
Site Address:	Stoke Farm Cottage, Northwood Lane, Hayling Island, PO11 0LR		
Proposal:	Application to determine whether prior approval is required for proposed bay extension to existing barn.		
Application No:	APP/21/00001	Expiry Date:	12/02/2021
Applicant:	Mr North		
Agent:		Case Officer:	Selina Donophy
Ward:	Hayling West		

Recommendation:

1 Site Description

Stoke Farm Cottage, Northwood Lane, Hayling Island, PO11 0LR

2 Planning History

00/56626/001 - Siting of mobile home to be used for agricultural workers dwelling, PERM,07/08/2000
96/56484/001 - Change of use from agriculture to public open space and the provision of an equipped play area, PERM,27/01/1997
93/56484/000 - Outline application for residential development, REF,25/11/1993
03/56626/002 - Renewal of temporary permission 00/56626/001 for the siting of a mobile home to be used as an agricultural workers dwelling., TPP,01/12/2003
06/56626/003 - Renewal of temporary permission 03/56626/002 for the siting of a mobile home to be used as an agricultural workers dwelling. , TPP,27/07/2006
07/56626/004 - Application to determine whether prior approval is required with respect to the siting, design and external appearance of a new barn to replace derelict buildings. , PARR,19/10/2007
07/56626/005 - New farm barn to replace derelict building. (Revised application). , PERM,04/01/2008
09/56626/006 - Renewal of temporary Planning Permission 03/56626/002 for the siting of a mobile home to be used as an agricultural worker's dwelling. , PERM,07/07/2010
APP/12/00024 - Rebuilding of agricultural barn adjacent to southern boundary of farmyard (part retrospective). Reduce branch of 1No. Black Poplar tree to south west by 4m and remove 2 small branches subject to TPO 1893., REF,04/05/2012
APP/13/00427 - Construction of additional bay to east of existing barn., PERM,15/07/2013
APP/13/00750 - Conversion and extension of existing disused barn and cart shed into new 3 bedroom house, with new vehicle and pedestrian access from Northwood Lane., PERM,15/10/2013
APP/14/00379 - Discharge of Conditions No. 2, 10 and 11 of Planning Permission APP/13/00750., PERM,06/05/2014
APP/14/00794 - Remove epicormic growth from main stem and large scaffold limbs to eastern, north eastern and south eastern aspects of 1No. Black Poplar (T1), the tree subject to TPO 1893., PERM,29/09/2014

3 Proposal

Application to determine whether prior approval is required for proposed bay extension to existing barn.

4 Policy Considerations

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

Havant Borough Local Plan (Allocations) July 2014

DM23 (Sites for Brent Geese and Waders)

Havant Borough Pre Submission Local Plan 2036

E17 (Solent Wader and Brent Goose feeding and roosting sites)

Emsworth Neighbourhood Plan Post Examination Version 2020

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Councillor Clare Satchwell - Hayling East

No comment

Councillor I Scott Hayling West

No comment

Councillor Joanne Thomas

No comment

County Ecologist, Strategic Environmental Delivery

Dear Selina,

APP/21/00001 | Application to determine whether prior approval is required for proposed bay extension to existing barn. | Stoke Farm Cottage, Northwood Lane, Hayling Island, PO11 0LR 21.0049

Thank you for consulting me on this application.

The proposal is for an extension to an existing barn structure situated within a working yard. The application locations falls within part of Site H54 of the Solent Waders &

Brent Goose Strategy. H54 is classified as a Low Use site, supporting small numbers of birds on some occasions. The overlap between the application site and Site H54 is presumably a mapping error and I would not consider the existing farm yard as being suitable bird habitat. On that basis I would not raise any concerns in relation to impacts, direct or indirect, from the proposed development.

If you have any queries please don't hesitate to contact me.

- HRA screening requested

Natural England Government Team

Construction Environment Management Plan – Further Information

The proposals have the potential to affect the SPA and SPA functional land, which forms part of a network of terrestrial sites located outside of the Solent SPAs boundaries used by SPA species (including qualifying features and assemblage species) as alternative areas for roosting and foraging. These sites support the functionality of the designated sites and are therefore protected in this context.

The sites in proximity (H54 & H60L) are classed as a 'Low Use site' and a 'Secondary Supporting site'.

Natural England advises that a Construction Environmental Management Plan (CEMP) should be submitted which identifies the steps and procedures that will be implemented to avoid or mitigate constructional impacts on the Solent & Southampton Water SPA, Ramsar and the SPA's functional land mentioned above.

The CEMP should include and address the following impacts:

- Noise and vibrational impacts
- Visual screening (for SPA birds)

The CEMP should ensure there is no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

This detail should be included in the Appropriate Assessment to ensure there is no adverse impact from the construction work on the adjacent designated sites and its functional land.

6 Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 0

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received:

Comment	Officer Comment
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7 Planning Considerations

7.1 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) Siting and external appearance

(i) Principle of development

The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

7.2 The proposed building is permitted under the General Permitted Development Order 2015 Part 6, Class A - the carrying out on agricultural land comprised in an agricultural unit, of 5 hectares or more, of development consisting of (a) works for the erection, extension or alteration of a building, which are reasonably necessary for the purposes of agriculture within that unit.

The GPDO sets a number of requirements for development to be permitted and these are considered in relation to the current scheme below:

Development is not permitted by Class A if:

(a) the development would be carried out on a separate parcel of land forming part of the unit which is less than 1 hectare in area;

The applicant has indicated that the parcel of land where the development is to be located is 1 hectare or more.

(b) it would consist of the erection or extension of any agricultural building on an established agricultural unit (as defined in paragraph X of Part 3 of this Schedule) where development under Class Q or S of Part 3 (changes of use) of this Schedule has been carried out within a period of 10 years ending with the date on which development under Class A(a) begins;

Class Q relates to Agricultural buildings to dwelling houses permitted development.

This criteria has been met.

(c) it would consist of, or include, the erection, extension or alteration of a dwelling; -
N/A

(d) it would involve the provision of a building, structure or works not designed for agricultural purposes;

The building is designed for agricultural purposes.

(e) the ground area which would be covered by:

(i) any works or structure (other than a fence) for accommodating livestock or any plant or machinery arising from engineering operations; - (the building is not for these purposes) or

(ii) any building erected or extended or altered by virtue of Class A, would exceed 1,000 square metres, calculated as described in paragraph D.1(2)(a) of this Part;

D.1(2)(a) states:

an area "calculated as described in paragraph D.1(2)(a)" comprises the ground area which would be covered by the proposed development, together with the ground area of any building (other than a dwelling), or any structure, works, plant, machinery, ponds or tanks within the same unit which are being provided or have been provided within the preceding 2 years and any part of which would be within 90 metres of the proposed development;

The ground area covered by the proposed development would not exceed 1000 m².

(f) the height of any part of any building, structure or works within 3 kilometres of the perimeter of an aerodrome would exceed 3 metres;

It is noted that Thorney Island is relatively close to this part of Hayling Island, on which there is an aerodrome. The distance to the runway and surrounding area is over 3km and it is considered that this requirement will therefore be met.

(g) the height of any part of any building, structure or works not within 3 kilometres of the perimeter of an aerodrome would exceed 12 metres;

The building would not exceed 12m.

(h) any part of the development would be within 25 metres of a metalled part of a trunk road or classified road;

No part of the development would be within 25m of a trunk or classified Road

(i) it would consist of, or include, the erection or construction of, or the carrying out of any works to, a building, structure or an excavation used or to be used for the accommodation of livestock or for the storage of slurry or sewage sludge where the building, structure or excavation is, or would be, within 400 metres of the curtilage of a protected building;

The applicant has confirmed that the building would not accommodate livestock or storage of slurry or sewage.

(j) it would involve excavations or engineering operations on or over article 2(4) land which are connected with fish farming; or

The proposal does not relate to fish farming.

(k) any building for storing fuel for or waste from a biomass boiler or an anaerobic digestion system;

N/A

(i) would be used for storing waste not produced by that boiler or system or for storing fuel not produced on land within the unit; or

N/A

(ii) is or would be within 400 metres of the curtilage of a protected building.

N/A

(ii) Siting and external appearance

- 7.3 The proposed materials would have juniper green walls and cladding box profile tin roof. This is considered to be acceptable as is the siting of the proposed siting of the building, within a working farm yard.

The application location falls within part of Site H54 of the Solent Waders & Brent Goose Strategy. H54 is classified as a Low Use site, supporting small numbers of birds on some occasions. This relates to policy DM23 of the Havant Borough Local Plan (Allocations) 2014, Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011, Policy E17 of the Pre-Submission Havant Borough Local Plan 2036, The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (as amended) and the National Planning Policy Framework.

Special Protection Areas and Special Areas of Conservation are defined in the Habitats Regulations as 'European Site'. The regulations regulate the management of the land within European sites requiring land owners /managers to have the consent of Natural England as the competent authority before carrying out management or construction within or within close proximity to the European site. The regulations define competent authorities to make an appropriate assessment of any plan or project which may impact a European site

The European Union (EU) Habitats Directive protects certain species of plants and animals which are particularly vulnerable. The Directive specifically relates to Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites known as Natura 2000 sites. The UK Habitats Regulations are used to implement the EU Directive and require a Habitats Regulations Assessment (HRA). The process of HRA involves an initial 'Screening' stage followed by an Appropriate Assessment (AA) if proposals are likely to have a significant (adverse) impact on a Natura 2000 site.

The County Ecologist has been consulted in regard to this proposal and has stated the following :

"The overlap between the application site and Site H54 is presumably a mapping error and I would not consider the existing farm yard as being suitable bird habitat. On that basis I would not raise any concerns in relation to impacts, direct or indirect, from the proposed development."

Due to the proximity to the protected species site and Article 3 of the GPDO which states that 'Permitted Development' is subject (amongst other matters) to the Conservation of Habitats and Species Regulations 2017 regulations and specifically regulations 10 'Duties in relation to wild bird habitat' and 24 'Assessment of implications for European Sites' of the Conservation of Habitats and Species Regulations 2017, an HRA screening report has been requested and undertaken by Havant Council in respect of the barn . This is the first stage of the HRA where potential impact on the European site is investigated - this requires consultation with Natural England which is currently underway. The screening process and outcome must take place before construction relating to this proposal may begin, under separate legislation. An informative is proposed to be attached to the decision setting out this additional conditional requirement - which sits outside of the prior approval considerations but nevertheless must be undertaken in order for the development to qualify as 'permitted development' under the GPDO.

Natural England have also requested that a Construction Environmental Management Plan (CEMP) should be submitted which identifies the steps and

procedures that will be implemented to avoid or mitigate constructional impacts on the Solent & Southampton Water SPA, Ramsar and the SPA's functional land mentioned above.

The CEMP should include and address the following impacts:

- Noise and vibrational impacts
- Visual screening (for SPA birds)

The CEMP should ensure there is no percussive piling or works with heavy machinery (i.e. plant resulting in a noise level in excess of 69dbAmax – measured at the sensitive receptor) to be undertaken during the bird overwintering period (i.e. October to March inclusive). The sensitive receptor is the nearest point of the SPA or any SPA supporting habitat (e.g. high tide roosting site).

This detail should be included in the Appropriate Assessment to ensure there is no adverse impact from the construction work on the adjacent designated sites and its functional land.

The proposed informative includes reference to the required CEMP report.

8 Conclusion

- 8.1 Whilst this proposal meets the General Permitted Development Order 2015 Part 6, Class A criteria, it is located within Site H54 of the Solent Waders & Brent Goose Strategy. Due to the proximity to the low use site, an HRA screening needs to be approved by Natural England under separate legislation under the Conservation of Habitats and Species Regulations 2017 before the development can lawfully proceed as 'permitted development'. This proposal is therefore acceptable subject to the approval of the Habitats Regulations Assessment under separate legislation.

9 RECOMMENDATION:

That the Head of Planning be authorised to for application APP/21/00001 subject to the following conditions

- 1 The development must be begun not later than 15 January 2026.
Reason: To comply with the requirements of the Town and Country Planning (General Permitted Development) Order 2015 as amended.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location plan received on the 15.01.2020
Application form received on the 04.01.2020

Reason: - To ensure provision of a satisfactory development.

