

LAND ON SOUTH SIDE OF MILL RYTHE LANE, HAYLING ISLAND

CHANGE OF USE TO OPEN BOAT AND JET-SKI STORAGE WITH ASSOCIATED CONTAINERS AND WORKS INCLUDING FENCING (REVISED APPLICATION).

PLANNING POLICY FRAMEWORK

NPPF paragraphs 14 and 115; CS11, CS12, CS16, DM8, DM9: Havant Local Plan 2011. Chichester Harbour AONB Management Plan 2004-2009: BD1, BD2, BD3: Appendix 3: Policies D2, D3.

CHICHESTER HARBOUR CONSERVANCY'S COMMENTS

The application relates to a small piece of land to the north of 'Howards' car scrapyard, on the south side of Mill Rythe Lane. The site lies adjacent to the existing car park serving 'Howards' with a line of mature trees in between. Whilst being in close proximity to the industrial estate adjacent to the Harbour to the east, the site itself lies outside any allocation for employment or marine-related uses in the Local Plan, and is within the countryside and AONB. The site was laid to grass until recent years when materials and hardcore have appeared on the site.

An application was submitted in 2009 (09/73876/000) for the erection of 7 'flexible' business units specified as B1/B2 uses (offices and industrial uses). These would be housed in two blocks (18.5m x 9.5m and 24m x 9.5m) arranged in an L-shape with pitched roofs 6 metres high. The Conservancy raised concern that a need had not been demonstrated for the units (this should be based on detailed evidence to meet criteria set out by the Local Planning Authority) and that therefore their proposed location within the countryside would be contrary to established policy. We also pointed out that the development would be visible from the AONB along Mill Rythe Lane and Havant Road and would potentially be visible from the wider countryside to the south and west. The application was withdrawn as it also failed to obtain support from Council officers.

A further application (10/73876/000) was submitted for the 7 business units, but with minor changes to the design and materials with 'marine-related use' now being specified for the units and with additional supplementary planting being shown to the southwest boundary. However, again no special justification was demonstrated for business units in this position outside the defined industrial area, the only evidence consisting of 4 letters from 'interested parties'. Furthermore, while the recent permitted scheme for industrial units to the northeast (at the end of Mill Rythe Lane) remained incomplete the Conservancy found it difficult to see how further units on this other piece of land outside the defined industrial area could be justified, rather than, for example, a proposal to subdivide the unimplemented unit (which lies within the designated industrial area) into smaller marine-related units. We also commented that the planted strip along the southwest and southeast boundaries of Howards Car Spares had not established to a sufficient height or thickness to provide screening of a sufficient value to mitigate the visual impact of the new units (the approved plans for the Howards Car Spares site back in 1993 showed a 'tree belt' but in reality it is taking some time to establish).

The application was subsequently refused and dismissed on appeal. The buildings were determined to have a detrimental effect on the AONB due their size, location and lack of evidence for need. They would have been seen from the main road and whilst blocking part of the larger car parts building behind, they were determined to not be of an appropriate design for a rural location. The proposed boundary hedging would not have sufficiently blocked views from the main road due to their 6m height. The Inspector also concluded that the site is not 'previously developed land' as had been argued by the applicant.

A further application was submitted (APP/12/00301) to use the same site for open boat storage with a new fence and gate along Mill Rythe Lane and two small painted green containers on the rear boundary. The Design and Access statement indicated that the land was needed to store extra boats from the Hayling Yacht Company, stating that 'The business employs 14 full time staff and the additional storage will enable the business to expand and continue to thrive'. However, no further information was provided to demonstrate a need for the development. The Conservancy remained concerned that there was a lack of justification and

evidence for developing this site when there may be scope to use areas within the allocated industrial area. We were also concerned that once developed, it would be more difficult for the Council to resist other uses or permanent buildings on the site; and that the visual impact of the boat masts, fencing and security lighting could have a detrimental impact on the AONB if not carefully controlled.

The application was withdrawn, and the applicant contacted Conservancy officers to discuss the options and provide further information. A meeting was held on site in which the applicant explained the various uses and businesses occupying the industrial area, and demonstrated that each alternative option had been explored and was either unsuitable or unavailable, leaving only the application site as an option. It was also shown that all the existing areas currently used by Hayling Yacht Company are utilised to the maximum, and that there is a demand from customers which are currently having to be turned away. Various suggestions to minimise any visual impacts from boat storage on the site were then discussed, including the retention of the boundary planting to the southwest boundary, and the provision of new hedgerow planting on a raised bund at the front of the site. The applicant explained that due to a telephone wire between the main Hayling Yacht Company site and the proposed site, all boats and craft stored on the new site would have to have their masts down.

This current application is a resubmission of the previous application but with additional information presented in a Design and Access Statement which includes some of the information requested (and previously received) by Conservancy officers.

As previously commented, due to the location of surrounding buildings and boat storage areas, the site is unlikely to be visible from the water. There is existing screen planting along the west boundary which along with the hedgerow boundary on the main road, would limit any visual impacts from the wider area to glimpses of the boats, particularly as the masts would be lowered or removed. The main visual impact would be from Mill Rythe Lane, which is why we consider that the provision of hedgerow planting in front of the proposed pallisade fence would be important in softening any visual impacts. Overall, it is considered that the applicant has now demonstrated the need for the additional storage and the lack of alternative options. The site is well related to the existing industrial area and use as open storage, if carefully controlled, would have a limited impact on the wider AONB. Therefore, subject to suitable conditions to ensure that masts are lowered or removed, to agree details of any security lighting, to ensure that the proposed containers are painted dark green as stated and to ensure the retention of existing planting and provision of new planting in front of the proposed pallisade fence on the front boundary of the site, it is considered that any impacts could be mitigated to a level where there would not be significant harm to the AONB. We would also wish to prevent the stacking of boats or jet skis given the potential increased visual impact this could have. The proposal would have a positive impact in terms of enabling the existing marine-business to expand and meet demand in a sustainable manner.

DATE CONSIDERED

20/02/13

CONSIDERED BY

Chichester Harbour Conservancy Planning Committee sub-group under delegated powers.

RECOMMENDATION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Retention of existing boundary planting and provision and management of new planting in front of proposed pallisade fence on north (front) boundary of site in the first available planting season following completion of the development;
- Masts to be lowered or removed when stored in the site;
- No stacking of boats or jet skis to be permitted within the site;
- Details of security lighting to be agreed, to avoid light spillage beyond the industrial area;
- Proposed storage containers to be painted dark green as stated in the application.

27/02/2013