
Site Address:	Southern part of Howards Yard, Mill Rythe Lane, Hayling Island		
Proposal:	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.		
Application No:	APP/13/00981	Expiry Date:	18/12/2013
Applicant:	Mr Blake	Team:	Team 1
	Hayling Yacht Company		
Agent:	Mr Murray	Case Officer:	Sally Smith
	I J Murray Associates		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The site forms the southern part of the Howards Yard, an established commercial premises on the south side of Mill Rythe Lane which lies within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). It is enclosed by high 3.8m fencing on the south, eastern and western sides, supplemented by established planting. A fence has already been erected to divide the site from the remainder of the Howards Yard. The access has been constructed from the adjacent Hayling Yacht Company site to the east and vehicular access is taken through the Yacht Company site. No lighting has been installed to the site to date but the site is being used with boats on the site and car storage. There is a portacabin to the south of the gate acting as an office for the car storage operation.

2 Planning History

- 2.1 93/53376/7 - Outline permission for construction of a workshop/office building within a fenced open storage compound, all for the purpose of a vehicle and plant dismantling and recycling (including ancillary retailing) with ancillary customer car parking provision and (ii) a dwellinghouse with domestic garage . Permitted 5 June 1997.
- 2.2 Condition 9 of PP 93/53376/7 limited the use to the dismantling of vehicles and plant with ancillary recycling and retailing of vehicle and plant parts obtained from such processes and for storage, parking and office usage ancillary thereto. Condition 14 limited storage to 3.5m being the height of the screen fence.

3 Proposal

- 3.1 The proposal is to use the site for mixed storage for a range of items such as boats, marine items, cars, camper vans, caravans and other items. The long term aim is boat storage as it is intended as an extension of Hayling Yacht Company but this will probably take a while to establish. Lighting fitments are proposed attached to the fence, but at a height below the fence height; access is to be taken through the Yacht Company land. The proposal has been amended to include a portacabin office that has already been placed on site.

4 Policy Considerations

National Policies

National Planning Policy Framework 2012

Core Strategies 2011 forming part of the HBLDF

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)
DM9	(Development in the Coastal Zone)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Environment Agency, Planning Liaison - South Downs

No bespoke comments

Development Engineer

No response but access is being taken through existing yard so no new access matters to consider

Chichester Harbour Conservancy

No objection but would like the following matters considered - the use restricted to the use described; hours of operation to be between 6am and 6pm and floodlighting to also only be between those hours.

Natural England Government Team

No objection

Environmental Health Manager

No adverse comments

Hampshire Biodiversity Information Centre

Species detailed on adjacent sites

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: 10

Number of site notices: One

Statutory advertisement: Not applicable.

Number of representations received: None

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 on the character of the Area
- (iii) Highway considerations

(i) Principle of development

7.2 The site whilst within the AONB lies within the existing site of Howards Yard and does not extend beyond its confines. Access is to be taken through the site of the adjacent Yacht Company yard and so there is no incursion into the surrounding fields or sensitive areas. It is therefore considered that notwithstanding the site's location within the countryside, coastal zone and AONB that the current lawful use of the site as established under the 93/53376/7 permission is a material consideration against which the proposal needs to be assessed. The use of the site for mixed storage is therefore considered acceptable in principle when the authorised use is one of a car breakers yard.

7.3 It is noted that this application addresses only part of the Howards Yard site and could be regarded as a piecemeal approach - however given the separate access, building and yard remaining to the west it is considered that the re-use of the remainder of the site will not be prejudiced by this development.

(ii) Impact on the character of the Area

7.4 As all the storage is within the existing high fencing and below the fence height - but for the masts/superstructures of any boats - it is considered that the visual impact is acceptable. The appearance of any masts/superstructures will be complementary to the maritime uses and boat storage on the adjacent Yacht Company site. On the matter of lighting the lights will be below the top of the fencing and will be required to be operational during the working day and for security and occasional access purposes over night.

7.5 Notwithstanding the comments of Chichester Harbour Conservancy, in the absence of any limitations on lighting on the existing Howards site, nor the Yacht Company premises, it is considered reasonable for the normal lit working day to be extended to 8pm, but that in order to deal with any requirements to move within or access the yard after this time that the lighting should be limited to movement sensors. This is considered acceptable especially when the previous and current uses have no such restrictions on their operation - either hours or lighting. On the issue of restricting the use as raised by CHC as the use is for mixed storage it is not considered that there are any other uses that the yard could change to without the benefit of planning permission and so a condition has not been proposed.

(iii) Highway considerations

7.6 As the access is taken through the Yacht Company site the applicant will control the movements to the site and so for storage purposes there is not thought to be a highway issue. In terms of boat movements this site will benefit from direct access to the water through the Yacht Company site, although some boats may be transported

in by road. These road movements are not anticipated to give rise to any more significant highway issues than those which would have been associated with the previous lawful use of the site.

8 Conclusion

- 8.1 The proposal, especially in view of the history of the site is considered acceptable subject to the conditions proposed. It is considered to accord with policies CS11, CS12, CS16 and DM9 of the Core Strategy and the re-use of an otherwise vacant brownfield site would accord with the general thrust of the NPPF.

9 RECOMMENDATION:

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/13/00981 subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of 3 years from the date on which this planning permission was granted.
Reason: To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 With the exception of the masts and superstructure of any boat stored on the land, at no time shall the height above ground level of any vehicle, plant, equipment, goods or item stored on the site exceed the height of the boundary fencing.
Reason: In the interests of the visual character of the area and having due regard to policy CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 3 The lighting fitments hereby approved shall not be displayed at a height exceeding 3m.
Reason: In the interests of the visual character of the area and having due regard to policy CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 4 Between the hours of 20.00 and 6.00 hours the lighting within the yard shall be subject to movement sensors and no lighting fitments shall be continuously lit.
Reason: In the interests of the visual character of the area and having due regard to policy CS11, CS12, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework 2012.
- 5 The development hereby permitted shall be carried out in accordance with the following approved plans and document:

Planning Design and Access Statement and Flood Risk Assessment
Tamlite Infinity SF Product Data sheet
Location map A104
Site Plans and Views Howards A103
Site plans and Views Howards A102 Rev 3
Site Plan A101
Lighting Statement Howards Scrap Yard 2

Photo Sheets 1 and 2 received 23 October 2013

Reason: - To ensure provision of a satisfactory development.