MINOR DEVELOPMENT PLANNING APPLICATION REPORT REF. NO. F/12/71593

DESCRIPTION/ ADDRESS	Erection of detached single storey office/storage building Port Hamble Marina Satchell Lane Hamble-Le-Rice Southampton SO31 4QD

SITE VISIT DATE	04 December 2012
ARE PLANS ACCURATE?	Yes
HAVE ALL NECESSARY NEIGHBOURS BEEN CONSULTED?	Yes

THE SITE AND ITS SURROUNDINGS

DETAILED DESCRIPTION OF APPLICATION	As above to provide permanent office/storage accommodation in place of existing temporary buildings.
SITE AREA	0.02ha
RESIDENTIAL DEVELOPMENT DENSITY (NET)	n/a
TOPOGRAPHY	The site is relatively flat and level in the vicinity of the proposed development.
TREES	No trees will be affected by the proposals.
BOUNDARY TREATMENT	The development will be situated within the north-eastern corner of the existing car park which is not screened in any way, with only post and chain fencing along the boundary with the access road immediately to the north.
SITE CHARACTERISTICS	The site forms part of an established marina development with a mixture of office, retail and other marine related uses.
CHARACTER OF LOCALITY	Busy marina development with the Crowsport residential estate directly to the north of the site.

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
F/04/51914	Temporary siting of portable building and storage container to provide office and storage facilities during construction works to Control/Facilities building	TEMPORARILY APPROVE – 11 October 2004
X/05/53415	Relief of condition 2 relating to permission F/04/51914 to extend the period of consent for temporary siting of portable building and storage container during construction works to the control/facilities building	PERMIT – 18 April 2005
X/08/63931	Temporary siting of portable building & storage container for 2 years (ending 2010)	TEMPORARILY APPROVE – 15 December 2008
F/10/67727	Retention of temporary building & storage container for 2 years (ending 31 December 2012)	TEMPORARILY APPROVE – 04

RELEVANT PLANNING HISTORY

REFERENCE	DESCRIPTION	DECISION
		November 2010
F/12/71681	Retention of temporary building and storage containers for 3 years	Current Application

REPRESENTATIONS RECEIVED

SOURCE	SUMMARY OF CONTENT
12 Crowsport	Objection to the proposals on the following grounds: • The development is situated on a flood plain in an area which has recently flooded. • The marina already causes flooding (both foul and surface water) of the rear gardens of the properties in Crowsport. • The impact of the development on the Crowsport Estate which forms part of a Conservation Area. • Disputing rights of Marina Developments Ltd to use Marina Drive as an access to the site • Satchell Lane was not designed for, and is not suitable for the kind of traffic which is generated by the Marina.

CONSULTATION RESPONSES

CONSULTEE	SUMMARY OF RESPONSE
Hamble Parish Counil	*The council resolved to leave the decision to officers*
Head of Environmental Health	*Advised that the site is located, according to BGS mapping, on tidal flat deposits consisting of clay and silt which can produce gases. As the proposed development has the potential to be affected by such gases from the natural geology, a condition is recommended to be imposed concerning the assessment, and if necessary the subsequent remediation of the risks arising.*

POLICY CONTEXT

DESIGNATION APPLICABLE TO SITE
Outside Built Up Area Boundary Established Boatyard Environment Agency Flood Zones 2 and 3

DEVELOPMENT PLAN POLICIES

Eastleigh Borough Local Plan Review (2001-2011) – Saved Policies 39.ES (River Corridors), 59.BE (Promoting Good Design), 100.T (Transport and New Development), 104.T (Parking), 124.E (Boatyards).
Pre-Submission Eastleigh Borough Local Plan 2011-2029 – Policies DM1 (General Criteria for New Development), DM4 (Flood Risk), DM18 (Boatyard and Marina Sites on the River Hamble), DM23 (General Development Criteria – Transport), DM24 (Parking).
Supplementary Planning Document: Quality Places

CHARACTER APPRAISAL AREA

N/A

SPECIAL POLICY AREA

N/A

NATIONAL PLANNING POLICY GUIDANCE

National Planning Policy Framework

POLICY COMMENTARY

The above policies combine to form the criteria against which this application will be assessed with particular regard to flood risk, amenity, highway matters, character of the area and the impact of the proposed development on the Crowsport Special Policy Area / Conservation Area.

COMMENT ON CONSULTATION RESPONSES

The comments made are noted and the condition suggested by the Head of Environmental Health shall be imposed as recommended.

COMMENT ON REPRESENTATIONS RECEIVED

A number of the comments made by the occupier of No. 12 Crowsport concern both the present and historic usage of the site as a whole; in determining this application consideration can only be given to the details and impacts of the specific development proposed. The principle of the usage of the site as a boatyard and for related marine uses is established and the site is designated for such purposes within the Development Plan. The issue raised concerning rights of access to the site is a private matter and is not a material planning consideration.

The matters raised concerning the impact of the development on flood risk, on highway safety and on the character of the Crowsport conservation area will be considered in the below assessment of the proposal(s).

PLANNING OBLIGATION/CONSIDERATIONS

Planning obligations are not considered to be applicable to this application given the negligible amount of office space proposed (circa. 25 square metres).

ASSESSMENT OF PROPOSAL(S)

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:-

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

MATERIAL CONSIDERATIONS

Proposal and Context:

The application seeks approval for the erection of an office/storage building for the usage by the company Island Charters who are currently operating from temporary units in the same part of the site. The existing units have been in situ for a number of years, having secured and subsequently

ASSESSMENT OF PROPOSAL(S)

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

renewed temporary consent. The units are currently the subject of another application for their retention for a further period of 3 years (F/12/71681).

Principle:

The site falls within an identified boatyard and industrial premises outside of the urban edge. Saved Policy 124.E (DM18) states that at boatyard and marina sites on the River Hamble, the Council will permit development associated with boat building, fitting out maintenance and repair of boats and ancillary uses, provided it that it does not jeopardise river navigation; adversely affect nature conservation; conflict with river environs; or reduce water quality. The use of the proposed development will be in line with such activities, and subject to detailed issues and compliance with the relevant development plan polices, it is considered to be acceptable in principle.

Layout, design and impact on the character of the area and the amenity of neighbouring uses

Saved Policy 59.BE (DM1) requires development to be appropriate in design, mass and scale to both its context and neighbouring uses; the development proposed is considered to comply with these requirements for the following reasons:

The proposed development is considered to be acceptable in terms of its size, scale and design. It is in-keeping with the existing buildings on the site and has a relatively modest footprint. Whilst the building will have a fair height at approximately 5m, this is not considered to be excessive and it is recognised that this is partly due to the floor level of the building needing to be raised from the ground to mitigate flood risk. The building is also considered to be appropriately sited, being in a similar position to the existing temporary structures which have been used for a number of years for the same purposes as that proposed.

As mentioned above, the development will be in-keeping with the use as well as the existing buildings on the boatyard the site. In terms of the impact of the development on the character of the Conservation Area to the north, whilst no formal consultation response has been received from the Council's Conservation Officer, the proposals have been discussed with him and no objections were raised in such respects.

The proposed development is situated at a significant distance from the residential properties in Crowsport to the north of the site. Accordingly it is not considered that there will be any detrimental impact caused to the amenity of the occupiers of these properties as a result.

Flood risk

The application site falls within Flood Zones 2 and 3 and has been identified as being at risk of flooding from Tidal Models/surges. Accordingly the applicant has submitted a Flood Risk Assessment (FRA) taking account of this issue as part of the planning application. Policy DM4 of the Pre-Submission Eastleigh Borough Local Plan 2011-2029 sets out the requirements for developments within areas at risk of coastal flooding as defined by the Environment Agency. The FRA demonstrates that the development can be accommodated with an acceptable degree of safety, it will not damage or inhibit existing flood defence and flood risk management structures or worsen flooding on the site or elsewhere. Flood risk management measures in the form of the raising of the floor level of the office part of the building have also been incorporated into the

ASSESSMENT OF PROPOSAL(S)

DEVELOPMENT PLAN AND/OR LEGISLATIVE BACKGROUND

proposals.

Other matters

With regards to highway issues, the application is considered to comply with Saved Policies 100.T (DM23) and 104.T (DM24) in that it has safe and convenient access to the road network and is sited close to, or is well served by, public transport, cycling and walking; and, adequate parking is available on site to serve the development proposed.

There are no concerns with regards to nature conservation issues or with regards to any impact on the river corridor. The development is therefore considered to comply with Saved Policies 39.ES and 124.E (DM18).

Conclusion

Overall, the applicant has demonstrated that there is a need for permanent accommodation of the nature proposed and the development, for the reasons stated above, is considered to comply with the relevant Development Plan policies and associated supplementary planning documents/guidance.

OTHER MATERIAL CONSIDERATIONS

It is considered that there are no other/other material considerations to warrant a decision otherwise than in accordance with the Development Plan and/or legislative background.

CONCLUSIONS

The application is recommended for approval subject to conditions.