

DELEGATED OFFICER REPORT

PROPOSAL	Construction of MOT Testing Centre with Proposed B2 Use.
LOCATION:	Hayling Yacht Company, Mill Rythe Lane, Hayling Island, PO11 0QQ
REFERENCE NO:	APP/26/00367
APPLICANT:	Mr Richard Blake, Hayling Yacht Company Ltd
APPLICATION TYPE:	Full planning permission
CONSULTATION EXPIRY DATE:	24/09/2026
APPLICATION EXPIRY DATE:	11/08/2026
WARD:	Hayling West
CASE OFFICER	Amy Winch
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The site is outside the settlement boundary but within an established employment area as defined by Policy 44 of the Local Plan.
- 1.2 The site is within Flood Risk Zone 1, adjacent to the Solent Waders and Brent Goose Strategy site and in proximity 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) and within the Chichester Harbour National Landscape.
- 1.3 Several businesses use the site just off the A3023. There is a Donkey Sanctuary at the junction with the main road, Harbour Creek Motorhomes selling and servicing motorhomes as well as several marine related businesses.
- 1.4 The site of the proposed MOT testing building is accessed by going through the site, past many of these businesses to a corner on the south of the employment area. The area is currently laid to hardstanding and used for open storage for boats as part of the boatyard and for parking.

2. Planning History

APP/26/00391 Installation of 3 no. covered and partially enclosed padel courts with associated lighting, noise and ecology measures – Pending consideration

3. Proposal

Construction of MOT Testing Centre with Proposed B2 Use.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework 2026, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

National Planning Policy Framework, August 2026

DM3 (Determining development proposals)
DM6 (Use of planning conditions and obligations)
S3 (Presumption in favour of sustainable development)
DP3 (Key principles for well-designed places)
DP4 (The design process)
P3 (Living conditions and pollution)

Havant Borough Local Plan (Core Strategy) March 2011

CS16 High Quality Design
CS2 Employment
CS3 Skills and Employability
CS11 Protecting and Enhancing the Special Environment and Heritage of Havant Borough
CS12 Chichester Harbour AONB
CS15 Flood and Coastal Erosion Risk
CS16 High Quality Design
CS17 Concentration and Distribution of Development within the Urban Areas
CS20 Transport and Access Strategy
DM3 Protection of Existing Employment and Tourism Sites
DM9 Development in the Coastal Zone
DM10 Pollution
DM11 Planning for more Sustainable Travel
DM14 Car and Cycle Parking on Development (Excluding residential)

Havant Borough Local Plan (Allocations) July 2014

AL1 Presumption in Favour of Sustainable Development
DM17 Contaminated Land
DM18 Protecting New Development from Pollution
DM23 Sites for Brent Geese and Waders

Chichester Harbour Management Plan (2025-2030)

PP01 Great Weight for a Nationally Important Landscape
PP02 Safeguarding Marine Enterprise
PP04 New Tourist/Commercial/Agricultural Development within the Rural Area
PP05 Dark Skies and Light Pollution

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document, July 2017

Emerging Local Plan - Building a Better Future

Policy 1: Spatial Strategy
Policy 2: Defined Settlement Boundary
Policy 7: Amount of Employment
Policy 10: Supporting a Strong and Prosperous Economy

Policy 13: High Quality Design
Policy 44: Protecting Employment Uses
Policy 49: Amenity and Pollution
Policy 53: Accessibility, Transport and Parking

Listed Building Grade: Not applicable
Conservation Area: Not applicable

5. Statutory and Non Statutory Consultations

County Highways Team

The applicant has provided additional information relating to trip generation, car parking, personal injury collision data, and amendments to the Construction Environmental Management Plan (CEMP)

Trip generation

Trip generation has been derived from the TRICS database and allowing for rounding indicates 3 two-way by vehicle movements during both the AM and PM peak hours, totalling 35 daily vehicle movements. As noted, this forms a robust assessment of the trip generation, coming out higher than the applicants' preliminary estimates. The forecast trip generation is accepted, as it would not be anticipated to result in a material impact on the operation of the local highway network.

Combined trip generation

The proposed development comprises three separate uses: MOT testing centre, padel courts, and a self-storage facility. Trip generation data has also been provided for the latter two uses. The padel courts are forecast to generate 112 daily vehicle movements, including 11 two-way vehicle movements during both the AM and PM peak hours. The self-storage facility is anticipated to generate a further 38 daily vehicle movements, also including 3 two-way vehicle movements during both peak hours. Combined, the overall site is proposed to generate approximately 150 daily vehicle movements, comprising 8 two-way vehicle movements during the AM peak hour and 17 during the PM peak hour. When compared with the existing use of the site, which is estimated to generate 244 daily vehicle movements, the proposed development would result in an overall reduction in vehicular traffic.

Collision data

Personal Injury Accident (PIA) data has now been provided using information obtained directly from Hampshire Constabulary. The data covers the five-year period between 1 February 2021 and 31 January 2026 and identifies only three personal injury collisions within the study area, comprising two slight and one serious injury collision. No fatal collisions were recorded, and no incidents involved pedestrians, cyclists, or motorcyclists. Whilst two of the collisions occurred at the A3023/Mill Rythe Lane junction, both resulted from isolated driver actions rather than any recurring highway safety issue or geometric deficiency. Overall, there is no evidence to suggest that the proposed development would result in, or materially worsen, highway safety conditions.

CEMP

A revised Construction Environmental Management Plan (CEMP) has been submitted. Whilst this is not intended to be the final version of the document, the Highway Authority makes the following observations:

- A specific construction traffic route has been identified and is accepted in principle. However, a plan illustrating this route should be included.
- No details have been provided regarding the protection of pedestrians during the construction period. Such measures should be incorporated within the CEMP.
- Provision for wheel-washing facilities has been identified. In addition, a commitment to use a road sweeper, where necessary, should be included.
- Construction hours have been specified. The CEMP should also include measures to prevent construction vehicles from entering or leaving the site during peak traffic periods (08:00-09:00 and 17:00-18:00).

Parking

As mentioned previously, Parking is a matter for Havant Borough Council, as the Local Planning Authority, to consider in order to ensure that the proposed parking provision accords with its adopted standards. However, the Highway Authority note that increased parking provision has been provided, and is considered to reduce the risk of overspill onto the highway.

Conclusion

In light of the above, the Highway Authority raise no objections to the proposals, subject to a condition requiring submission of a construction method statement.

Chichester Harbour Conservancy

No objection subject to conditions:-

- 1) Colour finish of building to be agreed prior to construction;
- 2) Acoustic report to satisfactorily address impacts to SPA and scenario with MOT facility doors open prior to any permission being granted;
- 3) Construction and Environmental Management Plan be required by condition and approved by the Council's Ecologist prior to commencement of any development;
- 4) External lighting to be agreed.

Natural England

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Environmental Health

Land contamination and Pollution

No objection subject to conditions:

Contamination Watching Brief

Approval of SUDs Details

Noise

No objection in principle.

I am satisfied that the report considers appropriate guidance and that the methodology is broadly reliable.

I am satisfied that a condition requiring doors to be closed at all times would not compromise Health and Safety.

Whilst the separation distance to receptors is over 200m and the report findings include that noise generated by the proposals would be no greater than the existing permitted use (as per the agent's comments), the assessment only assessed the MOT garage with doors closed, a technical note from the acoustic

consultant would be required demonstrating that noise generated with doors open would not result in adverse impact.

Landscape Team

From a landscape perspective we have no objection to the principal of the proposed MOT testing centre, given the surrounding industrial character. In the absence of an LVIA we have some concerns that the proposed testing centre will be visible from the Havant Road and we would welcome further screening landscape to help mitigate the impact on the local character. This screening should be in the form of UK native trees.

Coastal Team

Thank you for consulting Coastal Partners on the above application. The site lies in the Environment Agency's tidal Flood Zone 1 and is therefore considered to be at low risk (less than 1 in 1000 year / <0.1% probability of experiencing an extreme tidal flood event). However, with climate change taken into account, the site is expected to be at risk in the future, both according to the National Flood Map for Planning and the Council's SFRA.

According to national policy and guidance, a site-specific Flood Risk Assessment is required to support this application. Ideally this should consider likely flood depths at the site, in metres above Ordnance Datum (mAOD) for the present and future climate change scenarios, calculated using UKCIP18 climate change allowances. The higher central allowance applied to 2101 would provide an adequate basis for consideration of the climate change scenario (The suggested year of 2101 is based on a 2026 base year plus an assumed 75 year lifetime for commercial development). Details of any flood resistance and/or resilience measures to be incorporated into the proposed development should also be provided. Further guidance on FRAs is available at: Flood risk assessments: applying for planning permission - GOV.UK

The applicant has submitted flood risk information from the EA and has included some discussion of the risk within their design & access statement, but has submitted no FRA. In the absence of a site specific FRA it is not possible to conclude that the development will be safe for its lifetime. That being said, given the nature of the use (an employment use within an established employment site) Coastal Partners do not raise an objection to the proposal. However, we suggest that the applicant should put in place suitable flood warning and evacuation procedures, including occupants of the building signing up to the Environment Agency's Flood Warning Service. Given the nature of the use and the nature of the flood risk, it may perhaps be assumed that the site would not be used when a flood event is expected, and that this would form a substantial part of the mitigation strategy.

County Minerals Team

None received

Ecologist

The application is accompanied by an Ecological Impact Assessment (ESL, April 2026). This report predates the revised application and therefore includes reference to padel courts. I am content that the development site is itself of minimal ecological value, containing hardstanding with no vegetation. On that basis, on-site ecological impacts are negligible. Based on the submitted information I am content that the proposal meets the de minimis exemption from Biodiversity Net Gain (BNG).

The key ecological consideration here is the potential for impacts to adjacent sensitive areas, and the ecological assessment identifies the potential for impacts to off-site habitats and species. The site is adjacent to land included in the Solent Waders and Brent Goose Strategy (SWBGS Site H50B is closest, some 60 metres to the south) and is in relatively close proximity 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) and is within the Chichester Harbour National Landscape.

The main potential impact pathway is noise and its potential to result in disturbance to wintering bird species associated with the nearby Special Protection Area supporting habitat. Novel noise can result in significant disturbance to bird species using SPA supporting habitat, especially where exceeding a threshold of c.68dB at the location of any birds (in this case, within Site H50B). Potential noise impacts would occur in the overwintering season between October and the end of March. I note that the Environmental Health consultee has requested additional information in respect to noise, noting that the submitted noise impact assessment does not apparently incorporate a scenario with the MOT facility doors open. With open doors it is likely that noise emissions would be significantly higher than the noise impact assessment concludes, and may therefore result in noise disturbance on adjacent SPA supporting habitat. I would also welcome clarification on this matter. I note that the noise impact assessment does include consideration of the adjacent supporting habitat and concludes that noise impacts will be below the critical threshold for disturbance.

Southern Water

Should the Local Planning Authority be minded to grant planning permission for this development we request that the following condition is attached to the consent: The applicant should ensure that the Trade Effluent Consent has been obtained, before the connection to the public sewerage network can be approved.

Petrol/Oil Interceptors

Land uses such as general hard standing that may be subject to oil/petrol spillages should be drained by means of appropriate oil trap gullies or petrol/oil interceptors.

Economic Development

None received

Norse - Waste Strategy

None received

County Waste Management Team

None received

Planning Policy

None received

Cllr Wilf Forrow – None received

Cllr Paul Gray – None received

Cllr Jonathan Hulls – None received

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice	1st site notice	16/06/2026	07/07/2026	Is advertised in the public interest

Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 3

Number of representations received: None

Material planning considerations are addressed in Section 7.

7 Planning Considerations

- 7.1 The application site is located outside of the defined urban area but within a well-established employment site as defined by Policy 44 of the Local Plan.
- 7.2 The existing use is for open storage as part of the boatyard and is underused therefore the applicant is seeking to build an MOT testing centre in association with a commercial car garage that is located elsewhere on Hayling Island. The proposal being to bring cars to the location specifically for MOT testing.
- 7.3 Running concurrently to this application is application APP/26/00391 for the installation of three padel courts to the northeast of the proposed MOT testing centre. At the time of writing this application is still pending consideration.
- 7.4 The applicant has submitted an Ecological Impact Assessment, Noise Impact Assessment and Transport Assessment and Construction Environment Management Plan.
- 7.5 The Noise Impact Assessment and Transport Assessment both include the padel court proposal in their assessment so that the combined impact can be considered.
- 7.6 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 upon the character and appearance of the area
 - (iii) Impact upon residential amenity
 - (iv) Highways/parking provision
 - (v) Flood risk
 - (vi) Developer Contributions
 - (vii) Ecology and Biodiversity Net Gain (BNG)
 - (viii) Human Rights Act
 - (ix) Equalities and Diversities

(i) Principle of Development

- 7.7 The site is located within an established employment area and the proposal is to make better use of the land available as an MOT testing site and B2 use.

The NPPF states that in applying Policy E2 on meeting the need for business land and premises paragraph E4 on Rural business development states that:

“1. ...the sustainable growth of businesses in rural areas should be supported, including through:

a. ...well-designed new buildings and....

2. Development proposals to meet business needs in rural areas may need to be located outside settlements.....

a. development proposals should take opportunities, where they exist, to use previously developed land, and sites that are physically well-related to existing development.”

The proposal is on a well-established employment site with several existing businesses already working from within in it. The proposal is to increase the capacity of the site by building one additional building of 150m² to provide an MOT testing centre on an under-used section.

Therefore the principle of development is considered to be acceptable and in accordance with policies of the Local Plan and guidance within the recently updated NPPF.

(ii) Impact upon the character and appearance of the area

- 7.8 The proposal will require a new building to be constructed single storey, steel frame with PPC cladding 150m² floor area; 15 metres wide x 10 metres deep to a height of 6.1 metres to the ridgeline.

- 7.9 There is an existing 4.5 metre high blockwork wall along the southwest and southeast boundaries of the site which provides screening for much of the proposed building. There are then also taller trees beyond the site.

- 7.10 The Landscape Architect has requested further tree planting to protect views from Havant Road however it is considered that the site is some 120 metres from the road with an existing blockwork boundary wall and existing trees and hedgerows along Havant Road as well as the site itself. It is also felt that even if the highest part of the building may be visible, from the south in particular it will be viewed against the backdrop of the existing buildings on the boatyard therefore will not cause sufficient visual harm to warrant refusal of the proposal. There is also limited scope within the red line of the application site for any tree planting with the area currently laid to hardstanding with little over 1 metre between the proposed building and boundary wall. It is felt that this requirement would be unreasonable and unnecessary.

- 7.11 The applicant has confirmed that the building is to be clad in Juniper Green Kingspan PCC cladding. The building will be relatively small compared with the other buildings surrounding the site. It is considered that the juniper green colour is appropriate for this location.

(iii) Impact upon residential amenity

7.12 The nearest residential properties are 150 metres to the southwest of the site and 190 metres northwest approximately. In terms of impact on residential amenity, it is considered that noise will be the most significant factor for the use proposed. The applicant submitted a Noise Impact Assessment as part of the proposal. Environmental Health were happy with the methodology used and appropriate guidance given however the report only considered noise of MOT testing with the doors of the building closed. Following further information provided by the applicant about the way the testing is carried out they were satisfied that operation of MOT testing with the doors closed would not compromise Health and Safety. Therefore, they recommend that a condition requiring the doors to be closed at all times would prevent any noise disturbance to nearby residents.

(iv) Highways/parking provision

7.13 The Highways Authority initially requested further information as there was confusion over the existing levels of trip data and uses and that of the proposed uses. In the end the applicant submitted a transport assessment that included the combined uses of the padel courts and MOT testing centre and self-storage which concluded that even when combined the proposed uses would have a lower total trip generation than the existing use based on TRICS data and therefore it would not result in a material impact on the operation of the local highway network. The Highway Authority were also satisfied that there was no evidence from the collision data to suggest that the proposed development would worsen highway safety concerns. They were also satisfied that sufficient parking has been provided.

7.14 In order to meet the Havant Borough Parking SPD requirement a 150sqm building would need 3.3 parking spaces to be provided. The Transport Statement confirms that 8 parking spaces will be provided for the MOT testing building and 1 long stay and 1 short stay cycle parking. Plans indicating the spaces are provided in Appendix B of the Transport Statement.

(v) Flood risk

7.15 The site is located within Flood Zone 1 the lowest level of flood risk. It is however, considered to be at risk in the future when climate change is taken into account. As the use is for a lower risk use (employment use within an established employment site) Coastal Partners do not raise an objection to the proposal on flood risk. They do recommend that suitable flood warning and evacuation procedures are put in place for the site. Given the nature and use of the site it is suggested that where a flood event is expected the site would not be in use which would thereby reduce the risk and form the mitigation strategy for the site.

(vi) Developer Contributions

7.16 The proposal is for a new building for an industrial B2 use. Therefore, it is not liable for Community Infrastructure Levy in accordance with the Havant Borough Council Community Infrastructure Levy – Charging Schedule.

(vii) Ecology and Biodiversity Net Gain (BNG)

7.17 The Council's ecologist was satisfied that the site has minimal ecological value as it consists of hardstanding and little vegetation therefore on-site impacts are negligible and the requirement for Biodiversity Net Gain meets the de minimis exemption.

7.18 Natural England raised no objections to the proposal.

7.19 Given the proximity of the site to ecologically sensitive sites such as the SPA concerns were also raised about noise from MOT testing. Whilst the submitted report acknowledges this impact and states it will be below the critical threshold for disturbance it seems pertinent that a condition requiring the doors to be shut at all times would be necessary to minimise noise disturbance for potential neighbouring wildlife and protected species.

(viii) Human Rights Act

7.20 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

(ix) Equalities and Diversities

7.21 This application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and it has been concluded that the application does not cause discrimination on the grounds of gender, race and disability.

8 Conclusion

8.1 It is felt that on balance that the proposal to erect a building for the purpose of MOT testing is acceptable and in compliance with the Havant Borough Local Plan, Design Guide SPD, Parking SPD and advice contained in the NPPF 2026 in relation to issues of sustainable development, flood risk and parking and is therefore recommended for approval.

9. **RECOMMENDATION:**

That the Head of Planning and Growth be authorised to Approve with Conditions for application APP/26/00367 subject to the following conditions:

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. The development, hereby permitted, shall be carried out and completed in accordance with the submitted plans. The development hereby permitted shall be carried out in accordance with the following approved plans:
Existing Site Location Plan Y9025_A1001/Rev C
Site and Block Plan Y9025_A1005/Rev D
Proposed Site Location Plan Y9025_A1002/Rev D
Proposed General Arrangement Plan Y9025_A1006/Rev D
Impact Acoustics report – Environmental Noise Impact Assessment IMP8102

Reason: To ensure provision of a satisfactory development in accordance with policies CS16, CS2, CS11, CS16, DM9 and DM14 of the Havant Borough Core Strategy 2011 which form part of the Local Development Framework and National Planning Policy Framework.

3. The development hereby permitted shall not operate until plans and particulars specifying the provision to be made for external lighting has been submitted to and approved in writing by the Local Planning Authority. There shall be no external lighting on the site other than as thereby approved.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and for the protection of species and having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM23 of the Havant Borough Allocations 2014 and PP05 of the Chichester Harbour Management Plan and the National Planning Policy Framework.

4. The external cladding of the development hereby permitted shall be finished in Juniper Green (BS 4800 12B229 or RAL 6012) and shall be maintained as such thereafter, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect the visual amenities of the area and to ensure that the development integrates visually with its surroundings, in accordance with policies CS11, CS12 and CS16 of the Havant Borough Local Plan (Core Strategy) and PP04 of the Chichester Harbour Management Plan and the National Planning Policy Framework.

5. The vehicle access doors and any other openings to the MOT testing bays shall be kept fully closed at all times when MOT testing except to allow for the immediate entry and exit of vehicles.

Reason: To safeguard the amenities of nearby residential occupiers and to prevent intermittent noise disturbance for protected species in accordance with policies CS11, DM10 and DM23 of the Havant Borough Core Strategy 2011 and DM23 of the Havant Borough Allocations 2014 which form part of the Local Development Framework and National Planning Policy Framework.

Informatives:

1. In accordance with policy DM3 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by: Offering a pre-application advice service, and Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and In this instance: Your application was acceptable following submission of amended plans, and no further assistance was required.

2. The applicant is advised that any proposed discharge of trade effluent into the public foul sewer requires formal Trade Effluent Consent or a formal agreement under Section 118 of the Water Industry Act 1991.