

**Permitted Development Class Q
Agricultural Buildings to Dwellinghouses**

**Northney Farm Buildings
St Peters Road Hayling Island PO11 0RX**



Aerial View Looking West (Via Google Earth) – Site Outlined in Red

Class Q – Agricultural Building to dwellinghouse



The applicants Mr J Pike and Ms V Hill are applying for consent under Class Q within the 2015 No.596 Town and Country Planning, England, The Town and Country Planning (General Permitted Development) (England) Order 2015 and the 2016 No.332 (amendment) for (1) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) and (2) building operations reasonably necessary to convert the building referred to in Class Q paragraph (a) to a use falling within Class C3 (dwellinghouses).

Previous Prior Approval Application Ref APOP/17/00983

A previous application was made to Havant Borough Council on 5th September 2017 but was refused on 17th October 2017 on two reasons:

1. *The proposed development would introduce a residential use adjacent to a working farm, including livestock buildings, barns and tanks. The access to the building is also through a working farmyard. This would result in an unacceptable living environment for future residents by reason of noise, smell, fumes and activity all in close proximity to the building and its curtilage. The proposal is therefore considered to represent an impractical and undesirable change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order and would conflict with policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*
2. *The proposed development would result in alterations to traditional farm buildings which are considered to represent a heritage asset. The alterations proposed and in particular the number and positioning of new windows including rooflights are considered to be harmful to the character and appearance of the buildings. Furthermore, the application does not include details of the structural condition of the buildings and the extent of likely repairs/rebuilding that would be required to convert the buildings. It is therefore not at this stage possible to conclude that the works could be carried out without substantial re-building works which would further detract from the character and heritage of the buildings. Taken together the proposal is considered to be harmful to the character of the buildings by reason of the design and external appearance proposed. The development therefore conflicts with policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.*

This updated statement covers the items cited in reasons 1 and 2 along with the updated application drawings.

Reason 1: The buildings which are to be converted to a dwelling house are located on the Northern edge of the site and are accessed via an existing farm access point off St Peter's Road. The farm known as Northney Farm has three existing access points off St Peter's Road,

- (i) Western Edge (Northern Boundary) which provides access to the application site and the Farms Site Office. This access is also used by the occupants of the dwelling known as The Old Workshop, which has it's principal elevation in Northney Lane. This access point also provides the parking amenity area for No.'s 1 and 2 Northney Cottages, which have no frontal parking areas.
- (ii) Western Edge (Southerly Boundary) has two further existing access points. The most Southerly access provides the principal access to and around the Farm, along with access to the car park that operates with the Northney Farm Tea Rooms. The more central Southerly access point provides Farm access to the central cattle and livestock buildings.

As illustrated on the submitted aerial image of the site, the two Southerly access points will remain the principal farm ingress and egress points, with the Northerly access point becoming access only for the Farms Site Office, Northney Cottages and The Old Workshop Dwelling vehicular parking and access point, along with the application dwelling site.

A new internal gate is to be provided as noted on the aerial image. This is to prevent general farm access thus safeguarding the amenity space and access of the dwellings. A gate has been proposed to close off the day to day access route.

The circular blue grain silo South of the site is not used, but has been retained as an important asset of the farm and it's history.

The proposed site area is to remain connected to the farm as a whole rather than sold off as an independent dwelling due to the applicant Mr James Pike having a family interest in Northney Farm which is also closely connected to the Northney Tea Rooms (run and owned by the applicant). The Tea Rooms are a key farm diversification and enhances the overall economic running of the farm which has been in existence for many years. The applicants mother Mrs Mary Pike owns Northney Farm and still has an active management role in running the farm along with her immediate family.

The applicant is well ad versed in the operations at Northney Farm and currently resides in one of the Northney Cottages and as such is very familiar with the sounds and smells of a farm environment. Mr Pike takes an interest in the Farm as it also provides produce to the Tea Room located immediately to the South of the farm.

It is therefore presented, along with the amendments that the proposal by the applicant, Mr Pike, who is fully ad versed in the history, understanding and association with Northney Farm along with the daily activity and living in and around a farm environment does not constitute an impractical and undesirable setting for a dwelling for the applicant due to their history, understanding and association with Northney Farm. There is no intention of splitting the site from the Northney Farm and as such would not be in conflict with policy CS16 and DM10. The proposal offers a sustainable alternative use of the existing building stock and an ideal location for the applicant.

Reason 2 for refusal covers aspects of the external apperance of the building along with the structural integrity of the structure to withstand the change of use to a dwelling without substantial re-building.

We understand that the Borough considers the buildings represent a heritage asset and a locally listed building. Whilst para 135 of the NPPF has an effect on the proposal it should be noted that the buildings (group of) are not being demolished but are being refurbished to allow their continued existence. It must be emphasised that unless a sustainable use can be agreed for the old farm building then the buildings due to lack of use will fall into dis-repair and would ultimately require replacement. The applicant is keen to preserve the buildings and ensure their continued use albeit in a different use. Due to modern farm activities the buildings no longer have a sustainable and purposeful use due to their internal size, limited head room and general accessibility issues for farming activities, which is why the proposal is to change the use to a dwelling.

As mention previously the applicant has a keen interest and family history in the farm and living within the vicinity of the farm. The proposal has been reviewed in light of the comments made by the Conservation Officer and a number of alterations made to the external appearance, namely the reduction in domestic fenestration, with the removal of the roof lights to the single storey structure and a large reduction of the roof lights to the two storey element. The introduction of a small number of conservation roof lights is inevitable due to the change of use and it is felt that these do not significantly harm the asset. They can be installed and if necessary removed retrospectively in the future without major intervention of the principle structural elements of the roof or structure. It is felt that the bulk of the external appearance has been maintained, i.e. slate roofs, painted masonry finish, shape and structure of the buildings and a number of the existing openings, thus keeping the feel of old farm assets.

A lot of traditional agriculture/stable buildings are being lost due to a lack of use and maintenance, which doesn't add any value or quality to an area. By changing the use the form of the building both internally and externally can still be read. This is because the basic structural format remains unaltered. The openness of the main single storey agriculture/stable is being maintained with the existing support trusses still open to view with no physical internal walls. To a degree this is also similar within the two storey structure, except the first floor area has been sub-divided. Whilst the clear openings to the agriculture/stable have been infilled it is still evident where these are due to the retainment of the key structural elements and as such the form of the building is maintained.

On the South Elevation the existing openings have been utilised to form the backbone of the new structure, with only a short section infilled with horizontal timber cladding. The Western Elevation has been formed within the primary structural form of the existing framework. The East Elevation has a new opening at ground floor which replaces an existing window opening. The basis of the revised application noted above respects the aspiration's of para 135 NPPF and therefore secures the primary structural asset for future generations.

The applicant has considered in depth the constraints that the current asset has in regards of overall shape and layout and the proposed use has been fitted within the current structural layout. It is put forward that the changes proposed are in the spirit of para 126, 131 and 134 NPPF

Written description of the Proposed Development.

The proposal is to convert the existing “L” shaped masonry constructed single and 2 storey cattle and storage buildings at Northney Farm St Peter’s Road Hayling Island PO11 0RX into a single Class C3 Dwelling House with associated amenity garden space and private parking area as detailed on the proposal drawings reference 17-1181. The proposal for the four bedroom detached dwelling utilises the masonry structure and slate pitched roof of the existing building stock.

The gross internal floor space of 280m² is split over two floor levels with the majority being located on the ground floor with the accommodation being contained within the confines of the existing walls and roof structure.

The first two bays of the steel frame barn building is to be demolished to allow a greater divide between the retained farm building and the proposed dwelling. The façade of the barn (West Elevation) and its doors will then be replaced on the third frame, replicating the current arrangement, albeit that this access will not be used as an active access point for the structure.



Front Elevation of Barn

West Elevation



Interior of Barn (1st Two Bays Removed)

View Looking Northwards

Third
Frame.
New door
& wall
position

The exterior materials are similar to those already in use on the building and therefore deemed appropriate for the setting and consist of:

- (i) Painted and unpainted brickwork
- (ii) Timber windows and doors
- (iii) Conservation style rooflights
- (iv) Infill timber horizontal overlap cladding
- (v) Slate roof with a red ridge and hips

It is proposed to re-slate the current roof with similar style slate and renew the hip / ridge members to match existing profile and renew the gutters and downpipes. Whilst the roof structure is in good condition the slates are starting to show signs of age. A number of new roof lights are to be installed to the two storey structures South and West elevations. Roof light sizes vary depending upon location and elevation and are proposed to be of a conservation style meaning they complement the current building.

Where the existing large openings exist a timber framing system is to be employed to infill these with timber framing and the external cladding will be of an overlapping rustic timber, either left natural or stained black.

Internally the floors existing concrete floors are to be insulated and waterproofed, albeit some local releveling and minor repairs may be required, but due to the nature of their current usage the slabs are expected to be thicker than normal concrete slabs, resulting it more adequate capacity for the proposed use.

To ensure the dwelling has sufficient private amenity space and separation from the farm, a new boundary fence with a pedestrian access gate is to be construction along the Southern Boundary with an open area. to accommodate the parking area for three cars. This amenity area equates to an area of 187m², which originally formed part of the farms from access yard. A further amenity area is located to the rear (West) of the two storey section of the buildings and this equates to an area of 153m². This rear area is only accessed via the converted building and ensures a private space to the rear of the property.

With regard to services power and water are available and a foul water drainage connection is available within the current service yard

Structural Appraisal of the existing Asset

A Separate assessment report by H J Concepts Ltd who are experienced Structural Engineers. The executive summary concludes:

"It has be established through a site visual inspection that the buildings intended for conversion and change of use are of permanent construction, not in a derelict state of repair and are suitable for the proposed use indicated on the proposed application drawings without substantial reconstruction of the primary structural elements"

Views of the Existing Agricultural Buildings



West Elevation



South Elevation



East Elevation



South Elevation



South Elevation



East Elevation



Requirements of Class Q, Q1, Q2 and Procedure W

A number of responses to the requirements of these paragraphs have been added in **bold blue** text and serve as evidence of compliance.

Permitted development

Class Q – agricultural buildings to dwellinghouses

Permitted development

Q. Development consisting of—

(a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

Development not permitted

Q.1 Development is not permitted by Class Q if—

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins;

Pass – The buildings in question has been solely utilised for agricultural purposes before, on and after this date

(b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres; **The proposed area for the change of use is 280m² (Gross Internal Floor Area)**

(c) the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds 3; **A Single Residential Dwelling is proposed.**

(d) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

The proposed change of use area and buildings are not under a tenancy agreement

(e) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

The proposed change of use area and buildings are not under a tenancy and no agreement has been terminated to enable this proposal

(f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i) since 20th March 2013; or

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

No residential dwellings in current Agricultural Buildings

(g) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point; **No buildings extends beyond the existing building envelope**

(h) the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; **No previous Class Q approval and proposal under 450m²**

(i) the development under Class Q(b) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse ;and

(See 17-1181 drawings)

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i); **(See drawings)**

(j) the site is on article 2(3) land; **Proposed Site is not on article 2 (3) land**

(k) the site is, or forms part of—

(i) a site of special scientific interest; **Pass - Not SSSI**

(ii) a safety hazard area; **Pass - Not within a safety hazard area**

(iii) a military explosives storage area; **Pass - Not within a military explosives storage area**

(l) the site is, or contains, a scheduled monument; or **Pass - Site does not contain a scheduled monument**

(m) the building is a listed building. **Pass - Building is not listed**

Conditions

Q.2—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development, **Site has direct access to the Public Highway (St Peter's Road), via concreted splayed non gated access area. The access which is currently used daily by the farm and a neighbouring residential property, will become the**



View of Access point onto St Peter's Road

principal access for the dwelling and the existing residential and office buildings with the farm use concentrated on the existing two Southerly Access points. Refer to aerial image and access flow arrows. The farm also has a second and third access route off St Peter's Road, which will become the principle access points.

- (b) noise impacts of the development,

The site runs parallel to the rear gardens of the residential properties in Northney Lane, therefore no adverse harm or impact on neighbouring properties. With regard to any noise and smells the applicant is historically linked to the farm and it's environment and as such is familiar with living within this type of environment.



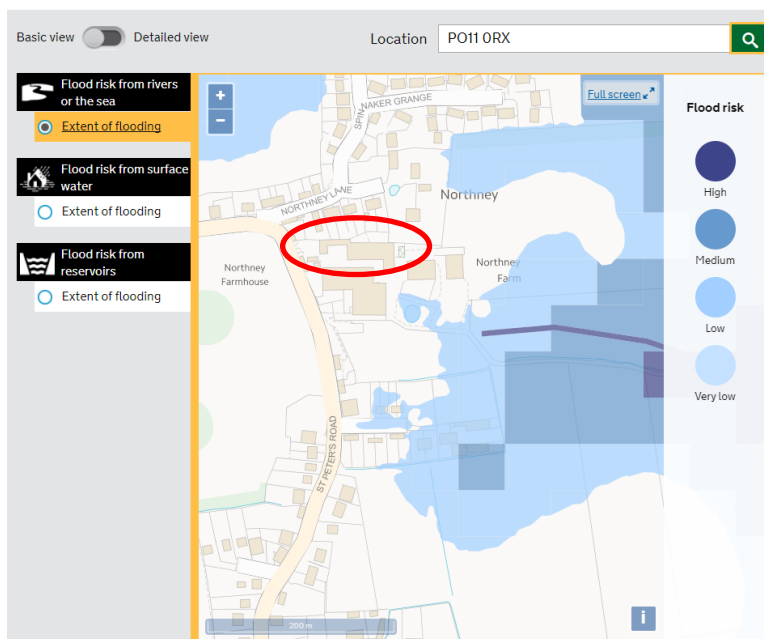
- (c) Contamination risks on the site,

The Site is not known to be contaminated and has been used for agricultural purposes. The buildings have internal concrete slabs and the external yards also contains a concrete hardstanding. An unpaved area exists to the West of the Site to the rear of the two storey section, but this area is not an active farm area. Prior to commencement of works and in accordance with procedures set out by the HSE for construction works and the

wellbeing of construction staff tests will be undertaken to ensure that no items of harm are encountered. Should any health items be found then all works will cease until a fuller investigation and mitigation strategy has been put together and the Councils Environmental Officer consulted.

(d) flooding risks on the site,

Passed, No Flood Risk (Site within Red Oval). The site is within a flood zone 1 and therefore no additional flood risk statement is required. *Image taken from Gov.uk - Flood Map for Planning*



(e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,

The site is in a practical location to be considered for a change of use to C3 Dwelling house, with direct highway access and availability of prime services such as power, water, telecommunications and drainage. With regard to desirability the proposal is not located in an area that would be classified as undesirable due to the close neighbouring residential properties that boarder the current farm site and

(f) the design or external appearance of the building,

The external appearance and material usage is considered acceptable in the current setting with no elements that would be classed as incongruous with the setting or existing environment, or harmful to the neighbouring properties and structures.

and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

The necessary information under paragraph W (2) a-e, has been either provided at the start of this statement or within the application form submitted as part of the package.

(2) Where the development proposed is development under Class Q(a) only, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

Under this overall application as to whether prior approval is required both parts (a) and (b) have been considered

(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.

This is a performance condition and the applicant is aware of the wording.

Conclusion

The proposal here submitted to Havant Borough Council (HBC) is deemed to contain sufficient information that complies with the Class Q permitted Development and the procedure laid out in Paragraph W Part 3, thus enabling HBC to determine the application.

In essence:

- (i) The works do not include any extensions, beyond the existing envelope**
- (ii) The works are classed as Permitted Development under Q.1**
- (iii) The site is in a practical and desirable location**
- (iv) The site is not in a FZ 2 or FZ 3 area**
- (v) No tenancy agreements have been cancelled**
- (vi) Not within items listed in clauses (j-m) in Paragraph Q.1**
- (vii) The proposal is permitted development under the clauses in paragraph Q.2**