

DELEGATED OFFICER REPORT

Application Ref: F/22/93844

Site Address: Deacons Marina, Bridge Road, Bursledon, SO31 8AZ

Case Officer: Gary Osmond

Description: Replacement of an existing two storey commercial/workshop building in existing boatyard.

Particular Site Constraints?	Yes ☒	No ☐
- Outside urban edge (Countryside) - Within Old Bursledon Conservation Area - Within Old Bursledon Special Policy Area - Within designated Boatyard site - Within river corridor - Within Flood Zone 2		

Planning History?	Yes ☒	No ☐
Various applications have been submitted linked with the changing nature of the river and the increase in recreational sailing and water sports. The most relevant are:		
F/21/91355	Phase 1 Improvements to the site entrance, new landscaping and a revised public car parking area, including a 250mm increase in ground levels for flood protection, external alterations to Deacons House entrances, re-cladding, the addition of a first floor balcony, along with the relocation and expansion of the existing ground floor cafe/restaurant use to the first floor and rear extension for reception area, and the removal of existing boat sales office portacabin and its relocation to a new building adjacent to the site access	Approved Mar 2022
F/19/85603	Installation of entrance wall and 1no. marker buoy (amended scheme to F/18/82246)	Approved Jul 2019
F/19/85367	Construction of new boat maintenance building	Approved Jul 2020
F/18/83881	Relocation of existing access bridge to pontoons	Approved Oct 2018
F/17/80845	Reconfiguration of A, B & C pontoons and installation of public access pontoon	Allowed on Appeal Aug 2018
C/10/68061	Change of use of existing toilet/shower area to café (A3) & elevational alterations	Approved Mar 2011

Publicity:	Letters ☒	Site Notice ☒	Newspaper ☐
Representations:	None received.		
Parish Council:	No comments received.		
Trees:	No objection subject to submission of an arboricultural method statement being submitted and approved prior to works commencing.		
Hamble Harbour Master:	No objection.		
Ecology:	The trees on the railway embankment to the rear may provide bat roosts, as may the building itself. Both will need to be inspected by a suitably qualified ecologist before any demolition works commence. Biodiversity enhancements will also be required in the form of bat bricks/boxes, together with a wildlife sensitive lighting scheme to ensure vegetation on the embankment is kept dark.		

	A CEMP will also be required to protect the waters of the River Hamble from pollution, construction debris, fuel, oil and sediment. It must also contain a precautionary working method to protect nesting birds, bats and small mammals which might be using the railway corridor.
Environmental Health:	No objection subject to submission of a CEMP prior to works commencing, as well as provision of details relating to external lighting and any mechanical plant.
Hampshire Highways:	There is no objection to the proposals from a highway's perspective. It is understood that the use type is to remain broadly the same, with the development simply a betterment of existing facilities, on a marginally smaller scale (reduction of 40sqm). On-site parking is unaffected by the proposals, the layout and turning areas are to remain very similar to the present with the existing footprint largely replicated, and no changes to highway access are required.
Heritage Consultant:	No objection. The existing building is now past its best and too low to cope with projected increasing water levels. Whilst within the conservation area there are no heritage assets in the vicinity to be affected by the proposal. With the railway embankment providing the backdrop to this site and the proposal to finish the building in one of the traditional boatshed colours – black, albeit not with tar this time, it will take a visual back seat and be subservient to Deacon House now a welcome icon of the waterfront here. To complete the picture, the solar panels will need to be all black with no light coloured frames in order not to stand out. A most suitable and satisfactory solution to an otherwise insoluble problem that should set the yard up for a further long and useful life. Being against the embankment allows the building to be higher to accommodate both the essential flood clearance and optimum solar panel elevation without imposing on the environment or balance of the conservation area.
Network Rail:	Due to the close proximity of the proposed development to Network Rail's land and the operational railway, Network Rail requests the applicant / developer engages Network Rail's Asset Protection and Optimisation (ASPRO) team prior to works commencing. This will allow our ASPRO team to review the details of the proposal to ensure that the works can be completed without any risk to the operational railway.
Environment Agency:	No comments received.

Site Visit:	Yes ☒	No ☐
Details: 22/11/2022		

Policy:
National Planning Policy Framework Planning Practice Guidance Development Plan: The <u>Eastleigh Borough Local Plan 2016-2036</u> The most relevant policies are Strategic policies S1, S2, S4, S7 & S9; and Development Management policies DM1, DM2, DM5, DM6, DM11, DM12, DM13, DM14, DM18 & DM20.

Supplementary Planning Documents:

Quality Places; Residential Parking Standards; Old Bursledon Conservation Area Appraisal and Management Proposals; Biodiversity.

Assessment:**Proposals:**

This application forms part of Phase 3 of wider improvements to the boatyard – Phase 1 being approved in March this year. The works consist of the proposed replacement of a set of existing workshop buildings which lie to the back of the boatyard and parallel to the railway embankment which forms the north-western boundary of the yard, with the river forming the south-east.

Policy & Principle:

The application site lies outside the urban edge where development is not usually accepted unless for justifiable agricultural purposes, together with some other specific uses considered appropriate for such locations. However, Policy DM20 of the adopted Local Plan, which specifically relates to boatyards and marinas on the River Hamble, does “permit development associated with boat building, and the fitting out, maintenance and repair of boats and ancillary uses, provided that it does not: a) jeopardise the safety and ease of navigation on the river or have a detrimental impact on the regime of the river; b) adversely affect nature conservation, landscape or heritage interests; or c) cause a reduction in water quality.” In principle therefore, that proposed is acceptable provided it accords with the requirements of Policy DM20 and the other relevant policies of the Local Plan, including DM1 (General criteria for new development), DM11 (Nature conservation) and DM12 (Heritage assets).

Layout, Design, Character & Appearance:

The application site lies just inside the Old Bursledon Conservation Area and forms part of the ‘industrial / commercial’ character of this part of the river.

The proposed building is liner in form and over two floors – as is the present structure – consisting of five units at ground floor level and 7 at first floor, all accessed via an external walkway at both levels along the front of the building. The whole building is raised above expected future flood levels with disabled access ramps at either end, together with a lift, as well as a toilet and shower block for the use of marina customers. Whilst taller than the existing structure by approximately 2.5 metres, it has a marginally smaller overall footprint and would be of a similar simple form to the existing structure which it is to replace. It would also still be lower than the tree screen which covers the railway embankment behind the building. In terms of materials, it will have a brick faced ground floor and a black clad first floor and roof which replicates the colour of materials on the current building and help to recess it into the background.

Overall, the works proposed will improve the visual appearance of the site, thereby enhancing the public realm and the visual character of this built-up part of the conservation area. The proposal is therefore considered to accord with the requirements of Policies DM1, DM12 and DM20 in this respect.

Parking & Highway:

As highlighted above, no objection has been raised by Hampshire Highways given the works essentially replace an existing set of workshops, thereby resulting in no increase in vehicle movements or additional parking requirements.

Flood Risk & Drainage:

The Environment Agency have made no comment on the application. However, the application was supported by a Flood Risk Assessment, the recommendations of which can be included within a condition.

In terms of drainage, improvements are to be made as part of the Phase 1 works, which will better control the quantity and quality of water which will be discharged into the river. This will be a significant improvement on the existing situation where surface water is discharged with very minimal levels of filtration. These drainage proposals were agreed with the Council's Ecologist and Natural England and a condition was imposed requiring these drainage measures to be implemented in full and written verification provided.

Nature Conservation:

The principal issue with regards to nature conservation is ensuring that the development does not adversely impact the River Hamble, which is subject to various nature conservation designations. As discussed above, a Construction Environmental Management Plan (CEMP) is required prior to any demolition or construction works commencing to ensure that the works are undertaken in a manner which protects these designated sites. A condition requiring a CEMP to be submitted and implemented in full is recommended.

Climate Change:

In July 2019, the Council declared a Climate Change and Environmental Emergency. In doing so it agreed, among other things, to: (a) put in place measures to ensure the Council's own operations and functions achieve carbon neutrality by 2025; (b) work with partners to aim for all projects and services delivered in the Borough to achieve carbon neutrality by 2030; (c) ensure that the Council's procurement policy recognises carbon neutrality as one of its primary considerations; and (d) recognise the urgency of action to mitigate and adapt to climate change in every decision taken by the Council. This is underpinned by the Climate and Environment Emergency Strategy 2020–2030 and the supporting Climate and Environmental Emergency Action Plan – Update June 2020.

The declaration of the Climate Change and Environmental Emergency demonstrates a strong commitment from the Council to achieve net zero. The NPPF, development plan and adopted local plan policy do not set this as a specific target, but it is a material consideration to be considered alongside all other material considerations. In any case addressing climate change is a core part of the NPPF and local plan policy. The need to support the economy is part of the Strategic Environmental Assessment for the adopted local plan, as is an assessment of climate impacts.

The NPPF aims for the need for housing to be met, and policy S2 of the Local Plan sets a target for 14,580 dwellings to be provided by 2036. The NPPF, Policies S1, DM2 and DM3 of the Local Plan and energy and water elements of the adopted Environmentally Sustainable Development SPD require development to be sustainable in terms of resource use, climate change and energy use. When considering the impact of climate change, the proposed development is expected to be resilient to the potential effects of climate change and is expected to reduce/limit impacts on climate emissions as a result of the development or its use.

Equalities Implications:

Section 149 of the Equalities Act 2010 created the public sector equality duty. Section 149 states:

- A public authority must, in the exercise of its functions, have due regard to the need to:
 - a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

When making policy decisions, the Council must take account of the equality duty and in particular any potential impact on protected groups. It is considered that this application does not raise any equality implications

Conclusion:

Recommendation:

PERMIT ☒**REFUSE** ☐

The proposals are considered to accord with the relevant saved policies of the adopted Local Plan and the application is recommended for approval subject to conditions relating to the following:

Conditions:

- Approve drawings
- Commencement within 3 years
- Sustainable drainage details
- Verification of sustainable drainage
- Details of materials
- Submission of Arboricultural method statement
- Submission of CMP
- Submission of CEMP
- Working hours
- No burning
- No driven piling
- Details of external lighting
- Details of biodiversity enhancements
- Must follow recommendations of Flood Risk Assessment

Informatives:

- Network Rail
- Bats