

Planning Application Response of Planning Policy

Application No:	APP/26/00391
Address:	Hayling Yacht Company, Mill Rythe Lane, Hayling Island, PO11 0QQ
Development:	Installation of 3No covered and partially enclosed padel courts with associated lighting, noise and ecology mitigation measures
Case Officer:	LW
Comments by:	IE
Date of Comments:	14 September 2026

Planning Policy previously provided comments on 30 July 2026 on this application with reference to the National Planning Policy Framework (December 2024). Further to the publication of the new NPPF on the 17 August 2026, the following policy comments supersede the previous ones. It is noted that additional information has now been submitted by the applicant.

Development Plan

The [Local Plan \(Core Strategy\)](#) and the [Local Plan \(Allocations\)](#), together with the [Hampshire Minerals and Waste Plan](#), provide the development plan for the Borough.

Emerging Development Plan and updated Evidence Base

Public consultation concluded on the [Publication \(Reg19\) Local Plan](#) on 9 September 2026. This is supported by a number of [evidence base studies](#) which have updated the position on development requirements, land supply and constraints including the [Employment Land Review Update](#) and the [Playing Pitch Strategy](#). In addition, the Plan can only be afforded limited weight at this stage.

Principle of development

The site lies outside of the urban area as defined by policies CS17 and AL2 of the Adopted Local Plan, or outside of the 'Settlement' for the purposes of the 2026 NPPF. NPPF Policy S3(1)(b) provides a presumption in favour of sustainable development and indicates that Policy S5 would be applicable.

Policy S5(1) indicates that only certain forms of development should be approved outside settlements, as set out in the list under the policy. Therefore, these developments should be approved, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. Policy S5(1)(a), indicates that this includes development for outdoor sport and recreation. Policy S5(1)(j) also provides for development which would address an evidenced unmet need.

Previous Planning Policy comments noted that the Business Case submitted by the applicant identified an unmet public need for community and sport use which would be addressed through this proposal. Whilst Policy AL2 criterion 2 is inconsistent with Policy S5 the NPPF¹, it is noted that the applicant has provided information which indicates that this overriding public need cannot be accommodated elsewhere in the Borough.

¹ Paragraph 2 of Annex A in the NPPF indicates that development plan policies (or parts of those policies) which are materially inconsistent with the national decision-making policies in this Framework should be given very limited weight.

The additional submitted evidence identifies a significant level of local support for the proposal, with 40 of the 42 representations referred to by the applicant supporting the development. It also identifies the absence of regulation padel facilities on Hayling Island and, on the information submitted, within Havant Borough, with existing players travelling outside the Borough to access such provision. On this basis, a policy objection in the context of Policy AL2 criterion 2 could not be sustained.

Health and Wellbeing and Community Facilities

Provision of sport and recreational facilities is generally supported under policy CS1 (Health and Wellbeing) in particular:

- Criterion 6 encouraging the provision of *‘indoor sports and leisure facilities that would meet strategic needs of the whole borough and where appropriate local provision’*; and
- Criterion 10 which supports development that *‘contributes to the availability of community facilities through refurbishment or new provision’*

NPPF Policy HC4 (Proposals for new and improved community facilities, public service infrastructure and development providing public health benefits) is also relevant. The NPPF defines community facilities as including facilities for sport and recreation, and HC4 requires substantial weight to be given to the benefits of new or improved community facilities which make a demonstrable contribution towards good health or social interaction. This must be afforded weight in the planning balance.

Loss of Employment

The site is located within a marine and industrial complex. As such, this development would result in a partial loss of employment land and conflict with Policy CS2 (Employment).

In order to demonstrate the loss of employment is acceptable, applicants are generally expected to demonstrate that the site is no longer suitable for employment by means of an active and exhaustive marketing exercise in line with Policy DM3. In this case, it is worth noting that the applicant has submitted a Business Case which provides some marketing evidence of the activities undertaken to secure a new B-class tenant.

Where it is clearly demonstrated that the site is no longer suitable for B use class employment, other types of economic development should be considered in the first instance. These uses will be expected to provide employment opportunities of similar quality and quantity as those which previously existed, evidenced by an active and exhaustive marketing process. It is however noted from the submitted Business Case and Design and Access Statement that the proposals responds to need for sport provision (padel court) which would be publicly accessible and benefitting the local community, and that the development would generate new opportunities for employment (approximately 2.5–3.5 direct FTE roles at launch, growing to 4–5 FTE). This would also need to be considered in planning balance. On this basis, a policy objection could not be sustained in the context of Policies CS2 and DM3.

Flood Risk on the Site

The application site mainly lies within Flood Zone 1 while the entrance and access road to the site are within Flood Zone 3. A site-specific Flood Risk Assessment (FRA) is required to support the application. It is noted that the applicant has submitted a

Flood Risk Assessment with a flood management and evacuation plan as part of the mitigation measures.

It is noted that the Environmental Agency has raised no objection.

Design and Landscape

The site is located within the coastal zone and the Chichester Harbour National Landscape and involves works that would be visible from the neighbouring areas and the National Landscape setting. Therefore, from a policy perspective the following policies will apply:

- DM9 (Development in the Coastal Zone): In line with this policy, development is only considered acceptable in the coastal zone if landscape, access, recreational and ecological impacts are avoided or addressed.
- CS12 (Chichester Harbour AONB): Under this policy, the development is required to protect the qualities of the National Landscape AONB. The visual impact of the proposal should therefore be carefully considered, and the scheme should have regard to the Chichester AONB SPD. It is noted that Chichester Harbour Conservancy have objected subject to ecological and noise impacts on the Harbour being addressed.
- CS16 (High Quality Design): Policy CS16 expects high quality design in all development.

Pollution

Policy DM10 (Pollution) of the Core Strategy requires development that may cause pollution through noise, light or other to demonstrate that health and safety of existing and future users of the site, or nearby occupiers and residents are not put at risk. The applicant has submitted a Noise Impact Assessment and Day and Night Views. Comments from Environmental Health should be sought in regard to noise and light impacts.

Ecology

The site lies within the Chichester Harbour National Landscape and is adjacent to ecologically sensitive areas including land in the Solent Waders and Brent Goose Strategy and close to the Solent Maritime Special Area of Conservation (SAC), Chichester & Langstone Harbours Special Protection Area (SPA) and Ramsar site, Chichester Harbour Site of Special Scientific Interest (SSSI). It is noted that the applicant has submitted an Ecological Assessment Report and the Council's Ecologist has raised no objection at this stage.

Conclusion

In conclusion, the development site is outside of the urban area defined under Policies AL2 and CS17 where development would not normally be permitted. However, in light of the updated NPPF (August 2026), Policy S5 provides a presumption in favour of sustainable development. As the development is for sport and recreation (and would arguable meet an evidenced unmet need), the proposal should be approved unless the adverse impacts of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF as a whole. It is also noted that the applicant has AL2 (criterion (2)). As such, the principle of development is acceptable, subject to the consideration of other detailed matters, including Policies CS12, DM9, CS16 and DM10.