

# DELEGATED OFFICER REPORT

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|-------------------|-------------------------------------------------------------|---------------|------------|
| Site Address:     | Eastney Farmhouse, St Peters Road, Hayling Island, PO11 0RT |               |            |
| Proposal:         | Listed building consent to re-roof existing dwelling.       |               |            |
| Application Type: | Listed Building Consent                                     |               |            |
| Application No:   | APP/24/00867                                                | Expiry Date:  | 03/01/2025 |
| Applicant:        | Mr Griffin                                                  |               |            |
| Agent:            | Mr Hebden                                                   | Case Officer: | Jennie Fox |
|                   | Hebden Design Studio                                        |               |            |
| Ward:             | Hayling West                                                |               |            |

Recommendation: **GRANT LISTED BUILDING CONSENT**

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## 1 Site Description

- 1.1 Eastney Farmhouse, St Peters Road, Hayling Island, PO11 0RT is a Grade II listed building to the east of St Peter's Road. The main dwelling was first listed in 1984 and the oldest part of the house dates back to 1620. The main dwelling is a detached two storey property comprising two storeys with smooth rendered walls and a high ridged barn hipped roof with dormers to both sides and finished in clay tiles. The main property features a small front porch with a pitched roof. The site also comprises a later ancillary building adjacent to the north boundary of the rear garden known as 'The Pigsty' and a garage and driveway to the south of the site and accessed from St. Peter's Road.
- 1.2 The area immediately surrounding the application site comprises a narrow strip of residential development between agricultural fields. The properties to the north, south, and east are of modern design and North Hayling Recreation Hall is immediately opposite the application site. The application site lies outside of the St. Peter's Conservation Area, however the general character of predominantly detached buildings within substantial grounds, and grass verges to the road without pavements still applies to the locality.

## 2 Planning History

96/51439/010 - Listed Building Application for pitched roofs over existing flat roofed dormers to east and west elevations of house and south elevation of piggery (cottage), replace upper windows on house and retile utility room roof, WD,27/07/1996  
96/51439/011 - Pitched roofs over existing flat roofed dormers to east and west elevations of house and south elevation of piggery (cottage), WD,05/08/1996  
96/51439/012 - Listed Building Application for rebuilding of existing flat roof dormers on east and west elevations and repair of roof of lean to structure on north elevation, PERM,25/10/1996  
90/51439/006 - Proposed Chalet Bungalow with integral garage., PERM,  
90/51439/007 - Proposed Chalet bungalow., PERM,14/11/1990  
93/51439/009 - Replacement of roof light at rear., PERM,21/09/1993  
APP/19/00995 - Listed Building application for demolition of existing porch and construction of replacement porch to Eastney Farmhouse. Replacement fenestration to ancillary building 'The Pigsty'. PERM,20/12/2019  
APP/20/00246 - Amendments to fenestration in approved porch, UNK,

APP/20/00253 - Listed Building Consent for amendments to fenestration approved as part of APP/19/00995., PERM, 18/05/2020

APP/24/00901 - Construction of new building link between main house and ancillary building. Currently under consideration.

APP/24/00902 - Listed Building Consent for construction of new building link between main house and ancillary building. Currently under consideration.

### **3 Proposal**

Listed building consent to re-roof existing dwelling.

### **4 Policy Considerations**

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Local Plan (Core Strategy) March 2011

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

CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)

Emsworth Neighbourhood Plan Post Examination Version 2020: N/A

Listed Building Grade: Grade 2

Conservation Area: Not applicable.

### **5 Statutory and Non Statutory Consultations**

**Conservation Officer**

**Site / Location**

The application site comprises a detached dwelling – Eastney Farmhouse which is a Grade II listed building (listed in 1984). The building is considered to be of historic and architectural significance and includes the following listing description from Historic England:

‘House. C17, with C18 details. Stucco, with a tile roof. Long building of 1 storey and attic, 4 windows. Prominent ½-hipped roof, 2 flat-roofed dormers with cills at eaves level. 1 casement, 3 French windows. Later doorway has an oval canopy, ½ glazed double door, with narrow side windows. The rear has painted brick walling, small cambered openings, and 4 dormers’.

To the rear of the building, within the private rear garden, is a detached annexe building which has been converted to living accommodation with rooms within the roof, including 2no. flat roof dormer structures.

## Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

### **Planning (Listed Building and Conservation Areas) Act 1990**

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act") requires local planning authorities to have **special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest** when considering whether to grant listed building consent.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which **affects a listed building or its setting**, the local planning authority or, as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a **Conservation Area**, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

### **National Planning Policy Framework (revised December 2024)**

Chapter 16 of the NPPF relates to the Historic Environment including paragraphs 195 – 214. The building subject to this application is not listed but is deemed to be a non-designated heritage asset (as set out in the introduction) and therefore the following paragraphs are most relevant to the determination of this application:

Para 212 states that:

*'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.*

Para 214 states that:

*'Where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development'.*

Para 215 states that:

*'Where a development proposal will lead to **less than substantial harm** to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.*

## **Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)**

### **Policy CS11 – Protecting and Enhancing the Special Environment and Heritage of the Havant Borough**

Policy CS11 (4) states that planning permission will be granted for development which:

*‘Protects and where appropriate enhances the borough’s statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest’.*

### **Policy CS16 – High Quality Design**

Policy CP16 (1a) of the Core Strategy states that:

*‘Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:*

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site’.
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.

### **Policy DM20 (Allocations Plan) - Historic Assets**

Policy DM20 states that;

‘Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.

2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

### **Assessment**

The proposal is to re-roof the property following its poor state of repair. The Heritage Statement (HS) submitted with the application advises the following:

- *'The roof is in a poor state of repair with a large proportion of the tiles failing due to frost damage.*
- *The lead soakers around the front dormers and chimneys are failing allowing water ingress into the upper floor of the dwelling. The proposed works comprise carefully stripping the roof with the attendance of a qualified ecologist. Existing battens and F1 type felt is to be removed.*
- *Existing salvageable tiles set aside, assumed approx. 70% retained.*
- *New breathable felt installed and F1 felt where required due to the presence of bats to be installed. New battens gauged to suit existing tiles.*
- *Reinstall existing tiles while supplementing with tiles to match colour and texture.*
- *Renewal of all lead works to dormers and chimney upstands.*
- *Reinstall existing gutters.*
- *To ensure a cohesive appearance, the existing tiles will be carefully removed and stacked to be blended with the reclaimed tiles in a ratio of approx. 70/30 (30% reclaimed)'*

Given that some of the tiles will need to be replaced (approximately 30%), a photograph showing the proposed reclaimed tiles has been provided with the HS. This shows a sample of a traditional clay tile, which has an aged appearance which is in keeping with the existing roof tiles, most of which are to be reused.

Overall, the approach set out within the HS is deemed to be acceptable in that the proposal to re-roof the building in the manner proposed, would not result in harm to the architectural significance of the designated heritage asset.

The proposal therefore meets the tests set out in Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and the relevant sections / policies of the revised NPPF and the adopted Local Plan.

### **Conclusion**

NO OBJECTION

**Councillor Jonathan Hulls**

No comments received.

**Councillor Paul Gray**

No comments received.

**Councillor Wilf Forrow**

No comments received.

**Ecologist, Planning Policy Team**

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Thank you for consulting me on this application.

The application is accompanied by a Bat Activity Survey Report (Daniel Ahern Ecology, August 2024). During an initial visual inspection in June 2024, the main building was considered to offer high potential for supporting roosting bats based on a high number of potential roost features such as gaps beneath roof materials. Following this assessment, a total of three bat emergence surveys were carried out in summer 2024 during which an estimated eleven bats of three species were observed emerging.

This development will affect bats, which receive strict legal protection under UK law by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (commonly referred to as the Habitats Regulations). Where development affects a European protected species (EPS), permission can be granted unless the development is likely to result in a breach of the Habitats Regulations and is unlikely to be granted a licence from Natural England to allow the development to proceed under a derogation from the law.

- Will the development result in a breach of the EU Directive? Yes, the proposed roof replacement works would result in the disturbance of bat roosts.

- Is the development unlikely to be licensed?

An EPS licence can only be granted if the development proposal is able to meet three tests:

1) the consented operation must be for 'preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?; (Regulation 53(2)(e))

2) there must be 'no satisfactory alternative? (Regulation 53(9)(a)); and

3) the action authorised 'will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range? (Regulation 53(9)(b)).

It is for you as the case officer to assess the proposals against the first two tests - you may wish to ask for further information from the applicant but if the proposed development is acceptable in planning terms then it is assumed that these tests are passed. In order to assess the development against the third test, sufficient details must be available to show how killing / injury of bats will be avoided and how the loss or damage to bat roosts will be compensated. A mitigation strategy has been provided, detailing specific measures to avoid harm to bats during the construction works and to provide compensatory roosts and enhancement features within the development. I would support these measures and, on the basis of the information currently available, and if you are satisfied that the first two tests can be met, I am confident that the development is not unlikely to be licensed. I would recommend that LPA's engagement with the Habitats Regulations is detailed in your report. The proposed works will require a European Protected Species mitigation licence from Natural England. It is the responsibility of the applicant and their appointed agents to ensure that this licence is obtained and its conditions implemented.

Provided that the agreed mitigation proposals are implemented, I would have no concerns over these proposals. If you were minded to grant permission, I would suggest that the measures are secured through condition.

Development shall proceed in strict accordance with the ecological avoidance, mitigation, compensation and enhancement measures as detailed in the Bat Activity Survey Report (Daniel Ahern Ecology, August 2024) unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

**Officer Comment:** *The recommended condition has been included, and the need for a licence will be added by way of informative on the decision.*

## 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: 1

Statutory advertisement: 22/11/2024

Number of representations received: 0

| Comment               | Officer Comment |
|-----------------------|-----------------|
| No comments received. |                 |

## **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 on the listed building
- (iv) Impact on European protected species

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria. In this case the proposal includes works to a Listed Building. The proposal must therefore be assessed against the relevant parts of the Planning (Listed Buildings and Conservation Areas) Act 1990 and this assessment is made below. The proposal is to re-roof the existing dwelling.

(ii) Impact on the listed building

7.3 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

7.4 Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 seeks to protect and where appropriate enhance listed buildings.

7.5 Section 16 of the NPPF is applicable. Paragraph 208 of the NPPF 2024 requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.

7.6 The significance of Eastney Farmhouse, which is a Grade II Listed Building, lies in its retention of 17th Century features. The listing entry is as follows; *House. C17, with C18 details. Stucco, with a tile roof. Long building of 1 storey and attic, 4 windows. Prominent ½-hipped roof, 2 flat-roofed dormers with cills at eaves level. 1 casement, 3 French windows. Later doorway has an oval canopy, ½ glazed double door, with narrow side windows. The rear has painted brick walling, small cambered openings, and 4 dormers.*

7.7 In terms of the impact of the proposals on the heritage asset, the conservation officer has provided comprehensive comments which, for brevity, will not be repeated but are set out within the consultation response above.

7.8 The conservation officer comments that overall, it is considered that these works will not harm the historical or architectural significance of the designated heritage asset. As such, the conservation officer raises no objection to the proposal.

- 7.9 The proposal is therefore considered to be acceptable and would not result in harm to the significance of the Listed Building, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core strategy) and Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iv) Impact on European protected species

- 7.10 It has been established that the proposed roof replacement works would result in the disturbance of bat roosts. However, it is considered that the proposed works are likely to be granted an EPS licence as they are specifically for repair and maintenance and are therefore deemed to have met the two tests set out in Regulation 55(2)(e) and Regulation 55(9)(a) of The Conservation of Habitats and Species Regulations (2017). It is noted that failure to carry out the repair works is likely to result in further loss of habitat as the roof would continue to degrade.
- 7.11 A mitigation strategy has been provided, detailing specific measures to avoid harm to bats during the construction works and to provide compensatory roosts and enhancement features within the development. The council's Principal Ecologist was consulted and has confirmed that the proposed measures are considered satisfactory, meeting the requirements of the Wildlife and Countryside Act 1981 (as amended) and the Habitat Regulations (2017).

## **8 Conclusion**

- 8.1 It is considered that the proposal preserves the character of this Grade II Listed Building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies CS11 & CS16 of the Havant Borough Local Plan (Core Strategy) 2011, and Policy DM20 of the Havant Borough Local Plan (Allocations) 2014.
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## 9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT LISTED BUILDING CONSENT** for application APP/24/00867 subject to the following conditions

- 1 The works must be begun not later than the expiration of three years beginning with the date of this consent.  
**Reason:** To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The external materials used shall match, in type, colour and texture, those of the existing building so far as practicable.  
**Reason:** In the interests of the amenities of the area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.
- 3 Development shall proceed in strict accordance with the ecological avoidance, mitigation, compensation and enhancement measures as detailed in the Bat Activity Survey Report (Daniel Ahern Ecology, August 2024) unless otherwise agreed in writing by the Local Planning Authority.  
  
**Reason:** To provide ecological protection in accordance with the Environment Act 2021, Conservation Regulations 2017, Wildlife & Countryside Act 1981, NPPF, NERC Act 2006 and Policy CS11 of the Havant Borough Core Strategy March 2011.