

APP/14/00455

Howards Car Spares, Mill Rythe Lane, Hayling Island, PO11 0QQ

Change of use to mixed B1 B2 and B8 from existing Sui Generis use as scrapyards/metal recycling yard.

PLANNING POLICY FRAMEWORK*

NPPF-11, 14, 16-22, 34-35, 39, 57-58, 64, 93-94, 100, 105, 109, 113-115, 120, 122-123, 125; **NPPG** – ID 6, ID 7, ID 8, ID 21a, ID 26; **CHMP** – LS1-LS4, WQ2, BD5, NC1/WW2; **PG** - B8; **HBLP**– CS2, CS11-CS12, CS15, CS17; DM8, DM14, DM16, DM23; **HBLPSA** – AL1-AL2; **HBDG**.

CHICHESTER HARBOUR CONSERVANCY'S COMMENTS

1.0 Site and its context

- 1.1 This unallocated 0.5 ha site is located on the south side of this lane, enclosed by 3.8m high green, metal boundary fencing, except to the highway frontage. A tree belt has been planted adjacent to the western boundary. A single large industrial building occupies the southern part of the site (5.5m eaves height). Mill Rhythe Lane also gives access to various boatyards and industrial/commercial concerns. Adjoining land between the site and Chichester harbour is safeguarded for marine related industry. There is an open area in front of the building. There is some dispute as to whether adjoining land abutting the north west part of this open area can legitimately be classed as previously developed land, which is in an unkempt condition. 3 horse paddocks adjoin to the west. There is an isolated run of housing on the northern side of the junction of Mill Rythe Lane and Havant Road. Apart from the collection of commercial buildings, the site is surrounded by countryside with the northern side of Mill Rythe Lane more wooded in character.
- 1.2 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.
- 1.3 There are 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.

- 1.4 The Hampshire Minerals and Waste Plan allocates an adjoining site in Mill Rhythe Lane (HMS Total Recovery Ltd) as a metal recycling facility.

2.0 Proposed development

- 2.1 Whereas the council have described the proposed development as mixed use, it is clear from the design and access statement that the applicant is seeking a portfolio of B1/B2/B8 usage to enable the site to be more widely marketed.
- 2.2 The applicant argues sufficient space exists to enable servicing and parking to any of these potential uses and asks these matters be conditioned. Whilst no evidence of trip generation is submitted, it is argued that a net reduction in trip generation would be likely.
- 2.3 The applicant is not offering any additional landscaping.
- 2.4 To support the application the applicant has commissioned the following reports:-
- Lighting report
 - Flood risk assessment
 - Perspective view mock ups

3.0 Relevant planning history

- 3.1 The site has a very complicated and drawn out history fully listed in **Appendix 'A'** to this report. A planning brief was drawn up by the Council in 1987, but by 2011 an Inspector considered this had largely been superseded by events. Of more recent time though, permission has been given in December 2013 to use part of the wider site as storage in association with Hayling Yacht Company's adjoining operations. The remainder of the site is currently vacant, but was previously used for vehicle breaking/repairs and retailing of car parts.
- 3.2 There was an Appeal dismissed at the site in 2011, where 7 small business units in 2 blocks had been proposed. The Inspector concluded:-
- "...the development would erode the rural character of the area to some degree, consolidating the visual impact of existing commercial development. This visual harm would be modest and localised, but is significant because of the location within the AONB which is predominantly a rural and marine landscape. There would be conflict with policies of the Havant District Wide Local Plan 2005, namely L1 to protect the natural beauty of the landscape of the AONB and D1 as the development would not respect or enhance local character. There is a consequential conflict with policy C3 (Development in the Coastal Zone) as the development would not contribute positively to the landscape".*
- 3.3 The most recent applications, first seeking to use an adjacent field as part of similar operations and then deleting that expansion were withdrawn. The conservancy objected to those proposals.

4.0 Key issues and related Policy framework*

- 4.1 Safeguarding intrinsic character and beauty of

countryside/coast/biodiversity from inappropriate development

- 4.1.1 The site is visible from the junction with Havant Road, but less so north and south of the junction owing to intervening housing and a hedgerow respectively. Also, planting on the west side of the site, secured under an earlier planning permission has become more established, helping to screen the site.
- 4.1.2 Having regard to the previous authorised use of car breaking, etc for most of the application site, the formal parking of vehicles outside an existing building is considered to be less visually intrusive.
- 4.1.3 It would be an improvement to the site if a hedge could be planted to the highway frontage (subject to observing an necessary sight lines).

4.2 Waste management, pollution, flood risk and climate change

- 4.2.1 Whilst the site may be in a flood zone, the proposed user is not considered as vulnerable as housing. If parking areas are to be more formally laid out and these matters reserved by condition, consideration could be given to site drainage and oil interceptors to ensure surface water run-off polluted by hydrocarbons does not make its way into Chichester Harbour, to safeguard wildlife.
- 4.2.2 Overall, and considering the authorised use of the site, no additional adverse harm to the environment is concluded.

4.3 Transportation considerations

- 4.3.1 Whilst movements of HGV and other vehicles to and from the site could be considerable, one must again bear in mind the unrestricted nature of the authorised use and adjoining boatyard, where vehicle movements are uncontrolled. The level of additional disturbance to the general ambience of the area is likely to be negligible.
- 4.3.2 A footway exists to the south side of Mill Rythe Lane and in Havant Road allowing those visiting the boatyard or this part of the AONB to safely walk off the vehicular carriageway. It is possible to provide a sufficient level of car parking, which if formally laid out by condition to make the most efficient use of the parking area, would also help tidy up the appearance of the site. Opportunities for further planting to soften the character of the area for the street frontage should be conditioned.

4.4 Economic and employment considerations

- 4.4.1 The site is strategically well located to serve both Hampshire and West Sussex markets and should be easy to market to ensure the site's continued contribution to employment floorspace, assisting those working in the AONB and could provide supporting services for adjacent marine business activities related to Chichester Harbour.

4.5 High quality design

- 4.5.1 A building already exists and its visual impact is softened to some degree by the

planted belt down the west side of the site and perhaps through further planting in the car parking area proposed, albeit the design and access statement rules out planting up the highway boundary.

4.6 Residential amenity

- 4.6.1 It would be possible for the local planning authority to impose a noise performance type condition, such that under free field conditions the sound emitted from any related Class B2 site operations would not exceed a certain decibel level measured at the nearest house. It would also be possible to ensure that hours of operation were limited to more sociable hours, such as 08.00-18.00 Mon-Fri, 08.00-13.00 on Saturdays and not at all on Sundays/Bank Holidays, to ensure the amenity of neighbours and the tranquility of the surrounding AONB is safeguarded, whilst still allowing a sustainable business to proceed.

5.0 Conclusions

- 5.1 Subject to agreeing parking and further frontage planting and other controls over lighting and height of open sotrage, the uses sought are considered acceptable, with neutral impact or possible enhancement to the AONB predicted.

DATE CONSIDERED

7/8/14

CONSIDERED BY

Chichester Harbour Conservancy Officers under delegated powers.

RECOMMENDATION

No objection is raised to the proposed mixed B1/B2/B8 usage, subject to conditions securing:-

- (a) Controlling the height of storage in open yard to no higher than boundary;
- (b) require scheme of hedge planting to highway frontage, its implementation and subsequent maintenance to 1.8m height ;
- (c) require external lightl light fittings to achieve full horizontal cut-off to avoid light spillage;
- (d) the control hours of working to safeguard tranquillity of AONB,

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Steve Lawrence MRTPI

Planning Officer (Mon/Thurs/Fri)(Job share with Mrs Linda Park MRTPI)

Chichester Harbour Conservancy

***Abbreviations used:**

NPPF – National Planning Policy Framework – (March 2012)

NPPG – National Planning Practice Guidance – (March 2014)

CHMP – Chichester Harbour AONB Management Plan (2014-2019)

PG – Chichester Harbour Conservancy Planning Guidelines (as amended 2011-2013)

HMWP – Hampshire Minerals and Waste Local Plan (October 2013)

HBLP – Havant Borough Local Plan (Core Strategy)(2011)

HBLPSA – Havant Borough Local Plan Site Allocations (July 2014)

HBDG - Havant Borough Design Guide (2011)

APPENDIX 'A' – Relevant planning history for land south of Mill Rythe Lane

HCC/2014/0057 (County Matter) - G Howard Waste Reclamation Ltd, Howards Yard, Mill Rythe Lane, Hayling Island Hampshire PO11 0QG: Change of use to civil engineering depot with office, and associated materials recycling facility (**Withdrawn**)

APP/13/00981 – Southern part of Howards Yard: Change of use of the southern 45% of Howards Yard to use as mixed storage with associated portacabin office and lighting to be used with and accessed through Hayling Yacht Company. **Conditionally approved 18.12.2013.**

APP/13/01153 - Howards Car Spares: 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. **Withdrawn 17.12.2013.**

APP/13/00055 - Land on south side of, Mill Rythe Lane: Change of use to open boat and jet-ski storage with associated containers and works including fencing. (Revised application.) **Withdrawn 18.10.2013.**

APP/12/00301 - Land on south side of Mill Rythe Lane. Change of use to open boat storage with associated containers and works including fencing. **Withdrawn 31.5.2012.**

10/73876/001 - Land on south side of Mill Rythe Lane. Erection of 7No. B1/B2 marine related business units with new access to Mill Rythe Lane, incorporating associated landscaping and parking (revised application). **Refused 13.4.2010. Appeal dismissed 24.1.2011.**

09/73876/000 - Land on south side of Mill Rythe Lane. Erection of 7No. B1/B2 business units with new access to Mill Rythe Lane, incorporating associated landscaping and parking. **Withdrawn 8.9.2009.**

08/53376/014 - Howards, Mill Rythe Lane. 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. **Conditionally approved 3.2.2009.**

01/53376/011 - Howards, Mill Rythe Lane. 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. **Conditionally approved 29.4.2004, subject to S.106.**

97/53376/009 - Land south of, Mill Rythe Lane. Construction of a workshop/office building within a fenced open storage yard, all for the purpose of vehicle and plant dismantling and recycling (including ancillary retailing) with ancillary customer car parking provision. **Conditionally approved 19.2.1998.**

93/53376/007 - Land to the South of Mill Rythe Lane. Outline - for construction on the south side 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. **Conditionally approved 5.6.1997.**