
Site Address: Teal Buildings, Northney Marina, Hayling Island, PO11 0NH
Proposal: Application for Variation of Condition 22 of Planning Permission 97/51153/025 to extend period of varied use as currently amended by Planning Permission APP/12/00424
Application No: APP/14/01256 Expiry Date: 26/01/2015
Applicant: Marina Developments Ltd Team: Team 1
Agent: Canford Cliffs Architects Case Officer: David Eaves
Ward: Hayling East

Recommendation: **GRANT TEMPORARY PERMISSION**

1 Site Description

- 1.1 Existing large metal clad building within the Northney Marina development. The building is sited close to the marina moorings and is visible from the water. The building includes a first floor to either side of the main 'warehouse' area.
- 1.2 The building was originally erected as part of an overall site refurbishment scheme approved under 07/51153/25.

2 Planning History

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 Per 1997

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. Temp PP 2000

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. Withdrawn 2003

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. Temp PP 2003 until 1.10.06

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 years. Temp PP until 1.7.09.

09/51153/049 Renewal of temporary Planning Permission for varied use of boat services building. (Currently approved under Planning Permission 05/51153/046.) Per June 09 Temp PP until 1st July 2012.

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. Temp PP until 1st July 2015

3 Proposal

Application for Variation of Condition 22 of Planning Permission 97/51153/025 to extend period of varied use as currently amended by Planning Permission APP/12/00424

4 Policy Considerations

National Planning Policy Framework

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)
CS2	(Employment)
CS9	(Housing)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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5 Statutory and Non Statutory Consultations

Chichester Harbour Conservancy

No Objection

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 36

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: 1 (No objection)

Summary:

We understand that the condition 22 has already had permission to vary the use for 3 years, and we have no problem with this being varied for a further three years.

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 including AONB
- (iii) Highway Implications
- (iv) Effect on Sensitive Areas/SSSI etc

(i) Principle of development

7.2 This building was originally given permission as a Boat Services Building with a use restricted by condition (22) to construction, repair and servicing of boats and components of boats and for purposes wholly ancillary thereto and for no other purpose whatsoever.

7.3 It is understood that the building was originally designed for Premier Yachts who subsequently went out of business. The building was then vacant for some time as there was no demand for a building of this size from other boat builders. In 2000 temporary permission was granted for the warehousing and distribution of marine equipment and/or the construction, repair and servicing of boats and components of boats and for purposes wholly ancillary thereto; it shall not be used for any other purpose during the same period (until 1 October 2003). It was considered that a permanent permission was not appropriate as the option to return the building to 'Boat Services' should be maintained.

7.4 Subsequent to this original temporary consent, there have been further temporary permissions most recently in 2012. Commercial market conditions in relation to boat building have continued to preclude the use of the premises in accordance with condition 22 of the original consent. The use of the building is currently as a warehouse facility for distribution of marine equipment and general boat and component maintenance works which are all marine related. It is considered that the continued use of the building for a further temporary period for this established marine related business is appropriate in the current market conditions.

(ii) Effect on the character and appearance of the area including AONB

7.5 The proposal is for a continuation of an existing use in an existing building. Chichester Harbour Conservancy confirm that they have no objections to the proposal. There are no external changes proposed to the building or its setting. It is considered that the continued use in its existing commercial marina context would have an acceptable impact on the character and appearance of the AONB.

(iii) Highway Implications

- 7.6 It is not anticipated that any additional highway issues would result from the continued use of the building as proposed.

(iv) Effect on Sensitive Areas/SSSI etc

- 7.7 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 further temporary permission for the existing use is considered acceptable in principle and in terms of its impact on the character and appearance of the AONB, highways and nature conservation.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT TEMPORARY PERMISSION** for application APP/14/01256

(A) subject to the following conditions

- 1 Except with the prior written approval of the Local Planning Authority to the contrary and notwithstanding the provisions of any Town and Country Planning General Permitted Development or Use Classes Order, the subject building (i.e. the building specified in Condition 22 of Planning Permission 97/51153/025), shall be used in the period up to 1st February 2018 only for the warehousing and distribution of marine equipment and/or the construction, repair and servicing of boats and components of boats and for purposes wholly ancillary thereto. It shall not be used for any other purpose during that same period.

Reason: To safeguard against unjustified and inappropriate non-maritime related commercial usage of the building, to the detriment of the surrounding environmentally sensitive rural and coastal area, and having due regard to Policies CS2 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework 2012.

- 2 Except with the prior written approval of the Local Planning Authority to the contrary and notwithstanding the provisions of any Town and Country Planning General Permitted Development or Use Classes Order, the subject building shall be used in the period following 1 February 2018 only for the construction, repair and servicing of boats and for purposes wholly ancillary thereto.

Reason: To enhance the potential for long term usage of the building for the purpose for which it was originally erected, and thereby to safeguard against unjustified and inappropriate additional building development for that same purpose in the visually and environmentally sensitive rural and coastal locality, and having due regard to Policies CS2 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework 2012.

- 3 Except without the prior written approval of the Local Planning Authority to the

contrary and notwithstanding the conditions above, the subject building shall not be used at any time for undertaking retail sales of marine equipment or any other goods.

Reason: In the interests of highway safety and having due regard to Policies CS2 and CS12 Havant Borough Local Plan (Core Strategy) 2011, and the National Planning Policy Framework 2012.

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

Planning Statement dated November 2014 RW/PE/2111-194
Site Plan Drawing No. 30

Reason: - To ensure provision of a satisfactory development.