

OFFICER REPORT FOR COMMITTEE

DATE: 2nd November 2021

P/21/0786/FP
EASTLANDS SHIPYARD LTD

SARISBURY
AGENT: PDP ARCHITECTURE LLP

CONSTRUCTION OF NEW, 2 STOREY BUSINESS UNIT - UNIT C

EASTLANDS BOATYARD

Report By

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1.0 Introduction

1.1 The application is reported to planning committee as more than five third party letters of representation have been received.

2.0 Site Description

2.1 The site is located to the north of the M27 and east of the River Hamble and is positioned in between Eastlands Boatyard and the Midas Business Park. The land to the north and north east is undeveloped and contains a mixture of open fields and woodland.

2.2 Vehicular access to the site is via Coal Park Lane which incorporates a bridge over the M27. The riverside location also means that the Boatyard can be accessed by boat via the River Hamble.

2.3 The site is positioned on a gentle slope towards the bottom of the Hamble Valley with the gradient decreasing westwards down towards the River Hamble. The vehicular access slopes down from the motorway towards the site and has fairly steep grass banks.

2.4 The site itself is not subject to any ecological designations, however the River Hamble (which is close to the site) is identified as being: a Site of Importance for Nature Conservation (SINC), a Special Protection Area (SPA) and a Special Area of Conservation (SAC)

3.0 Description of Proposal

3.1 The applicant is a company that specialises in designing and building tenders for superyachts. The proposed building would be used in connection with the existing business operating at the boatyard already and would contain: a workshop space, paint spray booths, a small office, a staff canteen and toilet facilities.

- 3.2 The proposed building would be 60.4m long and 20.3m wide with a shallow pitched roof and large roller shutter doors to enable vessels to be moved in and out of the building. The building would incorporate an external spiral staircase on the north west elevation to provide a fire escape. The building would be clad in Kingspan insulated wall and roof panels with powder coated aluminium windows, doors and fascias.

4.0 Policies

- 4.1 The following policies apply to this application:

National Planning Policy Framework 2021

Adopted Fareham Borough Core Strategy

- CS1 – Employment Provision
- CS4 – Green Infrastructure, Biodiversity and Geological Conservation
- CS5 – Transport Strategy and Infrastructure
- CS6 – The Development Strategy
- CS9 – Development in the Western Wards & Whiteley
- CS14 - Development Outside Settlements
- CS17- High Quality Design

Adopted Development Sites and Policies

- DSP1 – Sustainable Development
- DSP2 – Environmental Impact
- DSP9 – Economic Development Outside of the Defined Urban Settlement Boundaries
- DSP13-Nature Conservation
- DSP19 – Boatyards

Draft Fareham Local Plan 2037

- DS3 Landscape
- E6 Boatyards

Other Documents:

- Non-Residential Car Parking Standards

5.0 Relevant Planning History

- 5.1 The following planning history is relevant:

- | | |
|-----------------|--|
| P/21/0338/FP | Refurbishment of existing industrial unit with changes to external fenestration and removal of existing dead tree. |
| Approved | 22.4.21 |
| P/21/0675/FP | Demolition of single storey bungalow dwelling and construction of single storey office building and single storey berth holder facility. |

Not yet determined

6.0 Representations

6.1 Representations have been received from 16 addresses raising the following concerns:

- Any increase in traffic requires the installation of traffic lights to be installed at the bridge.
- The proposed building should be in keeping with the existing buildings
- Potential odour.
- Any storage of equipment outside the premises should be screened from wider views.
- Traffic calming measures required
- The bridge will need to be strengthened
- Coal Park Lane is required for access/egress from the Air Traffic Control Centre in the event of an emergency.
- The statement accompanying the planning application regarding the re-location of existing businesses is disingenuous.

7.0 Consultations

EXTERNAL

7.1 Hampshire County Council - Highways

No objection

7.2 Hampshire County Council – Ecology

No objection subject to conditions.

7.3 Hampshire County Council – Economic Development

HCC's Economic Development Team actively supports the application.

7.4 Pascoe International has significant in-house experience but it also draws on many Solent SME specialist trades, subcontracting around £1 million of work and a further £1.5 million with Solent suppliers. The proposed development will enable Pascoe to increase its research and development activities and further develop the skills of its workforce. Pascoe currently employs 84 people, skilled specialist marine production staff, working alongside office-based trades people. This development would safeguard 84 existing jobs and deliver an additional 28 new jobs in a key sector for the region.

7.5 Natural England

No objection subject to conditions to secure:

- Best Practice SUDS
- Construction in accordance with the Construction Environmental Management Plan
- No works to be carried out during the overwintering bird period of October-March (inclusive).

7.6 Environment Agency

No objection

INTERNAL

7.7 Environmental Health - Pollution

No objection subject to conditions

7.8 Trees

No objection

8.0 Planning Considerations

8.1 The following matters represent the key material planning considerations which need to be assessed to determine the suitability of the development proposal. The key issues comprise:

- a) Principle of Development
- b) Fareham Local Plan 2037 policy position
- c) Design and Impact on the Character of the Area
- d) Highways
- e) Impact on Neighbouring Amenity
- f) Ecology
- g) Trees
- h) Other Issues
- i) Planning Balance

a) Principle of Development

8.2 The site is located beyond the settlement policy boundary and is adjacent to an established boatyard. The proposed new building would be located beyond the curtilage of the Boatyard and as such provides for new development within the countryside outside of the defined urban settlement boundary and outside of an allocated employment site.

8.3 Policy CS14 of the Core Strategy (Local Plan Part 1) seeks to limit new development within the countryside that would adversely affect its landscape character, appearance and function to that which is essential for agriculture, forestry, horticulture and required infrastructure. The proposal does not fit within these acceptable development types and therefore is not considered be a form of development acceptable in principle under this policy.

- 8.4 Policy DSP19 of the adopted Local Plan (Local Plan Part 2 Development Site and Policies) refers specifically to development within Boatyards but is restricted to development within the curtilage of existing boatyards. The proposed building is located beyond the curtilage of the existing boatyard therefore policy DSP19 is not applicable. Policy DSP19 notes, however, that proposals for new boatyards or marine uses outside of existing boatyards or employment areas will be permitted where they accord with policy DSP9.
- 8.5 Policy DSP9 provides for new economic development outside of the defined urban settlement boundaries subject to certain criteria and the applicant carrying out a sequential test. The purpose of the sequential test is to ensure that there are no alternative suitable sites located within the settlement policy boundary and that development within the countryside is only proposed if there are no alternative suitable sites within the settlement policy boundary. The applicant worked closely with Hampshire County Council to locate suitable sites and has confirmed that several locations were considered for the relocation of the business both within and beyond Fareham Borough. The site proposed was the only suitable site within Fareham Borough. The applicant has advised that the second best site is located in Plymouth but is less desirable as it would not be suitable for many of the existing workforce.
- 8.6 Given that the business is one which needs a waterfront location it has therefore been concluded that there were no sequentially preferable alternative suitable sites located within the Fareham Borough settlement policy boundary. As such, it is considered that the policy requirement for a sequential approach has been satisfied.
- 8.7 In addition to the need for applicants to undertake a sequential approach when looking for suitable sites, policy DSP9 also states that proposals for the expansion or intensification of existing employment sites outside of the defined urban settlement boundaries will only be permitted where:
- i. Development is essential to the operation of the existing business; and
 - ii. Development can be accommodated within the curtilage of the existing site.
- 8.8 Taking each criterion in turn; The applicant's business was originally located at Universal Marina, Crableck Lane, Sarisbury Green however the business has expanded and part of it has been relocated to the recently acquired Eastlands Boatyard as there was insufficient capacity available at Universal Marina to accommodate the growth of the business. The proposed building would enable the part of the business that currently remains located at Universal Marina to be moved to Eastlands Boatyard and consolidate the operation on one site.

- 8.9 The application submits that locating the business across separate sites is not practical or tenable and that locating all of the business on one site would enable the production process to be streamlined. The location of all of the business at Eastlands Boatyard would also provide more secure premises as Universal Marina is open to members of the public. Furthermore, the re-location of the business at Eastlands Boatyard would also provide additional long-term security for the business with the applicant owning the premises and no longer having to negotiate leases with a landlord.
- 8.10 Eastlands Boatyard was selected by the company due to their specific operational needs which require a waterside location and the inability of the current premises at Universal Marina to accommodate the applicant's needs for additional space.
- 8.11 Policy DSP 9 requires development to be: '*essential to the operation of the existing business*'. The applicant has explained that the proposed development is essential in order to enable the company to streamline their production and to expand while remaining within the Borough. On this basis it is concluded that the proposed development is essential to the operation of the existing. The proposed development is therefore considered to satisfy part (i) of policy DSP9.
- 8.12 Moving to the second policy test in DSP9; the proposed building is located on land that is in between and immediately adjacent to Eastlands Boatyard and Midas Business Park. The land is within the same ownership as Eastlands Boatyard however the site is not wholly within the curtilage of the Boatyard and there is insufficient space available within the existing curtilage to accommodate the proposed development. A very small portion of the site falls within the boatyard curtilage, but the majority of the application site falls outside of this designation. As such the proposal cannot accord with the requirements of criterion (ii) of DSP9. Policy DSP9 also contains a further three criterion, however these requirements relate to the detail of the proposal (the scale, highway impact and environmental impacts) rather than the principle of development. Despite the conflict with part (ii) of the policy DSP9 the remaining tests are considered later in this report as part of the assessment of the scheme.
- 8.13 It is clear, therefore, that the proposal is not a development type that squarely fits within the types of development acceptable under policy CS14 of the adopted Core Strategy. Whilst the majority of the site is outside of the boatyard curtilage, it also fails to fully accord with the policy tests in Policy DSP9. As such, it is necessary to consider, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, whether there are any other material considerations that would weigh in favour of the scheme.

b) Fareham Local Plan 2037 Policy Position

- 8.14 National planning policy allows Council's to give appropriate weight to relevant policies in emerging plans according to the stage of preparation of the plan, the extent to which there are unresolved objections and the degree of consistency with the NPPF (para 48 NPPF). The draft Fareham Local Plan 2037 was submitted for examination on 30th September 2021 and while the NPPF doesn't refer specifically to Boatyards, Policy E6 is wholly consistent with para 82 of the NPPF which identifies the need to recognise and address the specific locational requirements of different sectors. No objections have been received in relation to policy E6 as part of the draft Local Plan consultation process. Given that the draft Local Plan has been submitted for examination, has been subject to public consultation which didn't result in any objections to policy E6 and the policy fully complies with the NPPF, Officers recommend applying 'considerable weight' to policy E6.
- 8.15 It is of relevance to note that policy E6 of the draft Local Plan (which is proposed to replace policy DSP19) has no requirement for the development of boatyards to be located within the boatyard's existing curtilage.
- 8.16 Policy E6 of the draft Local Plan states that:
- 'The extension and intensification of existing boatyards will be permitted where it relates to boat building, repair, maintenance, fitting out or other ancillary uses.*
- Proposals must demonstrate that they do not cause unacceptable harm to :*
- i safety and ease of navigation on the river or have a detrimental impact on the regime of the River Hamble; and*
 - ii public access along or to the coast.'*
- 8.17 The proposed building, as already discussed above, is required to facilitate the expansion of a boat building company that is located within an existing boatyard. The location of the building is set back from the River Hamble to the rear of existing buildings within the boatyard and would therefore not have any impact on the safety and ease of navigation of the River Hamble or on public access to the coast. The proposed development is therefore in accordance with all of the requirements of policy E6.
- 8.18 As explained previously the proposed building would be located beyond the curtilage of the existing boatyard and therefore fails to satisfy all of the requirements of policies CS14, DSP9 and DSP19. However, the weight afforded to policy E6 of the Fareham Local Plan 2037 is considerable given the fact that the Plan is now Submitted for Examination with no outstanding objections. As such that this must weigh in favour of the proposal given the very specific location-based requirements of the applicant (which cannot be met at Universal Marina).

8.19 Draft policy DS3 in the Fareham Local Plan 2037 will replace policy CS14. It has similar intentions to policy CS14 but is applicable to the whole Borough rather than just development outside of settlements. The Fareham Local Plan 2037 has been subject to public consultation and although there were no representations submitted in relation to DS3 specifically there were representations received in relation to the protection of the landscape in general. Given that the Local Plan has been submitted for examination, the absence of any objections specifically relating to policy DS3 and the policies conformance with the NPPF Officers recommend applying 'some weight' to policy DS3.

8.20 Policy DS3 identifies areas of special landscape quality and states that development will only be permitted in these areas where the landscape will be protected and enhanced. The site falls within an area identified as being of a special landscape quality therefore particular regard must be had to the landscape character.

c) Design and Impact on the Character of the Area

8.21 Policy CS17 states that development will need to be designed to respond positively to and be respectful of the area, including heritage assets, landscape, scale, form, spaciousness and use of external materials. Whilst not wholly applicable to this site policy DSP 9 states that proposals should not be of a disproportionate scale to the operational requirements of the employment site and should be well designed to respect the character of the area and where possible should be grouped with existing buildings. Policy CS14 seeks to limit development in the countryside that would adversely affect its landscape character, appearance and function.

8.22 The proposed new building (identified as unit C within the submission) is, by its nature, of a functional design however it has been designed to complement the existing buildings within Eastlands Boatyard with a shallow pitched roof and use of similar materials (insulated wall and roof panels).

8.23 The building is quite large however it is not considered to be of a disproportionate scale to the operational requirements of the site as required by policy DSP9. The building would be positioned to the rear of an existing large building at Eastlands Boatyard, with buildings at Midas Business Park to the immediate south east. The location of the building in this position uses the existing built form to provide screening which would limit visibility when viewed from the north west or south east of the site.

8.24 The existing perimeter planting to the north east of the proposed building together with mature trees along the edge of the field parallel to the end of the building would also provide screening from the north east and help the building to appear embedded within the landscape. The land to the

south of the proposed building comprises the elevated access into the site and the bridge such that views of the building would be from a higher level. There are also a number of mature field boundary oak trees to the south west of the site that would further filter views of the proposed building.

- 8.25 Views from within the wider landscape would be primarily from the west of the site on the M27 and from two public rights of way. The building's position to the rear of the existing boatyard building would limit views from the west (from the M27 and from the public right of way on the western side of the River Hamble) to the upper section of the building. There is a second public right of way on the bridge over the M27 that continues along Coal Park Lane to the north east of the site. The roof of the proposed building would be clearly visible from the south due to the elevated height of the bridge, however the building would be seen alongside existing buildings on either side (those within the boatyard to the west and buildings in Midas Business Park to the east) such that its scale and location would not be considered as inappropriate.
- 8.26 The application is supported by a landscape mitigation plan which explains the way in which the proposal has been designed to respect the landscape character including the character of the River Hamble, the visual setting and existing natural features including trees, woodland, hedgerows and the topography in line with draft policy DS3. The landscape mitigation plan also proposes the addition of supplementary planting to the north and south of the building to further screen the building and help it to appear 'embedded' within the landscape as well as enhancing biodiversity in line with policy DSP9
- 8.27 In addition to the above assessment; in 2013 a Planning Inspector allowed an appeal (P/12/0994/FP) for the provision of eight twin caravans/chalets providing short term rental accommodation and a service building on part of the application site. The inspector concluded Policy CS14 was supportive of the appeal proposals which would meet leisure and tourism needs (so a different development type to that now proposed), that can only be met in this type of location, subject to an assessment of the impact on the character and appearance of the countryside location. In that instance the impact was considered acceptable and the appeal was allowed.
- 8.28 Regarding the impact of development in this location, in the 2013 appeal the Inspector found that *"I saw on my visit that the site for the most part falls between two areas of substantial industrial buildings, including the somewhat larger of the buildings comprising Eastlands Boatyard on the bank of the River Hamble to the west. However, the site's boundaries with these two areas have substantial screening in the form of a line of mature trees and hedges on a mound on the western side and a tall and dense conifer hedge on the east. With its enclosure between these two industrial sites and their boundary screening, and with woodland beyond a further open area immediately to the north, the part of the site*

envisaged for the proposed twin caravans is visually contained” (appeal decision para 8).

8.29 The building is of a functional design as would be expected given its purpose. The proposed location has been chosen to take advantage of the existing built form, relationship to the boatyard and waterfront, infrastructure and vegetation which together with the position close to the valley floor will ensure that the special character of the immediate and wider landscape is protected and enhanced. The proposed design and location of the building is therefore considered to be appropriate and in accordance with policies CS17, DSP9 and DS3.

d) Highways

8.30 Policy CS5 states that the council will permit development which does not adversely affect the safety and operation of the strategic and local road network, public transport operations or pedestrian and cycle routes.

8.31 One of the tests within Policy DSP9 is that all new development, expansion and intensification of sites outside of defined urban settlement boundaries should “(iv) not have an unacceptable adverse impact on the strategic and local road network”.

8.32 Eastlands Boatyard was, prior to the applicant’s recent acquisition, let to eleven separate businesses that each employed up to 15 staff. Several of the businesses also operated trade retail counters which generated additional customer traffic. The application submits that previous business uses therefore had the potential to generate more than 165 movements to and from the site.

8.33 The applicant’s business is proposed to re-locate from Universal Marina in two phases with the first phase comprising the occupation of the existing boatyard buildings and the second phase comprising the occupation of the building proposed as part of this application. The application states that 65 members of staff would be based at the Boatyard with 49 staff occupying the existing building and 16 in the proposed building.

8.34 The application submission details that the additional traffic associated with the proposed building would include trips associated with:

- sixteen members of staff,
- eight deliveries per day;
- one client per week,
- three couriers per week,
- twenty vessels per year;
- seven staff trips to Universal Marina; and
- one movement of stock/materials to Universal Marina.

The movement of large components requiring transportation by a lorry is estimated to be 1.95 per week.

- 8.35 The amount of traffic predicted to be generated by the proposed use of the existing boatyard buildings and the proposed building would therefore be significantly lower than the levels previously associated with the site (165 daily movements versus 71 movements). The location of the proposed building adjacent to the existing boat yard buildings (both of which would be used by the applicant) would also result in a reduction of 7 car movements per day and 0.44 HGV movements per day compared to the use of just the existing boatyard buildings as there would be a reduction in traffic movements between the boatyard and Universal Marina by consolidating the business all on one site.
- 8.36 The majority of the third party objections received raise concerns about the impact that the proposed building would have on the safety of the access road because of the increase in traffic, particularly because of its narrow width and the humpback nature of the bridge which restricts the ability to see oncoming traffic. The figures provided by the applicant relating to traffic generation from the business demonstrate that the proposed use of the site by the applicant compared to the previous use of the site by a number of smaller businesses would result in a material decrease in traffic levels with a further reduction as a result of the proposed building due to the ability to co-locate additional stages of the production process within the same site.
- 8.37 Residents have raised concerns relating specifically to the potential increase in the number of large vehicle movements to the site over the narrow bridge access. However, the applicant has confirmed that the total number of large vehicle movements will actually be relatively low with larger vessels leaving the site by water in order to avoid the narrow humpback bridge.
- 8.38 It is accepted that the road approaching the site is narrow and the humpback bridge restricts views of oncoming traffic. However, the operations within the proposed building would, according to the submission, result in a decrease in the number of vehicle movements such that there would not be an additional impact on the safety of the road. Hampshire County Council have been consulted and have confirmed that the narrowness of the road acts as a natural form of traffic calming and that given the proposed reduction in traffic generation they raise no objection to the proposal.
- 8.39 Officers asked Hampshire County Council Highways whether there were any additional measures that could be used in order to address concerns raised by residents regarding the safety of the road in particular where it narrows to cross the bridge e.g. traffic lights. Hampshire County Council's Safety Engineering Team advised Officers that there is already appropriate signage and road markings on both approaches to the bridge and given the anticipated reduction in traffic there is no

justification for seeking any additional measures. It has however been noted that some of the road markings are faded and a condition is recommended to require the road markings to be updated prior to occupation of the building. The safety engineering team have also advised that the addition of a yellow background to the existing signage would make it more prominent for drivers. Officers recommend that the addition of a yellow background to the existing signage is secured by planning condition.

- 8.40 Representations have been received requesting that traffic lights are installed to restrict traffic crossing the bridge to one direction at a time. Officers are unable to request mitigation measures unless they are necessary in order to render the proposed development acceptable. Officers are also only able to require financial contributions towards improvements where there is an identified project on which the money can be spent. Hampshire Highways have advised Officers that no additional mitigation measures are required and there are no improvement schemes that a financial contribution could contribute towards.
- 8.41 Furthermore, HCC has advised that consideration has been previously given to the merits of signalling this bridge in the past, back in 2015. At that time, after detailed design work by HCC, it was concluded that there are significant practical issues with both installation and operation of traffic lights over this bridge. The HCC Traffic Signal team has advised that little has changed in terms of site constraints since that time and given the traffic data put forward for the proposed development, signalisation of the bridge is not considered necessary.
- 8.42 The application site and the wider boatyard contains a large number of car and cycle parking spaces that exceeds the requirements of the non-residential car parking SPD. The development would also incorporate ample turning space to ensure that vehicles visiting the site can park and turn within the site. Officers have considered the impact of the proposed development on the safety of the road and given that traffic numbers are anticipated to significantly decrease it has been concluded that the proposed development would not have an adverse impact on the safety of the road. The proposed development is considered to comply with policies CS5 in terms of impact on the highway.

e) Impact on Neighbouring Amenity

- 8.43 The proposed building is not located close to any residential properties and is therefore not expected to have any impact on their amenities in terms of loss of light, outlook or sunlight. Access to the site is via residential properties therefore there is the potential for disturbance due to noise from traffic, however the number of vehicle movements is anticipated to significantly decrease therefore the impact on residential amenity as a result of traffic would also decrease. A condition is recommended to restrict hours of operation to prevent large numbers of

vehicle movements early in the morning as this could cause disturbance to residential properties on Coal Park Lane.

8.44 The proposed building would incorporate spray booths. The spray booths would be used for all spray painting and would comply with DEFRA and HSE guidance. Environmental Health have assessed the proposed development for impact in terms of noise and odour nuisance and have confirmed that the proposal is acceptable subject to conditions securing the use of appropriate extraction equipment.

e) Ecology

8.45 Policy DSP13 confirms the requirement to ensure that designated sites, sites of nature conservation value, protected and priority species populations and associated habitats are protected from development and where appropriate enhanced.

8.46 In light of their importance, areas within the Solent have been specially designated under UK/ European law. Amongst the most significant designations are Special Protection Areas (SPA) and Special Areas of Conservation (SAC). These are often referred to as 'European Protected Sites' (EPS).

8.47 Regulation 63 of the Habitats and Species Regulations 2017 provides that planning permission can only be granted by a 'Competent Authority' if it can be shown that the proposed development will either not have a likely significant effect on designated European sites or, if it will have a likely significant effect, that effect can be mitigated so that it will not result in an adverse effect on the integrity of the designated European sites. This is done following a process known as an Appropriate Assessment. The Competent Authority is responsible for carrying out this process, although they must consult with Natural England and have regard to their representations. The Competent Authority is the Local Planning Authority.

8.48 The Council has completed an Appropriate Assessment to assess the likely significant effects of the development on the EPS. The key considerations for the assessment of the likely significant effects are the impact of the proposed development on the sensitive sites in terms of noise, light pollution and contamination as a result of surface water drainage. The Council has concluded within an Appropriate Assessment that the proposed mitigation and planning conditions will ensure no adverse effect on the integrity of the EPS either alone or in combination with other plans or projects. Natural England has been consulted on the Council's Appropriate Assessment and agrees with its findings. It is therefore considered that the development accords with the Habitat Regulations and complies with Policies CS4 and DSP13 and DSP15 of the adopted Local Plan.

f) Trees

8.49 There are a number of trees around the perimeter and the application is supported by a tree survey. The proposed building has been located to take advantage of the existing trees as they will provide screening and soften the impact of the building on the landscape. The application is also supported by a landscaping plan that proposes supplementary planting to complement the existing soft landscaping within and adjacent to the site.

8.50 The Council's Arborist has been consulted and has raised no objection to the proposal. Conditions are included to secure details of the tree protection measures and the implementation of the supplementary planting.

g) Other Issues

8.51 The application is supported by an Economic Impact Assessment which confirms that the proposed building adjacent to the existing boatyard, both parts which would be occupied by the applicant will safeguard 101 jobs and create an additional 28 jobs within Fareham Borough.

h) Planning Balance

8.52 As detailed earlier in this report, the proposal conflicts with the current adopted policies of the Development Plan. However, Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires the consideration of other material considerations that may outweigh the provisions of the development plan. For this application it is clear that considerable weight can now be afforded to the emerging policy E6 of the Fareham Local Plan 2037 given that there are no outstanding objections to its wording and that the Plan has been submitted for examination. This new policy facilitates the growth of boatyards by allowing expansion outside of their defined curtilage. This weighs heavily in favour of the scheme.

8.53 The landscape impact of the proposal has been considered and it was concluded that the proposed development which includes a landscape mitigation strategy would protect and enhance the special landscape character in line with draft policy DS3.

8.54 The proposed use of the site by one operator is considered to provide a reduction in likely traffic to the site which is to the benefit of the local community close to the site.

8.55 The proposed development would have economic benefits for the Borough including the safeguarding of 101 existing jobs and the creation of an additional 28 jobs.

8.56 All of the above benefits weigh in favour of the scheme as material considerations. Taking these factors along with the weight given to the new policy E6 into account; it is concluded that when considered against the policies CS14, DSP9 and DSP19 of the Development Plan the proposed development is acceptable and permission can be granted subject to planning conditions.

9.0 Recommendation

9.1 GRANT PLANNING PERMISSION, subject to the following Conditions:

1. The development hereby permitted shall begin within 3 years from the date of this decision notice.

REASON: To allow a reasonable time period for work to start, to comply with Section 91 of the Town and Country Planning Act 1990, and to enable the Council to review the position if a fresh application is made after that time.

2. The development hereby permitted shall be carried out strictly in accordance with the following drawings/documents:

- Location Plan Drawing no. 28103-PD096 Rev A
- Proposed site plan Drawing no. 28103-PD136 Rev B
- Proposed sections Drawing no. 28103-PD135
- Proposed sections Drawing no. 28103-PD302 Rev C
- Proposed elevations Drawing no. 28103-PD134 Rev A
- SUDS Water Quality Assessment provided by flow drainage design dated 18.6.21
- Construction Environmental Management Plan ref DD502R01/CEMP (version 3) dated 9/8/202
- Lighting plan drawing 21/2683/EX03 Rev P4 produced by itd consultants Ltd.
- Landscape mitigation strategy Drawing no. DD502L01

REASON: To avoid any doubt over what has been permitted.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification), the building hereby permitted shall only be used for development that is ancillary to the boatyard and for no other use permitted by Schedule 2, Part 3.

REASON: To protect the occupiers of the nearby residential properties from possible disturbance from permitted uses other than that specifically granted through this permission.

4. The building hereby approved shall only be used by the same company that operates in the boatyard as shown edged in blue on the Proposed site plan Drawing no. 28103-PD096 Rev A.

REASON: To protect the occupiers of the nearby residential properties from disturbance from increased levels of traffic generated by the use of buildings by multiple companies.

5. No development shall take place (including site clearance and site preparations) until an Arboricultural Impact Assessment and Method Statement for tree and hedgerow protection has been submitted to and approved by the Local Planning Authority in writing and the approved scheme has been implemented. The tree/hedgerow protection shall be retained throughout the development period until such time as all equipment, machinery and surplus materials have been removed from the site.
REASON: To ensure that the trees, shrubs and other natural features to be retained are adequately protected from damage to health and stability during the construction period. The details secured by this condition are considered essential to be agreed prior to the commencement of development on the site so that appropriate measures are in place to avoid the potential impacts described above.
6. No development hereby permitted shall take place beyond damp proof course level until samples and specifications of all proposed external facing (and hardsurfacing) materials have been submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved details.
REASON: To secure the satisfactory appearance of the development.
7. No development shall take place beyond damp proof course (dpc) level until details of how and where at least 1 'rapid charge' Electric Vehicle (EV) charging point will be provided. The development shall be carried out in accordance with the approved details with the charging point(s) provided prior to first use of the development hereby permitted.
REASON: To promote sustainable modes of transport, to reduce impacts on air quality arising from the use of motorcars and in the interests of addressing climate change.
8. No development shall take place beyond damp proof course level until a detailed landscaping scheme identifying all existing trees, shrubs and hedges to be retained, together with the species, planting sizes, planting distances, density, numbers, surfacing materials and provisions for future maintenance of all new planting, including all areas to be grass seeded and turfed and hardsurfaced (in line with the principles contained in the landscape mitigation strategy) has been submitted to and approved by the Local Planning Authority in writing.
REASON: In order to secure the satisfactory appearance of the development; in the interests of the visual amenities of the locality.
9. The landscaping scheme, submitted under Condition 7, shall be implemented and completed within the first planting season following the completion of the development or as otherwise agreed in writing with the Local Planning Authority and shall be maintained in accordance with the agreed schedule. Any trees or plants which, within a period of five years from first planting, are removed, die or, in the opinion of the Local Planning Authority, become seriously damaged or defective, shall be replaced, within the next available planting season, with others of the same species, size and number as originally approved.

REASON: To ensure the provision, establishment and maintenance of a standard of landscaping.

10. Prior to the first occupation of the building hereby permitted details of all extraction and air-conditioning systems, including all associated external works to be installed shall first be submitted to and approved in writing by the Local Planning Authority. The details shall include the positions of any external works (including its shielding or screening), its purpose, any noise levels which its use would generate and how this would be measured. The development shall be carried out in accordance with the approved details prior to the first use of the building and shall be maintained thereafter to ensure that they operate effectively.

REASON: In order to protect neighbours from avoidable disturbance by noise and smells.

11. Prior to the first use of the building the areas shown on the approved plan for the parking and turning of cars and/or the loading, unloading and manoeuvring of vehicles shall be fully laid out and made available for use. These areas shall thereafter be retained and kept available for these purposes at all times.

REASON: In the interests of highway safety.

12. Construction of the development shall not commence until details of the repainting of the road markings on Coal Park Lane and details of the yellow background to be added to the existing signage on both sides of the humpback bridge on Coal Park Lane have been submitted to and approved in writing by the Local Planning Authority. The road markings and yellow backgrounds for the signage shall be fully implemented in accordance with the approved details prior to the construction of the development and shall be retained in perpetuity thereafter.

REASON: In the interests of highway safety.

13. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place between the months of October and March (inclusive).

REASON: To prevent any disturbance to overwintering birds.

14. No work on site relating to the construction of any of the development hereby permitted (Including works of demolition or preparation prior to operations) shall take place before the hours of 0800 or after 1800 Monday to Friday, before the hours of 0800 or after 1300 Saturdays or at all on Sundays or recognised bank and public holidays, unless otherwise first agreed in writing with the Local Planning Authority.

REASON: To protect the occupiers of nearby residential properties against noise and disturbance during the construction period.

15. The development shall be undertaken in accordance with the recommendations and phasing contained within the approved Construction Environmental Management Plan ref DD502R01/CEMP (version 3) dated 9/8/2021.

REASON: To provide ecological protection of the adjacent sensitive sites.

16. The implementation, phasing and maintenance of the SUDS shall be undertaken in accordance with the Landscape and Ecology Management Plan (appendix 1 of the CEMP) and the SUDS Water Quality Assessment provided by Flow Drainage Design dated 18.6.21 and shall be retained in accordance with the approved details.

REASON: To prevent contamination of the River Hamble.

17. The external lighting shall be undertaken in accordance with the details contained within the approved lighting plan drawing 21/2683/EX03 Rev P4 produced by itd consultants Ltd.

REASON: To provide ecological protection of the adjacent sensitive sites.

18. The use of the building hereby approved shall not take place other than between the hours of: -

- 07.00 -18.30 Mondays - Fridays
- 08.00 -16.00 Saturdays
- Not at all on Sundays or Bank/Public Holidays

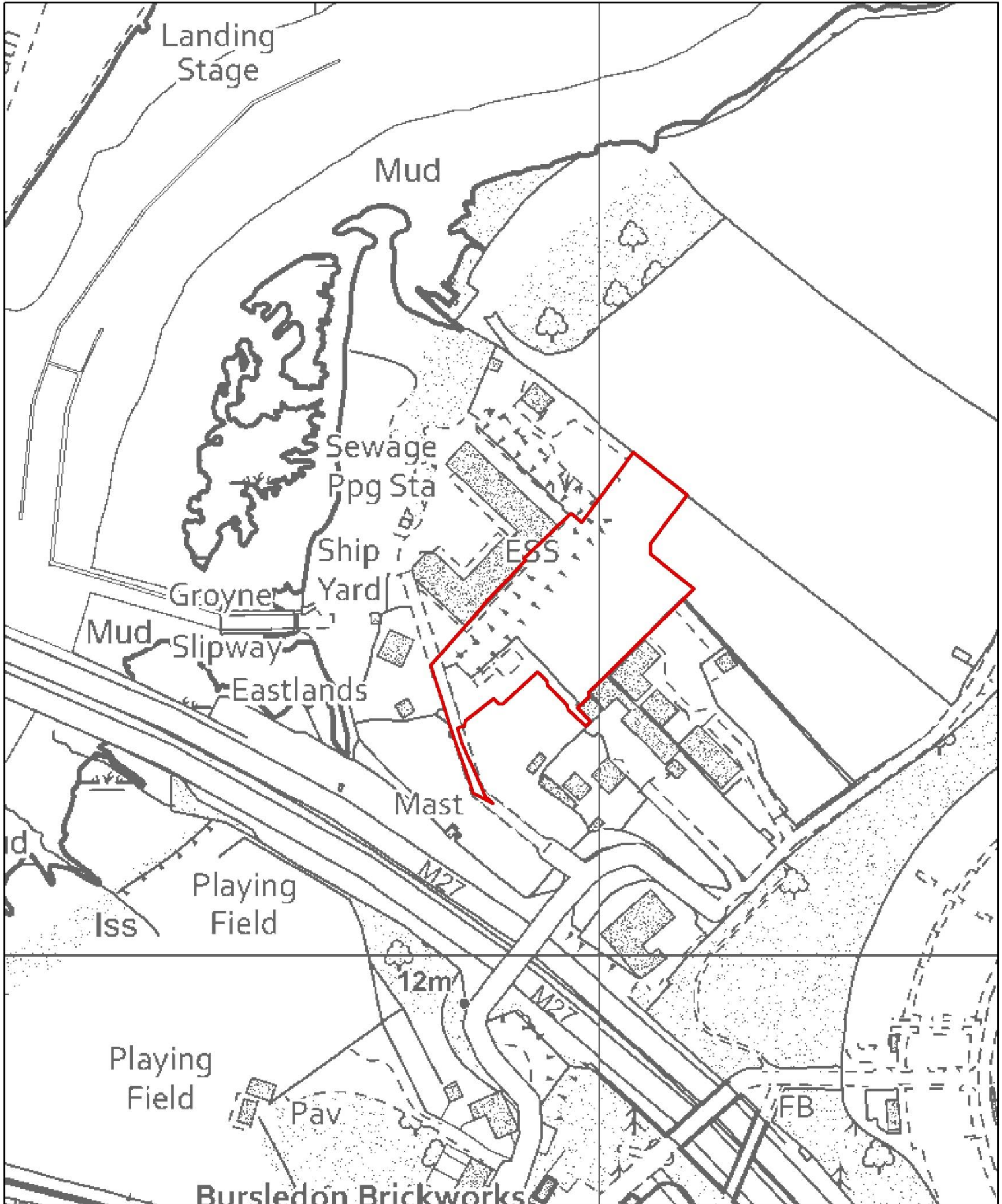
REASON: To protect the occupiers of nearby residential properties against noise and disturbance.

10.0 Background Papers

P/21/0786/FP

FAREHAM

BOROUGH COUNCIL



Unit 1, 23 Coal Park Lane
Swanwick
Scale 1:1250



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