
Site Address:	Land to south of Victoria Road, Hayling Island		
Proposal:	Erection of timber buildings for the use of pheasant rearing.		
Application No:	APP/15/00902	Expiry Date:	03/03/2016
Applicant:	Mr Silvestor	Team:	Team 1
Agent:	Mr P Walker	Case Officer:	David Eaves
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

Land to south of Victoria Road, Hayling Island.

The site is located to the South of Victoria Road, East of Havant Road and North of Mill Close. The site is outside the Built up Area and within Flood Zone 3. The boundaries are generally well screened with hedges/scrubs and trees. The site is relatively flat. To the east are stable buildings and the surrounding land appears to be being used for horse grazing and small scale vegetable growing.

Access is via a track running south from Victoria Road which passes Rose-Marie a dwelling fronting Victoria Road. There are other properties to the south of the site 172, 170 and to the west 174 Havant Road.

2 Planning History

None relevant

3 Proposal

Erection of timber buildings for the use of pheasant rearing.

The applicant has provided further information in relation to the process:

*Max young pheasant will be in two batches of 500 (1000 in total).
Keeping of birds to be six to eight weeks per batch.*

*They will not crow and are virtually silent until they are eighteen to twenty weeks (cock birds only) so they will be gone to various shoots that I run and am involved in, well short of the 18-20 weeks from commencement of vocal crowing.
At 8 -10 weeks they are small and take up only a small proportion of land, so contamination of the ground will be limited, cleansed and tidy for the remainder of the year from October to April.*

*Only electric fence around compound. One strand of wire, nine inches above ground.
No slaughter or selling of meat will be conducted from the premises.*

*I have kept the site tidy, yet rural.
Kept as many trees as possible, but the land proposed section must produce some income and I think game rearing (peasant) is one of the cleanest and shortest duration of use, on that particular land.*

All farm or equestrian activities involve animal feed, so rats and mice will visit from time to time, but as rearing takes place in spring and summer, feed for vermin is abundant in surrounding fields. Standing wheat, drilled peas and barley etc. The need for them to visit farm buildings is reduced for several months. Obviously the feed store will be made vermin proof.

4 Policy Considerations

National Planning Policy Framework

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
DM10	(Pollution)

Havant Borough Local Plan (Allocations) July 2014

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Southern Water

Sewer records show approx position of a public foul sewer crossing the site (exact position of public sewers must be determined on site by applicant before layout finalised).

Might be possible to divert public foul sewer, so long as this would result in no unacceptable loss of hydraulic capacity and work carried out at developers expense to satisfaction of SW.

Diversion information provided.

Alternatively, the applicant may wish to amend the site layout, or combine a diversion with amendment to site layout.

Surface water drainage is via watercourse.

Environmental Health

Contamination/Air Quality

As regards air quality, the scale of the operation is such that there are no tangible air quality concerns.

Contamination

With respect to contamination, 2005 aerial photography shows an area of woodland / scrub in the SW corner of the site, with probable sheeted stockpiled storage (possible ash deposit), a collection of small buildings / temporary structures & other stored

agricultural materials. 1946 photography indicates that the Western portion of the site is brownfield - structures present at this date probably correspond to land immediately South of Rose-Marie which comprised a built structure that is shown on the 1970 OS map issue (use unknown).

General agricultural use carries risk of contamination presence - particularly metals, fuels / oils, pesticides and asbestos, typically associated with the immediate vicinity of agricultural buildings / yard (e.g. materials storage & plant maintenance areas, dips etc.).

Where a degree of contamination is present, however direct human exposure rates are likely to be generally low (occupational) while land remains in agricultural use. Significant risks to human health are more likely under a "residential with private gardens" scenario, though as site sits upon granular raised marine deposits (permissive of migration) wider environmental risks, or risks to nearby residents cannot be entirely ruled out without collection of empirical data from the site.

At this point there is some uncertainty over the history of the application site & the risk that might be associated with it's history & environmental context.

I am also mindful of the scale of development - that groundwork comprising only shallow excavations for post supports & concrete slabs, and that the proposed structures represent a continuation of a non-sensitive agricultural use. In this way the buildings proposed,

- a) don't significantly alter the risk profile of the site, and;
- b) would not significantly hamper the ability to deal with contamination in future, if subsequently found to be present.

Given the above, it is not considered reasonable to require a proactive investigation of the land as a condition of this scheme (should it gain consent). Investigation of ground quality should however be a requirement of any comprehensive redevelopment of the site (or other introduction of a pollutant/contaminant sensitive land use at the site), in order to confirm it's suitability & the degree (or absence) of risk to adjacent property .

Informative requested.

Environmental Impacts

I have read the documents attached and have no adverse comments or objections to this application going ahead.

Environment Agency

Having assessed the planning application with regard to the development type and location of the proposal, we can confirm that we have no bespoke comments to make as this application is minor development in Flood Zone 3.

Development Engineer - Highways

No adverse comments

Hampshire Biodiversity Information Centre

On site/within 50m - Protected and Notable Species - Divided Sedge, Sea Wormwood, Slender Thistle.

On site - Wader and Brent Goose Strategy

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: 5

Number of site notices: 1

Statutory advertisement: Not applicable.

Number of representations received: Objections 6 (7 names)

Summary:

Existing problem with rat infestation in our garden directly west of site, concerned this will get worse.

Bird Noise

Smell

Fumes

Rearing normally in woods and not appropriate for residential areas.

Rats, foxes & carrion birds will infest.

Waste

Impact on residential amenity

Welfare of birds

Operation of the pheasant rearing questioned

Flies

Wet site

Use of buildings outside of the pheasant rearing season?

Impact on health

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
- (iv) Flood risk/sewers
- (v) Environmental impact
- (vi) Contamination

(i) Principle of development

The application site is situated outside the built up area. The proposal is for a use that is for the breeding of birds for sport and this is not generally classed as an agricultural purpose. It is however considered that the use is compatible with a location outside the built up area and would not be excluded in principle.

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

The proposal is for the erection of building and pens comprising grain store, open shed, brooder huts and netted pens. The building would be utilitarian in character as could be expected for the type of use proposed with green metal sheeting (taller walls and roof) and plywood walls to the lower sections of the building.

The site is relatively well screened by boundary vegetation and existing boundary treatments such that the site is not easily viewed from public vantage points notwithstanding the fact that a public footpath runs to the south of the site. It is considered that the proposed screening would help to assimilate the development into its setting which is also adjacent to existing stable development such that its impact on the wider landscape would be very limited and acceptable subject to final approval of materials/finishes.

(iii) Impact upon residential amenity

The site is located close to a number of residential properties as set out in the site description above.

It is considered that the impact of the use on the residential amenities of nearby residents is the principle issue in the determination of this planning application. In this regard, consultations have taken place with Environmental Health and further information has been sought from the applicant. Environmental Health have assessed the proposals and the response from the applicant and have concluded that they have no adverse comments or objections to this application going ahead. The principle concerns identified during the process and from third party objections are considered below:

Noise:

The proposal relates to the rearing of pheasants for sport. The main source of any noise from pheasants comes from the crowing of adult male birds. The applicant has provided information in support of the application stating that the maximum young pheasant accommodated will be in two batches of 500 (1000 in total). The birds would be kept on site for 6-8 weeks per batch. The male birds will not crow until they are eighteen to twenty weeks and they will have left the site long before that point. The birds would not be accommodated on site between October in one year to April the next.

It is considered appropriate to restrict the operation of the use to be in accordance with the details contained in the applicants letter in order to avoid significant noise issues to neighbours.

Smell/fumes

The applicant has provided information in relation to the operation of the unit and the relatively short duration of the use of the site for accommodating birds (between May-September). It is recognised that there are other stable buildings in the vicinity which are likely to have a similar impact to the nearby residents. Environmental Health raise no objections to the proposal.

Vermin/flies

In relation to these matters, these are issues that can occur in relation to many agricultural or related uses such as stables, indeed it has been stated that there have

been issues in the past in this area. The grain store would be secure and vermin proof. The use of the building for pheasant rearing would take place in the summer months only and issues in relation to any potential impacts on residents would be addressed through Environmental Health.

It is not considered that a refusal of planning permission could be justified in this case in relation to potential impacts on neighbouring residents.

(iv) Flood risk/sewers

In relation to flood risk, the site is located within flood zone 3a and is for a minor development in the less vulnerable category. Using the EA Flood Zone and Flood Risk Matrix this type of development is classed as appropriate.

The site is crossed by a sewer as identified by Southern Water. An informative is attached in relation to the potential impacts of this feature on the proposed scheme.

(v) Environmental impact

The site is located close to the Langstone Harbour SSSI and Pound Croft Field SINC. The site is also adjacent to a Solent Wader and Brent Goose Strategy Site. The proposal is small in scale and it is not considered that the proposed development and use would be likely to have an unacceptable impact on these areas. The site is also within 50m of protected and notable species of plant, again it is not considered that these are likely to be impacted by the proposal.

(vi) Contamination

In relation to contamination, the proposal has been assessed by Environmental Health, given the nature of the construction and the use of the building/site it is not considered that the proposal raises unacceptable contamination issues.

8 Conclusion

In conclusion, the proposed development is considered acceptable in principal and represents a use that is appropriate for the non urban area. The proposal would have an acceptable impact on the character and appearance of the area. The impact on neighbouring residents has been assessed in some detail and it considered that subject to the imposition of conditions the development is unlikely to result in unacceptable impacts on neighbours. Environmental Health have raised no objections to the proposals. In relation to flood risk the proposal is considered appropriate. Environmental and contamination issues have been assessed and the development is considered acceptable.

9 **RECOMMENDATION:**

That the Executive Head of Planning and Built Environment be authorised to **GRANT PERMISSION** for application APP/15/00902

(A) subject to the following conditions

- 1 The development must be begun not later than three years beginning with the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsary Purchase Act 2004.

- 2 The use of the building and pens hereby permitted shall be operated in accordance with the details submitted in the letter from Mr M.G. Silvester received 28th September 2015.

Reason: In the interests of the amenities of nearby residents and in particular to ensure that the birds reared at the site are not resulting in additional noise nuisance associated with adult male pheasants, that the operation is limited to the parameters of the application and having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 The building and pens hereby permitted shall be used for pheasant rearing between the months of May to September in any one year and at no other times.

Reason: To accord with the terms of the application and in the interests of the amenities of nearby residents having due regard to policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples of the materials to be used externally on the building have been submitted to and approved in writing by the Local Planning Authority. Such details shall include the type, colour and texture of the materials. Only the materials so approved shall be used, in accordance with any terms of such approval.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

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

Site/Location Plan received 4th January 2016
Proposed Elevations received 17th August 2015
Proposed Layout received 17th August 2015
Section Drawing received 17th August 2015
Letter from Mr M G Silvester received 28th September 2015

Reason: - To ensure provision of a satisfactory development.