

DELEGATED OFFICER REPORT

Site Address: 63 Sinah Lane, Hayling Island, PO11 0HJ
Proposal: Variation of conditions 2 and 3 of APP/21/01301 to regularise as built changes to external materials and fenestration.
Application Type: Variation/Relief of Condition
Application No: APP/24/00679 Expiry Date: 14/11/2024
Applicant: Mr Edwards
Agent: Sarah Roberts Case Officer: Selina Donophy
 Critchley Architecture And
 Design (CAAD) Ltd
Ward: Hayling West

Recommendation: **GRANT PERMISSION**

1 **Site Description**

This application site comprises a two storey, detached dwellinghouse located on the east side of Sinah Lane, Hayling Island. This property had a half hipped roof with flat roof dormers to the front and rear elevations . The front entrance is glazed , adjacent to a hipped back gable to the front elevation. To the rear is a flat roof rear extension. There is a garage located to the front of the property , alongside space for vehicle parking and a lawned area .

2 **Planning History**

APP/21/01301 - Hip to barn hip roof extension. Proposed front dormer. Proposed front extension and porch. Proposed single storey rear extension with external alterations , PERM,11/02/2022

3 **Proposal**

Variation of conditions 2 and 3 of APP/21/01301 to regularise as built changes to external materials and fenestration.

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)

Havant Borough Local Plan (Allocations) July 2014

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

5 **Statutory and Non Statutory Consultations**

Councillor Jonathan Hulls

No comment received

Councillor Paul Gray

Correspondence received

Councillor Wilf Forrow

No comment received

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: 7

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

Number of representations received: 3

Comment	Officer Comment
summary of objection :	
- The plans are incorrect and do not reflect what has been constructed	The planning officer is satisfied that the new window placements on the plans reflect what has been constructed.
- The floor plans are higher in reality than shown in the section drawing	It has been confirmed with the applicant that this is not the case. The floor level was already in place from the existing dormer.
- The two cabrio windows result in severe overlooking	Please see 'Planning Considerations' section of the report
- No previous overlooking from existing dormer as these were obscure glazed	The windows have already been agreed in principle under APP/21/01301 - It is understood that the rear dormer bedroom windows was previously clear glazed .
Applicant not adhering to Planning process by beginning unauthorised work	It is noted that the applicant had not built as approved however the Enforcement Team have investigated this breach and have followed the correct process in referring the applicant to put forward a

	planning application to regularise the works . It is not for the Enforcement Team to decide if something would get planning permission, only to investigate breaches, therefore it is correct for the proposal to be evaluated by the Planning Team under a planning application.
Councillor comments on behalf of resident (non ward councillor)- summary of these comments : - Plans incorrect - Overlooking from the rear -Misleading of the Planning Team by submitting drawings which are wrong .	Please see response to comments above.
The first concern relates to the plans (APP/24/00679) submitted for a bungalow conversion to a house at 63 Sinah Lane. With this application the plans submitted showed first floor windows of an entirely different configuration to those that have been installed. As a result the occupant of [Redacted] is now subject to intrusive overlooking and lack of privacy. The original plans- subject to the Planning Application - provided for retention of the neighbour's privacy with no intrusive over-looking.	Please see 'Planning Considerations' section of the report and comments made above.

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) Appropriateness of design and impact on the character of the area
- (iii) Effect on neighbouring properties

- (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.

7.3 An application for the alterations which have been undertaken to the dwelling were approved under application reference APP/21/01301. This application approved the following changes : *Hip to barn hip roof extension. Proposed front dormer. Proposed front extension and porch. Proposed single storey rear extension with external alterations* . Following construction it is understood that some elements of the build do not reflect the approved plans. These elements include the materials used - the

approved materials include light grey cedar cladding to the top half of the front gable wall and dormers . The fenestration has also been altered, with alterations to several windows as discussed in the section below.

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

- 7.4 This proposal seeks to vary conditions 2 and 3 of APP/21/01301 to regularise as built changes to external materials and fenestration. The cladding to the dormers and top half of the front gable wall would be changed from the approved light grey cedar cladding to slatted composite cladding in natural timber colour. It is noted some of the cladding has now been implemented . There are also several changes to windows which have taken place and of which form part of the changes to fenestration - these include changes to the design of several of the windows on the front elevation as well as one of the windows on the south elevation. Changes to the windows on the rear elevation include the removal of one of the rear dormer windows and the change of the design of the rear dormer windows - the cabrio windows have also been moved down the roof slope from the previously approved position .
- 7.5 In relation to the changes to materials, the composite cladding in natural timber colour is considered to be acceptable - whilst it does contrast somewhat with the colour of the roof tile, it is not deemed to be harmful to the host dwelling in appearance . In addition it would not be highly visible from the public realm to the rear of the site. From the front of the site the property is set back from the highway and the materials would not be harmful to the streetscene. The alterations to the windows would not result in any harm to the dwelling and the changes to these are deemed to be acceptable in appearance within the context of the existing property.
- 7.6 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.7 To the north of the application site is the adjacent property, no 61 Sinah Lane . The impact of the previous proposal was established under APP/21/01301 with the following comments made by the case officer :

To the front there would be a door/window within the proposed porch and new windows on the ground floor. At first floor level there would be a window serving the proposed front dormer and a window in the proposed front extension. Due to concerns with overlooking into the private amenity space of No.61 Sinah Lane it has been conditioned for the window within the front dormer to be obscurely glazed.

It is understood that the windows in the front dormer have been obscure glazed as per the condition imposed. The other changes proposed under this variation of condition are not deemed to result in any further impact to no 61 Sinah Lane.

- 7.8 Directly to the rear of the site is no 42 B St Catherines Road . The impact of the previous proposal was established under APP/21/01301 with the following comments made by the case officer :

To the rear there would be a door and a window within the proposed rear extension and lanterns on the roof. Due to the existing screening along all sides and facing out

onto the rear garden it is not considered to cause harmful overlooking. At first floor level there would be two velux cabrio balconies and an additional window within the rear dormer. The cabrio balconies would create a degree of overlooking however as there is existing overlooking on site and due to the separation distance of approximately 31 metres from the rear wall of No.42B St Catherine's Road, which exceeds the requirements for separation set out in the Borough Design Guide SPD, they are not considered to cause harmful overlooking.

This variation of condition application results in the repositioning of the rear elevation cabrio windows at first floor level . These windows have been moved down the roof line - the top of the cabrio windows were previously closer to the roof of the rear dormer , with the bottom of the cabrio windows set up approximately 1 metre from the eaves line . The current siting shows the windows are now approximately 80cms set up from the eaves line so the windows have been moved down the roof slope by approximately 20cms . Although the cabrio windows have been moved down the roof, the additional view that these offer are of the rear garden of the applicant . The cabrio windows are of a reasonable size (approximately 1.6 metres in length) and therefore the view at head height remains unchanged. It is judged that there is no additional material harm caused by the relocation of the windows - there would be a reduction in the dormer windows with views back towards no 42B St Catherines Road following the removal of the dormer window.

7.9 The proposed alterations would not result in any impact on no 65 Sinah Lane.

7.10 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

8 Conclusion

8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/24/00679

subject to the following conditions

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

Location and Block Plan - 21094-101A

21094-411A PROPOSED FLOOR PLANS - uploaded 05.09.2024

21094-511E PROPOSED ELEVATIONS - WEST AND EAST -
uploaded 05.09.2024

21094-512C PROPOSED ELEVATIONS - NORTH AND SOUTH -
uploaded 05.09.2024

Reason: - To ensure provision of a satisfactory development.

- 2 The external materials used shall be as indicated on the submitted forms and hereby approved plans, or 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 policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 3 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the works hereby permitted the window within the first floor front dormer on the west elevation serving the bedroom shall be fitted with textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

Reason: In the interests of the amenities of the occupiers of nearby properties and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.