

P/12/0994/FP

MR TIM HISCOCK

SARISBURY

AGENT: MISS HEATHER
MCCRUDDEN

CONSTRUCTION OF EIGHT TWIN CARAVANS PROVIDING SHORT TERM HOLIDAY RENTAL ACCOMMODATION AND ASSOCIATED SERVICE BUILDING, IN CONJUNCTION WITH RECREATIONAL WATER ACTIVITIES.

EASTLANDS BOATYARD - EASTLANDS - COAL PARK LANE SWANWICK
SOUTHAMPTON SO31 7GW

Report By

Alex Sebbinger (Ext 2526)

Site Description

The application site consists of a grassland field lying at the northern end of Coal Park Lane on the edge of the upper River Hamble. The site area is approximately 0.74 hectares.

The site boundary is determined by physical features, including an embankment that extends along the north-west edge, mature trees to the northeast and southeast, industrial buildings to the southeast, a field and access way to the Eastlands Boatyard to the south. The field currently separates the developed land of Eastlands Boatyard from the industrial units to the south east.

Other than the development form mentioned above, the nearby area, surrounding the application site, is mainly woodland and grassland. Moreover, the application site is in a sensitive position, within 100 metres of European sites associated with the River Hamble and also designated SINC habitat.

The site area lies just outside of the Eastlands Boatyard boundary within a countryside location, as identified on the Fareham Borough Proposals Map.

Description of Proposal

This application is for rental holiday accommodation consisting of eight detached chalet mobile homes. Each unit would provide two bedrooms and provide 70 square metres of living accommodation. The size of a chalet mobile home would measure 12.2 metres in length and 6.02 metres in width. The mobile homes would also be served by a separate outbuilding, to the south-west of the site, providing a services area, including water pumps, laundry and storage area.

The application site would be accessed from a private road leading from Coal Park Lane towards the adjacent Business Park and Eastlands Boatyard. The lane is narrow in places (just over 3 metres wide) and has very limited provision for pedestrians. The applicant has stated in the Design and Access Statement that the accommodation will be rented to customers who want to book a boating holiday through Eastlands Boatyard and who already own a trailer boat or canoes/kayaks and require overnight accommodation.

Policies

The following policies apply to this application:

Approved Fareham Borough Core Strategy

E11 - Boatyards

CS15 - Sustainable Development and Climate Change

CS16 - Natural Resources and Renewable Energy

CS17 - High Quality Design

CS4 - Green Infrastructure, Biodiversity and Geological Conservation

CS5 - Transport Strategy and Infrastructure

CS6 - The Development Strategy

Fareham Borough Local Plan Review

C17 - Sites of Nature Conservation Value

C18 - Protected Species

DG4 - Site Characteristics

R9 - Camping and Caravanning

E11 - Boatyards

Relevant Planning History

The most relevant history relates to the previous planning application for a similar form of development proposal:

P/12/0072/FP - Erection of eight chalet holiday homes for providing short term holiday rental accommodation and associated service building.

Refused planning permission on 19/5/2012 for the following reason:

The development would be contrary to Policy CS14 (Development Outside Settlements) of the Adopted Core Strategy 2011 and is unacceptable in that:

i) the erection of eight chalet holiday homes in this location would be contrary to countryside policy which seeks to prevent residential development in the countryside for which there is no justification or overriding need. Furthermore the proposed holiday accommodation by virtue of its size, scale and associated activity would result in a visually intrusive form of development that would diminish the character and appearance of the countryside location.

Representations

One representation has been received supporting the proposed development, on the basis that the development would not have a major impact on the surrounding areas due to the small number of units. Consider it will be beneficial to the local economy and businesses and there is nothing similar in the area.

Consultations

Director of Regulatory and Democratic Services (Contaminated Land): no objection subject to conditions.

Director of Regulatory and Democratic Services (Environmental Protection): Recommendations of acoustic report must be implemented and conditions applied. Recommend conditions regarding size of caravans and informative regarding site licensing.

Director of Planning & Environment (Ecology): Application is accompanied by an Ecological Appraisal. The report does not identify and address any impacts of the proposals and gives no certainty there will be no impacts. Proposal plan as part of the report refers to the previous planning application, and the report needs refer to the current scheme and make clear what habitats and species will be impacted, and protected. Insufficient information provided pertaining to reptiles. Report should set out how boundary features/habitats will need to be protected throughout the works. No information has been provided. Report should address any proposed lighting and works to the overhead power lines. Report must also cover what enhancement measures will form part of the proposals in line with the National Planning Policy Framework and the NERC Act. Natural England must be consulted.

Natural England: Comments as per previous application (no significant impact on the interest features of the SPA/Ramsar/SAC sites, no objection subject to conditions and informatives).

Director of Planning & Environment (Highways): Concerned that the standard of Coal Park Lane is unsuitable for the likely level of vehicular, pedestrian and cyclist traffic that the development would be expected to generate. Of concern is the narrow hump-back bridge located some 150m north of the junction with Swanwick Lane, which has been identified as being in need of improvement. Proposal will be expected to contribute, proportionate to the multi-modal trips likely to be generated which will mitigate the impact of the development in transport terms. Subject to the securing of a transport contribution and the provision of adequate parking, no highway objection would be raised.

Director of Planning & Environment (Strategic Planning): Comments made pertaining to application of Planning Policies, and how the development fails to comply with Policies CS14 and R9 of the Core strategy. This will be amplified within the key issues below.

Planning Considerations - Key Issues

The main issues with this application relate to the following:

- Principle of development and planning policy considerations
- Design, appearance and visual impact
- Impact on surrounding properties
- Ecology
- Highway and transportation issues

Principle of development and planning policy considerations:

The application site is located within an area outside of a development boundary in a countryside location. Policy CS14 of the Core Strategy sets out that outside of settlements, development will be strictly controlled:

"Built development on land outside the defined settlements will be strictly controlled to protect the countryside and coastline from development which would adversely affect its landscape character, appearance and function. Acceptable forms of development will include that essential for agriculture, forestry, horticulture and required infrastructure. The conversion of existing buildings will be favoured. Replacement buildings must reduce the impact of development and be grouped with other existing buildings, where possible. In coastal locations, development should not have an adverse impact on the special character of the coast when viewed from land or water."

The proposed use does not fall under any of the above categories and therefore is contrary to this Policy. It is noted that the National Planning Policy Framework is broadly supportive of rural tourism, however within the core planning principles set out in that document it is made clear how Local Planning Authorities must consider "the different roles and character of different areas". It is therefore necessary to carefully consider whether this development is acceptable in terms of its impact and the character and function of this countryside area.

The visual impact upon the countryside will be considered in the following section, however from the Policy position it is not considered that this development complies with what is set out within Policy CS14.

In the submissions, the applicant has put forward that the development accords with Saved Policy R9 from the Local Plan Review. This Policy states that proposals for new camping and caravanning sites in the countryside and extensions to existing sites will be permitted provided that a number of criteria are met. The applicant has asserted that by reason of the size of the proposed units that they fall under the definition of "caravan" for the purposes of the Caravan Sites Act 1968. Under the Act, the maximum dimensions of a twin-unit caravan are 18.288 metres long, 6.096 metres wide and the overall internal height of the living accommodation is 3.048 metres. The application units fall within these limits.

Planning Policy Officers have been consulted on this application and have advised that the thrust of Policy R9 relates to tents and touring caravans, which is implied within the sub-text to the Policy "Caravanning" which involves the use of touring caravans. For the purposes of Policy R9 it is not considered that this development meets is appropriate under that Policy context. However, in the event that the view was taken that this development does fall under the terms of Policy R9, specifically that the units being applied for constitute a "Caravan" it is not considered that it complies with all of the criteria, namely that the site is not screened from vantage points and public highways. This point will be considered further below under design and visual impact.

It is stated that the proposal will not only provide economic benefits to Eastlands Boatyard, but it will also benefit new and existing customers and provide benefits to local businesses in the wider area.

The applicant has also advised that the boatyard has a capacity of 70 berths and since September 2012 there have been 37 berths unoccupied. It is stated that as of yet there have been no enquiries for the 2013 season. In terms of dry/trailer sailors, normal capacity is for 40 boats, but last season approximately 28 of these were booked - the forthcoming season looks no different. Hard standing capacity is only 50% used throughout winter months, and the applicant states that this is due to the shortfalls on capacity of the berthings and people selling their boats. Other issues cited are the doubling in price of red diesel, coupled with the location of the boatyard (located relatively far up the river). Whilst it is clear that there are pressures facing the business, no specific data are provided as to whether or not the continued operation of the boatyard is dependent on this development taking place.

It should also be noted that Saved Policy E11 of the Local Plan Review (relating to boatyards) is not applicable as the application site lies outside of the defined cartilage of the boatyard and is on undeveloped land. It is therefore considered that none of the matters put forward are considered to outweigh the harm of this development.

Members should also be aware that emerging Planning Policy, specifically Policies C2 and

C3 also cover leisure development within the countryside. Policy C2 identifies that proposals for leisure and recreation development will be permitted when they meet the requirement of the sequential test, do not adversely impact on the local road network, do not affect amenities and do not have a detrimental impact on the character of the surrounding area. Relating to caravanning and camping sites, it states explicitly that they must have good access to services and facilities and not be visible from the Hamble. Policy C3 however identifies that economic development uses outside the urban area must meet the requirement of a sequential test and that for expansion of an existing business it must take place within the curtilage of the existing site.

The proposal has not gone through any form of sequential approach and is not to take place within the curtilage of the existing site. The proposal therefore also fails to comply with emerging Policies C2 and C3 (which are gaining in weight as a material consideration in determining planning applications).

In terms of the principle of this development therefore, it is not considered that the development complies with Policy CS14 as it represents development in the countryside which does not accord with the criteria set out within that Policy and there is no overriding need or justification that can be demonstrated.

Design, appearance and visual impact

This application has been revised from the previous submission inasmuch as the spread of the development area has been reduced, with the amenity building re-sited towards the south-west of the site (near to the entrance of the proposed development) and the units themselves have been located closer together. Additional landscaping has been proposed as an attempt to mitigate the visual impact of the proposal, however the external dimensions (and indeed the appearance) of the units themselves remain unchanged from the previous application.

The previous scheme was considered to result in a significant development encroaching into the countryside location, and would introduce intrusive features into the existing grassland and woodland landscape. Furthermore, it was also considered that the size and scale of the proposal, together with the associated activity arising by its use would represent a visually intrusive form of development that was harmful to the character and appearance of this countryside location.

Whilst it is acknowledged that in this revised application, the "spread" of the site has been reduced, and that further landscaping has been proposed, it is not considered that the changes made are sufficient to either overcome the policy "harm", and also the visual impact of the development. This revised application has been accompanied by photomontages and perspective diagrams that the applicant advises show how the development will not be visible from the wider area. Furthermore, since the submission of the application the applicant has advised that additional landscaping will be provided to screen the development site from the view of Coal Park Lane. Whilst it is acknowledged that the additional landscaping may improve matters from the previous proposal it will not overcome the fact that the site is visible from Coal Park Lane to the west, which is elevated in relation to the site. It is therefore considered that the visual impact of this proposal remains harmful, and the revised plans do not overcome this harm.

Impact on surrounding properties

Due to the location of this site, which is in an area primarily occupied with businesses nearby it is not considered that the use of the site would adversely affect the amenities of the users of these premises. The nearest residential property lies opposite the site and it is considered that a tourism based use (particularly bearing in mind the existing employment uses taking place within the boatyard complex) is compatible and will not harm residential amenity to an excessive degree.

Ecology

When the previous application was being considered, concern was raised regarding the level of detail submitted in respect of ecological matters and how the development could take place and not harm protected species. Details were provided, and the Council did not raise a specific objection in relation to ecology at the time the application was determined. The Council's Ecologist has commented on this application, advising that the same ecological report was re-used and fails to address how this scheme will affect habitats and species and ensure they will be protected during the development process. The applicant has replied requesting that such details be secured by way of a planning condition. In light of the fact that no specific objection was raised by the Council previously, particularly bearing in mind the same report was submitted on this occasion this would be the most appropriate way in which to secure these details.

Highway and transportation issues

Concern has been raised from the Council's Highway Engineer in that the standard of Coal Park Lane is unsuitable for the level of vehicular, pedestrian and cyclist traffic this development is likely to generate. The narrow hump-back rail bridge located north of the junction with Swanwick Lane is sited as the key area of concern, however proposals are in hand to provide localised kerbing and the introduction of permanent shuttle-working traffic signals.

No objection has however been raised to the application subject to the provision of adequate parking and turning on site, as well as the securing of a transport contribution.

At the time of the consideration of the previous planning application it was not considered necessary to require a transport contribution. As the transport merits of this particular proposal are fundamentally similar to that of the previous scheme, for the sake of consistency it is not considered that this proposal should be subject to a financial contribution.

Conclusion

The application is contrary to Policy CS14 of the Core Strategy which seeks to prevent development in the countryside which is not essential for agricultural, forestry or horticultural purposes. Furthermore the development will by reason of size, scale and associated activity represent a visually intrusive form of development which is harmful to the character and appearance of this countryside location.

Reasons For Refusal

The development is unacceptable taking into account the policies and proposals of the Development Plan as set out above, in particular Policy CS14 of the Fareham Borough Core Strategy. In the absence of any demonstrable overriding needs, the development proves to be contrary to Policy CS14 of the Fareham Borough Core Strategy which seeks to

prevent development in the countryside that is not essential for agricultural, forestry or horticultural purposes. Furthermore, by reason of the size and scale and associated activity the proposal would result in a visually intrusive form of development harmful to the character and appearance of this countryside location. There are no other material considerations judged to have sufficient weight to outweigh this harmful impact. In accordance therefore with Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused.

REFUSE

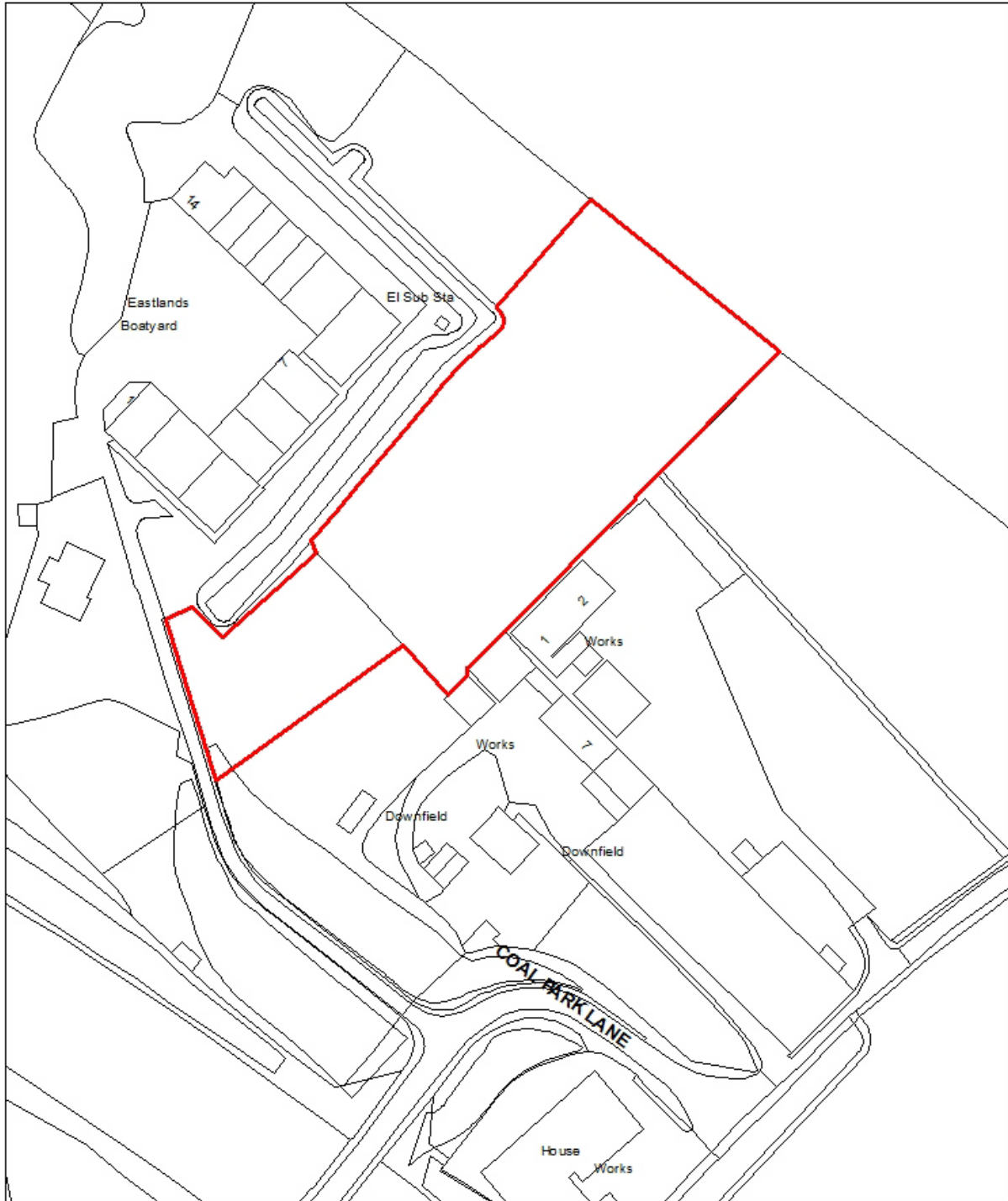
Contrary to Policy; no overriding need for development; visually intrusive; harmful to character and appearance.

Background Papers

P/12/0994/FP

FAREHAM

BOROUGH COUNCIL



Eastlands Boatyard
Scale 1:1250

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