

DELEGATED OFFICER REPORT

Site Address:	Former site of, 108-110 Elm Grove, Hayling Island		
Proposal:	Non Material Amendment of Planning Permission APP/22/00132 to simplify the roof structure (to align scheme with previously consented design under APP/20/00015) and relocation of approved substation from northern to southern boundary with consequential amendments to car parking layout and landscaping.		
Application Type:	Non-material change		
Application No:	APP/23/00816	Expiry Date:	26/12/2023
Applicant:	Mr Luke Leleu Hamlet Homes		
Agent:	Mrs Maria Wright MH Architects Limited	Case Officer:	Steve Weaver
Ward:	Hayling East		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site, 108-110 Elm Grove is located on the eastern side of Elm Grove within settlement limits. This part of Elm Grove comprises a secondary frontage within the Gable Head District Centre as defined in the adopted Havant Borough Local Plan (Allocations), and is characterised by ground level retail development with residential and office space above, predominantly two-storey in height.
- 1.2 A detached retail and showroom building at 112 Elm Grove, flanks the site to the north west while the grounds of The British Legion Club flank the site to the north east. A tall telecommunications mast and ground unit lie just to the rear of No 112.
- 1.3 A site access road off Elm Grove, running west-east, skirts the southern edge of the development and separates the site from a Veterinary practice at 104-106 Elm Grove to the south. The access road is to be retained and upgraded and will afford access to a car park to be constructed in the space between the two new buildings.
- 1.4 A tall Leyland Cypress boundary hedge, demarcates the eastern rear boundary of the site with allotment gardens beyond.
- 1.5 The original site buildings comprising a retail frontage and a cluster of other buildings to its rear have been demolished subsequent to the grant of full planning permission APP/20/00015, as amended by APP/22/00132, for redevelopment of the site for mixed retail/residential use. Redevelopment work is well advanced at the site, with the external shell of the new buildings largely complete but with external groundworks and internal fittings still under way.

2 Relevant Planning History

APP/20/00015 - Demolition of retail unit and associated outbuildings and construction of a 3 storey building consisting of 1No retail unit with 4No one bedroom flats fronting Elm Grove and a 3 storey, sheltered housing, building consisting of 19No one bedroom and 20No two bedroom assisted living accommodation with associated car parking and external works to the rear. Request to discharge conditions 12 (construction method statement) & 15 (foul and surface water drainage) received 15/02/2022. Request to discharge conditions 6, 7, 8 and 9 (received 23/05/2022). **Permitted 18/03/2021.**

This represents the original permission for comprehensive redevelopment of the site, and relates to two separate planning units within the overall site - a sheltered housing block to the rear of the site; and a retail unit with flats above on the Elm Grove frontage itself.

APP/22/00132 - Variation of condition 2 of Planning Permission APP/20/00015 (Demolition of retail unit and associated outbuildings and construction of a 3 storey building consisting of 1No retail unit with 4No one bedroom flats fronting Elm Grove and a 3 storey, sheltered housing, building consisting of 19No one bedroom and 20No two bedroom assisted living accommodation with associated car parking and external works to the rear) relating to variation to approved plans to allow for (i) Proposed FFL of main, assisted living housing block raised by 450mm, to facilitate the sewer connection to existing below ground drainage system; and (ii) Southeast corner of main roof cantilevered to ensure buildability - the floor plans at lower levels are un-affected by this change. (Approved 22/12/2022) Request to Discharge Condition 16 (27/02/23). Request to Discharge Conditions 4,5,13 & 14 (03/10/2024). **Permitted 22/12/2022**

This variation of condition application related to changes to the design and appearance of the sheltered housing block; as a S73 application, however, it resulted in a fresh permission for the entire site and it is this permission that is proposed to be amended under this Non Material Amendment application.

3 Proposal

- 3.1 This application proposes a Non Material Amendment of Planning Permission APP/22/00132 in respect of the following matters:
 - (i) to simplify the roof structure of the sheltered housing block (to align scheme with previously consented design under APP/20/00015);
 - (ii) relocation of the approved substation from its originally approved position adjacent to the northern boundary to the rear of the retail unit, to an alternative location adjacent to the southern boundary behind the adjacent Veterinary practice; and
 - (iii) consequential amendments to car parking layout and landscaping arising from the substation relocation.
- 3.2 No changes are proposed to the footprint of the approved sheltered housing block; nor to the footprint of the retail/flatted block to the Elm Grove frontage.

Approved layout:



Proposed layout:



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

CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
CS4	()
CS9	(Housing)
DM11	(Planning for More Sustainable Travel)
DM13	(Car and Cycle Parking on Residential Development)
DM2	(Protection of Existing Community Facilities and Shops)
DM7	(Elderly and Specialist Housing Provision)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)

Havant Borough Local Plan (Allocations) July 2014

HY1	(Hayling Island Housing Allocations)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL3	(Town, District and Local Centres)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Listed Building Grade: Not applicable.

Conservation Area: Not applicable.

5 Planning Considerations

- 5.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application.
- 5.2 Notwithstanding the above the Council has carried out neighbour notification in this case in respect of the relocation of the substation from the northern to the southern boundary, whereby all properties adjoining the new location were notified of the proposed change. No representations were received in respect of the proposed change.
- 5.3 The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining whether the proposal is a 'non-material' amendment. Having regard to the relevant policies of the development plan it is considered that the main issues arising from this application which are relevant to that assessment are:
 - (i) Principle of development
 - (ii) Appropriateness of design and impact on the character of the area
 - (iii) Effect on neighbouring properties
 - (iv) Parking and servicing provision

(i) Principle of development

- 5.4 The application site is located within the defined urban area. The proposal is a non-material amendment application with a comprehensive redevelopment of the site to deliver a sheltered housing block to the rear of the site and a retail unit with flats above on the Elm Grove frontage having previously been permitted under APP/22/00132 (which amended the earlier permission APP/20/00015). The principle of development is therefore well established on this site, and the proposed changes do not affect the nature of the uses previously approved.

(ii) Appropriateness of design and impact on the character of the area

- 5.5 The application proposes three key changes to the scheme previously approved under APP/22/00132:

- (i) to simplify the roof structure of the sheltered housing block (to align the scheme with the previously consented design under APP/20/00015);
- (ii) relocation of the approved substation from its originally approved position adjacent to the northern boundary (to the rear of the retail unit), to an alternative location adjacent to the southern boundary behind the adjacent Veterinary practice; and
- (iii) consequential amendments to car parking layout and landscaping arising from the substation relocation.

Roof structure alteration

- 5.6 The changes to the roof structure of the sheltered housing block are subtle and do not result in a significant alteration to the elevations of the sheltered housing block. The window positions and detailing of the block remain largely as approved, whilst the overall height and bulk of the block remains as approved. It is principally at roof level that the changes will be evident, with some simplification in roof slopes and breaks in roof slope that reduce, if anything, the overall roof bulk. The changes in this respect are not considered to adversely affect the quality of design of the approved scheme, nor its impact on the character of the area.

Substation relocation

- 5.7 The approved scheme makes provision for an electricity substation to serve the development, located on the northern boundary of the site in the car park behind the retail unit and flatted block. The applicants have advised that for technical reasons following dialogue with Southern Electric, the substation instead is proposed to be relocated to the southern boundary in the area behind the adjoining Veterinary practice building. The appearance of the substation is not proposed to be altered, only its location.
- 5.8 The revised location for the substation is to some extent less visible within the overall scheme, being recessed behind the blank elevations of the Veterinary practice building. As such the effect of the change on the character of the area is a benign one.

Amendments to car parking and landscaping

- 5.9 The revised substation location has resulted in the need for revisions to the layout of the site in the areas where it was previously to be located, as well as the area where it is now proposed to be located. Overall, however, the level of car parking provision and servicing arrangements remain as originally approved.
- 5.10 In the area where the substation was previously to have been located - adjacent the northern boundary behind the retail unit and flatted block - a new landscaping bed has been provided which will be of benefit to the overall character of this part of the site. The area where it is to be relocated to was predominantly hardsurfacing in the approved scheme; however in order to maintain access to the car parking spaces adjacent to this new location a minor realignment of parking spaces has taken place together with a minor reduction in the central planting bed. This is however compensated for by a larger planting bed being created adjacent to the revised site of the substation.
- 5.11 Overall the balance of landscaping and hard surfacing is considered to be comparable with the approved scheme, and should result in no adverse impacts to the character of the area.

(iii) Effect on neighbouring properties

- 5.12 As discussed above, the revisions to the roof design are subtle with window positions and detailing of the block remaining largely as approved, including the overall height and bulk of the block. The alterations are not considered to have a material impact on neighbouring properties.
- 5.13 With regards the revised location of the electricity substation, the new location is set some distance from the neighbouring residential properties in Palmerston Road and for properties to the south in Elm Grove the site is to some extent screened by the much larger building bulk of the existing Veterinary practice building. The neighbouring properties adjoining the revised location have all been notified of this application and no representations have been made. Overall it is considered that the effect of the proposed change is modest - it is unlikely to lead to any adverse impact to neighbouring properties and can therefore be considered as non-material.

(iv) Parking and servicing provision

- 5.14 As stated above, despite the changes to the layout proposed, the level of car parking provision and servicing arrangements remain as originally approved. The changes are not considered to give rise to a material impact in these terms.

6 Conclusion

- 6.1 The proposed alterations to the roof structure, substation location and car parking and landscaping layout are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.
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7 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00816 subject to the following conditions:

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

Proposed Site Plan 19-030-0101-P04
Proposed Elevations 19-030-008-P8
Proposed Elevations 19-030-009-P8
Ground Floor Plan 19-030-005-P7
First Floor Plan 19-030-006-P7
Second Floor Plan 19-030-007-P7
Roof Plan 19-030-004-P5
Sections 19-030-011-P9
General Arrangement and Planting Plan 2008-PP-100 Rev B

Reason: - To ensure provision of a satisfactory development.

- 2 The landscaping works shown on the approved plans - General Arrangement and Planting Plan 2008-PP-100 Rev B - shall be carried out in accordance with the approved details and within the first planting season following first occupation of the development hereby permitted, unless otherwise agreed in writing with the Local Planning Authority. Any trees or shrubs planted or retained in accordance with this condition which are removed, uprooted, destroyed, die or become severely damaged or become seriously diseased within 5 years of planting shall be replaced within the next planting season by trees or shrubs of similar size and species to those originally required to be planted, unless the Local Planning Authority gives its consent in writing to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and having due regard to policies CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.