
Site Address:	Meadow Farm Nursery, Woodgaston Lane, Hayling Island, PO11 0RL		
Proposal:	Re-siting of scaffold yard approved under planning permission APP/18/01263.		
Application No:	APP/19/00785	Expiry Date:	25/10/2019
Applicant:	Mr Newell		
Agent:	Mr Jupp	Case Officer:	Bee Crawford
	Stephen Jupp MRTPI		
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 Meadow Farm Nursery is positioned to the north east of Hayling Island which is outside of the built up urban area. The site is located off Woodgaston lane which is single width carriageway and has one exit and entrance onto the site from this road. The wider Manor Road Nursery site is triangular in shape and consists of parking to the north with the nursery and cafe situated centrally on the site and the greenhouses/nurseries to the rear. A dwellinghouse is positioned to the south east of the application site and the scaffolding yard to which this application relates is positioned to the south west.
- 1.2 The scaffolding yard has been in use since at least 2017 and is operated and run by Mr P Newell who lives on site in the dwellinghouse. The site has modest operation hours from 7:30-16:00 Monday-Saturday and has one employee who lives in Hayling Island and is picked up daily to prevent excessive car use. One lorry enters the site daily.
- 1.3 The yard currently contains a scaffolding storage structure which was previously permitted under APP/18/01263 and is constructed of scaffolding with a corrugated metal used for the roof. The yard contains materials, poles and ladders and is situated on semi hard-surfaced land which has become compacted earth which is muddy over the winter months. Outbuildings are present to the south west corner beyond the application site which do not serve the scaffolding yard and polytunnels are located to the north (forming part of the nursery).

2 Planning History

APP/18/01263 - Continuation of use of land in south west corner of nursery as a scaffold yard., PERM,14/03/2019

3 Proposal

- 3.1 The proposal is for the re-siting of scaffold yard approved under planning permission APP/18/01263. The proposed new location is on the west side of the nursery where there is currently a poly tunnel.

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)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS2	(Employment)
CS20	(Transport and Access Strategy)
DM10	(Pollution)
DM12	(Mitigating the Impacts of Travel)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist, Havant Borough Council

No objection

Environmental Health Manager, Community Group

I have no adverse comments to make in relation to the re-siting of the current scaffold yard to its proposed new position on the above property.

I would however reiterate my previous comments under APP/18/01263, reference a condition as below:

Any permission granted to operate this business / or type of business i.e scaffolding, remains personal to the applicant only. Any expansion or sale to others would require further planning applications to be submitted, with relevant comment from this office.

I would also advise that the above does not in any way prejudice any action this office may be required to take at a future time, should it receive complaints of noise / smoke or light pollution, directly linked to the current occupying business of scaffold yard.

Hampshire Highways

It is clear the use already exists on the site of this farm and therefore is unlikely to generate any additional traffic. The supporting statement advises the level of traffic which is small. My only concern relates to that part of this site that is currently authorised for this use and would request it's use is returned to agricultural to save another business being established without recourse to the Local Planning Authority.

I therefore confirm the Highway Authority have no objection to this proposal.

Officer comment: condition recommended

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: 8

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 2

Comment	Officer Comment
1) as the application document and supporting documentation are not available for viewing on this site no reason is shown by the council as to why the business is to be changed at the nursery. This does not constitute proper nor appropriate consultation.	The plans and documents associated with this application are available for viewing on the Council's website.
2) the condition that Mr Newall occupies the residence at the site contravenes the condition that such house is only to be used as an agricultural workers dwelling.	The application is to re-site the existing scaffold yard which was permitted under APP/18/01263.
3) the continued development of Meadow Farm (which is predominantly no longer an agricultural business) is worrying. Retrospective permission for the use of a dwelling (rendering the restriction on the previous home there (see 2) above of no value) and the recent expansion of that second dwelling demonstrate that the Council officers are condoning this creeping change of use of the overall site.	Supporting information confirms that Mr Newall is the husband of one of the owners of the site.
4) until a cogent reason is given for the re-siting I wish to object.	The application is to re-site the existing scaffold yard which was permitted under APP/18/01263.
Mr Newell operates 2 vehicles from this site not one. A blatant lie.	Supporting information has been received advising the business operates a single lorry and a condition is recommended to adhere to this.

There is no functional need to re site the scaffold shed other than to make way for the development of the shed not pictured in the submitted photograph on the planning application.	Noted.
A large septic tank was installed at the property, you were informed but did not follow this up, I believe it's instillation was to work towards the development of a letting business for either holiday or private purposes.	This is not the subject of the current planning application.
No one was notified of any planning applications made by Meadow farm nursery and there was inadequate display at the premises of the aforementioned application. The letter attached to the main gate faces inwards and is unable to be read when the gates are shut. It's placing is such that it is barely noticeable when the gates are open.	The appropriate publicity was carried out by the LPA which included neighbour notification letters and a site notice.
The Nursery removed a poly tunnel and expanded the car park where the re-siting is now sort, no planning application was made however you were notified but again, no one followed this up.	This is not the subject of the current planning application.
Meadow Farm Nursery is not and has never been a farm. It was an agricultural field. It contains no "farm" buildings only sheds, greenhouses all erected without any permission. The only permission granted for outbuildings was for the poly tunnels.	Noted.
This site does not fall within the diversification of farm/agricultural bulidings .	Noted.

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) Impact upon the character and appearance of the area
- (iii) Impact upon residential amenity

- (vi) Employment/business matters
- (v) Highway matters
- (vi) Trees/Landscaping

(i) Principle of development

- 7.2 The application site is situated outside the urban area boundary as defined in the Development Plan and the land is therefore non-urban. Core Strategy policy CS17 seeks to concentrate development within the urban area. Policy AL2 states that land outside the defined urban area on Hayling Island is 'non-urban'.
- 7.3 The supporting text to policy AL2 recognises that there is established development outside urban areas on Hayling Island, however, development and expansion of these sites is limited to proposals which would enhance tourist facilities. This site is part of an established commercial nursery and does not represent new development on land beyond the existing wider site. The scale of the use is limited and well contained as discussed further below.
- 7.4 The NPPF provides guidance in relation to *supporting a prosperous rural economy* in paragraphs 83 and 84.

Paragraph 83 states amongst other matters that *Planning policies and decisions should enable:*

a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;

Whilst in this case the business is not within a building the business has been operating at a low level and is proposed to continue in this manner (as constrained by proposed conditions including a personal condition linked to the occupation of the adjacent dwelling). The use is understood to mainly serve Hayling Island and currently employs a local person.

Paragraph 84 states:

Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

In this case the use is understood to operate and serve the local area providing a community service. Whilst the site is not served by public transport, the applicant lives in the adjacent house, the business is of a scale that results in very limited vehicular movements and there is one other employee (who is currently picked up from home). On balance and based on the individual circumstances of this application it is considered that the use could be appropriate in this location providing that other development management considerations are appropriately addressed. These are considered below.

(ii) Impact upon the character and appearance of the area

- 7.5 The proposed new location of the scaffolding yard is located on the west side of the nursery site. The southern and eastern boundaries of the application site comprise mature trees and hedging with buildings and poly tunnels associated with the nursery to the north and east. Whilst the wider landscape is relatively flat and open this site itself is well screened from public view and is considered to not be visually prominent nor dominant.
- 7.6 The new location of the yard is open and viewable from within the nursery and includes a structure for storage together with parking for a lorry. Given the scale and position of the yard it is considered that the use would be well screened and the impact on the character and appearance of the area would be limited and acceptable.

(iii) Impact upon residential amenity

- 7.7 The scaffolding site is to be re-sited towards the rear (south) of the site on the western side and is set in excess of 120 metres away from the nearest residential property. Given the modest size and location of the yard together with limited hours of operation, the works are considered to result in an acceptable neighbourly relationship.
- 7.8 The Council's Environmental Health Team have been consulted in relation to the proposal and have raised no objection. It has, however, been requested that as per the previous application granted under APP/18/01263 a condition is included with any decision to ensure that any permission granted is to Mr P Newell only in association with his occupation of the property on site at Meadow Farm Nursery. The application includes details of the way that the site is operated and used by the applicant and this is relatively low key. It is considered necessary to include a personal condition to ensure that the business is linked to Mr Newell who lives at the nursery.
- 7.9 In order to control expansion and noise, activity, pollution and vehicular movements in relation to the use of the scaffolding yard it is also considered necessary to include conditions with the decision in relation to its use, the hours of operation and that no floodlighting is used unless permission is sought by the Local Planning Authority. This would ensure that an acceptable relationship with the Nursery and surrounding neighbours are retained and protected.

(vi) Employment/business matters

- 7.10 The agent has reported that a single additional person is employed by the business (in addition to the applicant) who lives on Hayling Island and is picked up every day such that they do not drive to site. This low level of employment reflects the relatively limited nature of the business whilst providing employment. This aspect is considered beneficial to employment whilst not resulting in unacceptable levels of activity at the site.

(v) Highway matters

- 7.11 The sites access leads onto Woodgaston Lane at the north of the nursery site to which there is only one exit and entrance. Although it is noted that this road is single carriageway, no objection to the proposal has been made by the Highways Authority. Information submitted as part of the application advises P R Newell operate only a single lorry between 7:30- 16:00 Monday- Saturday and therefore, on balance, it is

considered that a highway objection to the proposal could not be sustained. A condition to control the amount of vehicular movement is considered to be necessary and appropriate in order to ensure an acceptable impact on the highway and to ensure a sustainable development given this non-urban location. The supporting letter submitted with the application sets out the level of movements and it is recommended that development is conditioned to be carried out in accordance with the submitted details.

- 7.12 Concern was raised regarding the future use of the land vacated by the scaffolding business. Therefore a condition is recommended for this land to revert back to agricultural use in association with the existing business.

(vi) Trees/Landscaping

- 7.13 There are a number of mature trees along the southern boundary of the site, some of which are subject to TPOs. However the proposed re-location of yard is approximately 45 metres from this boundary. Furthermore, the site is already semi hard-surfaced and it is not considered that the proposed re-siting of the yard is likely to result in additional impacts on the existing trees. The Arboricultural Officer has been consulted and raises no objection.

8 Conclusion

- 8.1 In conclusion, whilst the proposal consists of re-siting a small scale scaffolding business from Meadow Farm Nursery outside of the urban area, permission was originally granted under APP/18/01263. It is considered that the site is self-contained visually and public views are limited. The use is operated by Mr P Newell who lives on site and this can be controlled via condition. Subject to appropriate conditions it is considered that the impact of this use can be sufficiently mitigated and planning permission can be recommended.

9 **RECOMMENDATION:**

That the Head of Planning be authorised to **GRANT PERMISSION** for application APP/19/00785 subject to the following conditions

- 1 The re-sited scaffold yard hereby approved shall not be open for business, receipt or dispatch of vehicles/equipment excepting between the following hours:

Monday to Saturday between 7:30 hours and 16:00 hours.

There shall be no working on Sundays and Bank Holidays.

Reason: In the interests of the amenities of residential properties beyond the site, to mitigate noise emanating from the site and having due regard to policies CS16 and DM10 of Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 2 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987, (as amended) and any Town and Country Planning (General Permitted Development) Order, the premises shall only be used as for storage and distribution of:

Vehicles and equipment relating to Scaffolding.

and for no other purposes within Class B8 of the above Use Classes Order unless otherwise agreed in writing by the Local Planning Authority.

In addition, no retail trade shall take place at the site.

Reason: To accord with the terms of the application in the interests of limiting vehicle movements and noise to nearby residents and to prevent unacceptable impacts on local roads having due regard to policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The re-sited scaffold yard hereby approved shall be carried out, operated and maintained thereafter in accordance with the details contained within the supporting letter from Mr Stephen Jupp dated 2 August 2019 unless otherwise agreed in writing by the Local Planning Authority.

The letter sets out details in particular in relation to the following matters:

- Storage
- Vehicles / vehicle movements
- One single lorry to be used for the scaffolding business
- Use
- Employment

Reason: To accord with the terms of the application in the interests of sustainability, limiting vehicle movements and noise to nearby residents and to prevent unacceptable impacts on local roads having due regard to policies CS16, CS20 and DM12 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 No floodlighting or other form of external lighting scheme shall be installed unless it has been approved by the Local Planning Authority. Such details shall include: location, height, type and direction of light sources and intensity of illumination. Any lighting scheme agreed in writing by the Local Planning Authority shall not thereafter be altered without prior consent other than for routine maintenance, which does not change its details.

Reason: To protect the occupants of nearby residential properties from light disturbance / pollution and in the interests of preventing impacts on wildlife having due regard to policies CS11, CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 5 This permission shall enure for the benefit of Mr P Newell only whilst resident at Meadow Farm Nursery, Hayling Island and the use hereby permitted shall

be discontinued on the date when Mr P Newell ceases to occupy the property.

Reason: In the interests of the amenities of the locality and sustainability having due regard to policies CS2, CS16 and CS17 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.

- 6 The area of land vacated as a result of the re-siting of the scaffold yard shall revert to agricultural commercial nursery use in association with the existing business only and not used for any other purpose unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the locality and sustainability having due regard to policies DM12, CS20, CS16 and CS17 of the Havant Borough Core Strategy 2011 which forms part of the Local Development Framework and National Planning Policy Framework.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drg no. 1C Location plan

Drg no. 2C Block plan

Supporting letter from Mr Stephen Jupp dated 2 August 2019

Reason: - To ensure provision of a satisfactory development.