently located. The County Ecologist has been consulted in regards to this application and has upheld no objection to the proposal and no ecological harm has been identified. Natural England have also been consulted and uphold no objection to the proposal.

(v) Flood risk

- 7.8 Parts of Northney Marina are located within Flood Zones 2 and 3, however the main body of the site and the location of the containers are free from such designations. Consequently flood risk is not considered to be an issue.

(vi) Parking

- 7.9 The proposal would not introduce any additional containers on the land than existing. One of the containers would be used as office space - the car parking SPD requires 1 space per 30sqm for the office use, this element of the proposal has a floor area of 31sqm. The combined floorspace of containers B, C and D equals approximately 90sqm and the parking requirement for this is 1 space per 90sqm for storage (B8) use. There is an element of community use proposed for units B and C - the Havant Parking SPD does not have a specific requirement for this type of development however states that conference facilities would require 1 space per 5 fixed seats. It is judged that it would be acceptable to allocate 1 parking space for each container B and C to cover the community use on the grounds that it would not be possible to fit 10 seats in each. A total of 4 parking spaces have been provided as shown on the site plan and this is deemed to meet the needs of the Parking SPD. It is also noted that there is additional parking in the marina for visitor use.

8 **Conclusion**

- 8.1 In conclusion the proposed temporary offices and storage facilities are considered acceptable in principle and will conserve the character and setting of the AONB, and will have an acceptable impact on 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/21/00930 subject to the following conditions:

- 1 This permission shall be for a limited period expiring on 19th November 2024 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:

V01 100 REV P1 Location plan
V02 100 REV P1 Proposed block plan
V03 200 REV P1 Proposed ground floor plan
21004- V03-210 proposed ground floor plan unit D
21004-V05-210 Proposed elevations unit D
Covering letter uploaded on the 09.09.2021
21004-V05-200 Proposed elevations

Reason: To ensure provision of a satisfactory development.

- 3 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, Unit A shall only be used as an office (Class E) and for no other purposes within Class E 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.

- 4 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, units B and C shall only be used as Storage (Class B8) for the purposes of the Langstone Rowing Club training equipment and Community Use class F2 for the purposes of the Langstone Rowing Club for use as meeting space and for no other purposes within Classes B8 or F2 of the above Use Classes Order.

Reason: In the interests of amenity in that a uncontrolled storage use on this site would not be acceptable having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 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, unit D shall only be used as Storage (Class B8) for the purposes of marine equipment and for no other purposes within Class B of the above Use Classes Order.

Reason: In the interests of amenity in that a uncontrolled storage use on this site would not be acceptable having due regard to Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The external walls of the development hereby permitted shall remain at all times finished in the following colours: Goosewing Grey or Juniper Green, unless otherwise agreed in writing by the Local Planning Authority.

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.