

Planning Application Response of Planning Policy / Urban Design

Application No:	APP-13-00317
Site Address:	Yacht Haven
Development:	6No. 5 bed detached houses, 1No. detached residential boat store and ancillary office building , 1No. detached boat store for sailing charity use with hardstanding, pontoon restricted to 12 berths (6 for house residents and 6 for non residents), improvements to slipway, beach, reposition concrete sea defence to side of slipway, coastal footpath and the creation of one area of coastal meadow and one area of conservation grassland. (Revised application.)
Case Officer:	Stephen Cantwell
Comments by:	Lucy Howard / Sarah Hains
Date of Comments:	14 June 2013

Local Plan

It should be noted that the Draft Havant Borough Local Plan (Allocations) was published for public consultation under Regulation 18 on 3rd December 2012. This includes a number of draft strategic, allocation and development management policies that may be relevant to this proposal. Where relevant these are material considerations to be taken into account in the determination of planning applications by the Borough Council. Here is a link to the draft plan <http://www.havant.gov.uk/planning-policy-design/draft-havant-borough-local-plan-allocations>

CIL Charging Schedule

On the 20 February 2013, the Council approved that the Havant Borough Community Infrastructure Levy Charging (CIL) Schedule. The Charging Schedule will take effect from the 1st August 2013. Therefore, from 1st May applicants will need to take the charging schedule into account when discussing developer contributions. More information is available on the Council's website <http://www.havant.gov.uk/planning-policy-design/community-infrastructure-levy>

Health and wellbeing: The application includes the provision of a new pontoon with 12 berths. This is contrary to policy CS1.12 of the Local Plan (Core Strategy) which states that new berths and mooring in Chichester Harbour will not be permitted. There appears to be the remains of a pontoon although it could not be used in its current state. Consideration will need to be made as to whether the development proposes a new pontoon or is a modification of an existing mooring or berth, which could be permitted under Policy CS1. In addition, the size of the pontoon means that it will extend into the harbour and close to an area of sea grass, used by brent geese in the harbour. By reducing the size of the pontoon, both the visual and environmental impact of this part of the development could be improved. Chichester Harbour Conservancy will be able to advise further on this matter.

Promoting Havant Borough's Economy: The Planning Statement states that the development will result in the loss of an unused boat yard. Policy CS2.5 safeguards all existing employment sites that are fit for purpose from development proposals for non-employment uses. As the site is located in a waterfront location CS2.7 is also relevant as it protects marine businesses located on waterfront locations from non-marine related employment and other uses.

A site visit was made by the Planning Policy and Economic Development teams to assess whether the site was an existing marine business that should be protected in line with policies CS2 and DM3. The site appeared to be derelict. It had clearly not been in active commercial use for a considerable period of time. Although it is important to safeguard existing employment sites and particularly important to protect marine businesses on waterfront site it is acceptable to make an exception in this case as the site is clearly not fit for purpose for economic development of any kind.

A few of the commercial buildings remain but would not appear to be in use. The extent to which this use could be resumed without the need for planning permission should be a key consideration. The impact of a marine business in this location could be significant and this should be weighed against the impact of the proposed development.

The application form states that 115 m² of B1c floorspace and 130 m² of D2 floorspace will be provided as part of the scheme. This presumably will be for the use of the Even Keel Project. Such community provision would be in line with policy CS1.10 on the provision of new community facilities. In order to ensure that this building is kept in community use it may be appropriate if permission were to be granted to have a condition tying the use of the building to the named charity.

Housing: The proposal will contribute to achieving a net total of 6,300 new dwellings in the Borough between 2006 and 2026.

Caring for our Borough: The application will need to comply with Core Strategy policy CS14 and meet level 3 of the Code for Sustainable Homes.

Concentration of development within the urban area: The site lies outside the urban area where there is a presumption against development unless it is consistent with the policies for the countryside set out in national policy (Local Plan (Core Strategy) policy CS17). Paragraph 28 of the NPPF deals with supporting a prosperous rural economy. The application does not meet any of the four criteria set out in this paragraph. Paragraph 55 of the NPPF deals with housing in rural areas. The application does not meet any of the four criteria set out in this paragraph.

Policy Principle of Development: The principle of new residential development in this location is not supported by the Local Plan (Core Strategy) as it lies outside the urban area. However, as stated in previous consultation responses, if the development were to significantly aid the delivery of positive aspects in relation to a number of other objectives and/or the vision of the Development Plan, these should be considered. In addition, there may be other material considerations such as previous planning permissions which could affect the principle of development in this location.

The application proposes six new dwellings, facilities for a sailing charity and a new pontoon. Environmental improvements are also proposed. The key consideration is whether the presumption against new residential development in this location is outweighed by the proposed environmental benefits, having regard also to any other material considerations.

Environmental benefits

The proposed environmental benefits include the clearing of existing areas of grassland and foreshore which have become overgrown and include debris and waste as well as the removal of an existing concrete structure. The site would clearly

benefit from these improvements but it is important to consider whether these are significant enough to justify the level of development proposed. While clearing of the site could improve the visual appearance, it is my understanding that at present, it is not considered such an “eye sore” from the harbour that the clear up should take place at any cost. Indeed, the proposed use is likely to be more visible from the harbour than the existing site (albeit if the existing use could be reinstated, this could change). If it is considered that the environmental benefits do justify a departure from the presumption against new residential development in the location, it would be useful to determine whether the level of development proposed is necessary to enable these works to be carried out. If not, a reduction in the scale of development should be considered.

Other material considerations

Planning permission for new dwellings on the site was granted in 1996. Although the permission has now expired, this could carry some weight. The key consideration here is the extent to which policies have changed, particularly in terms of environmental protection, since permission was granted.

The site was previously used for commercial purposes and although it is no longer in active commercial use, if the use could be reinstated without the need for planning permission, the impact of a commercial use in this location would need to be weighed against the impact of the largely residential use proposed.