
Site Address: 48 Sinah Lane, Hayling Island, PO11 0HH
Proposal: Non-material amendment to Planning Permission APP/21/00913 relating to amended access position and width, change to frontage gate and wall, removal of 1 No. Laurel Cherry Tree (T06) at entrance with amended frontage planting – amendments to provide for emergency service access.
Application Type: Non-material change
Application No: APP/23/00266
Applicant: Mr P Whitehead
Agent: Ms S Tennant
Ward: Hayling West

Expiry Date: 27/04/2023
Case Officer: David Eaves
Hebden Design Studio

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application relates to 48 Sinah Lane, located upon Hayling Island, which contained a two-storey property with a part chalet-style roof, rendered walls and a clay tile roof. To the rear was a pitched roof building linked to the main house and to the western side an attached garage. The site has now been cleared and the new house approved under planning permission APP/21/00913 (and APP/20/01223) has been erected and is nearing completion.
- 1.2 Access was achieved from the western side of the frontage but is now from the eastern side of the frontage. To the rear is a long garden which slopes gently towards Langstone Harbour and the shoreline. There are trees along the eastern and western boundaries and to the shoreline frontage.
- 1.3 Sinah Lane and the surrounding streets consist of narrow tree lined roads, without pedestrianised pavements. Dwellings in the locality comprise of large detached single-storey and two-storey properties on sizable sites with generous front setbacks and large rear gardens, with a generally leafy vernacular. Many of the sites on the northern side of Sinah Lane consist of rear gardens fronting the coast providing direct access to the water.
- 1.4 The development site is in close proximity to the Solent Maritime SAC, SPA, Chichester and Langstone Harbours Ramsar and Langstone Harbour SSSI.

2 Planning History

APP/20/01223 - Demolition of existing dwelling and erection of replacement dwelling including new summer house and garage together with new driveway access with associated landscaping., PERM,02/06/2021

APP/21/00913 - Variation of conditions 2 (approved plans), 5 (landscaping), 9 (materials), 10 (hardsurfacing) and 15 (means of enclosure) of Planning Permission APP/20/01223 (Demolition of existing dwelling and erection of replacement dwelling including new summer house and garage together with new driveway access with associated landscaping) - to include provision of first floor accommodation over garage and revised summerhouse and terrace arrangements with minor works proposed to the existing sea wall., PERM,17/01/2022

3 Proposal

Non-material amendment to Planning Permission APP/21/00913 relating to amended access position and width, change to frontage gate and wall, removal of 1 No. Laurel Cherry Tree (T06) at entrance with amended frontage planting – amendments to provide for emergency service access.

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

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS12	(Chichester Harbour Area of Outstanding Natural Beauty (AONB))
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS9	(Housing)
DM13	(Car and Cycle Parking on Residential Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM9	(Development in the Coastal Zone)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
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. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment. In this case the Local Planning Authority has however undertaken neighbour notification of the proposed alterations.

Number of neighbour notification letters sent: 5

Number of site notices: Not applicable.

Statutory advertisement: Not applicable.

1 Third Party objection has been received:

In relation to the removal of tree T06, I object on the grounds that the tree in question is not a Laurel Cherry as stated but a Magnolia Grandiflora. While not a listed protected tree its thoughtless destruction would seem unnecessary when the trunk is likely to be of lesser girth than the proposed new plantings **Officer Comment:** Whilst the tree species question is noted, the application has been considered on its merits and the proposal includes compensatory planting.

- 5.2 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
- (iv) Consideration of tree loss and planting

- (i) Principle of development

- 5.3 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development control criteria. Planning permission for the replacement dwelling has previously been granted planning permission and the proposals relate to changes to the frontage to Sinah Lane which are considered below.

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

- 5.4 The proposals relate to the frontage of the site and would result in changes to the approved vehicular access width, the removal of a frontage tree, revised planting and the amendment to the extent of frontage wall and gate. It is understood the alterations are required to allow for emergency access to the site and the retention of a BT pole.

- 5.5 The alterations would result in a wider access opening into the site than in the previous approval, however, the alteration is modest and would allow for fire tender access and tracking is shown on the submitted drawings to indicate this. The remainder of the frontage would retain the previously approved 1.2m high rendered wall. A set back sliding timber gate is also proposed to the frontage.
- 5.6 There is an opportunity to provide planting to the front garden and this is considered further in (iv) below.
- 5.7 Overall the changes to the frontage proposed are considered modest and non-material.

(iii) Effect on neighbouring properties

- 5.8 The proposals would not alter the approved buildings at the site. It is not considered that the alterations to the frontage area would result in any significant impact on the residential amenities of adjoining residents.
- 5.9 The proposed changes are relatively modest and it is considered they are unlikely to lead to an adverse impact to neighbouring properties and can therefore be considered as non-material.

(iv) Consideration of tree loss and planting

- 5.10 The proposal would result in the loss of a frontage tree previously shown for retention. The tree is a relatively young specimen and is not considered to be of a high public amenity value and would not be suitable for a Tree Preservation Order. Notwithstanding this it is important that the trees removal is compensated for in order to seek to ensure that the Sinah Lane street scene continues to retain its attractive tree lined character. The proposal includes the provision of frontage planting with 3 Quercus robur 'Fastigiata' 3-4m high to the front of the site. These will add in time to the wider street scene trees.

6 Conclusion

- 6.1 Overall, the proposed alterations to the site frontage are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.
-

7 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00266 subject to the following conditions

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

Design and Access Statement Drw. No. 2016 3.700 REV 04 - received 04 Oct 2021

Materials Palette Drw. No.3.710 - received 25 Aug 2021

Construction Environmental Management Plan (CEMP) REV 01 - received 25 Aug 2021

Extended Phase 1 Ecological Assessment and Bat Roost Assessment (APRIL 2021) - received 08 Oct 2021

Landscape Proposals Drw. Nos. L02, L03, PP02, PP03, PP04, PP05, PP06, PP07, PP08, PP09, PP10 - received 04 Oct 2021

Landscape Proposals Drw. No. L01 dated June 2023 - received 30 June 2023

Planting Plan Bed 01 Drw. No. PP01 dated June 2023 - received 30 June 2023

Landscape Plan - Hardscape Drw. No. 206 4.009 REV 01 - received 30 June 2023

Planting Schedules - received 30 June 2023

Tree Report BS5837 (Sept 2020) - received 25 Aug 2021

Tree Canopies Drw. No. 3.016 - received 25 Aug 2021

Tree Protection Plan Drw. No. 3.010 REV 04 - received 25 Aug 2021

Arboricultural Impact Assessment / Statement and Tree Protection Plan (March 2021) - received 25 Aug 2021

Existing Ground and First Floor Plans Drw. No. 1.100 - received 25 Aug 2021

Existing South and West Elevations Drw. No. 1.200 - received 25 Aug 2021

Existing North and East Elevations Drw. No. 1.201 - received 25 Aug 2021

Location Plan Drw. No. 3.000 - received 25 Aug 2021

Window Distances Plan Drw. No. 3.014 - received 25 Aug 2021

Aerial Overlay Drw. No. 3.015 - received 25 Aug 2021

Proposed Ground Floor Plan Drw. No. 3.100 - received 25 Aug 2021

Proposed First Floor and Basement Plans REV 03 Drw. No. 3.101 - received 25 Aug 2021

Roof Plan Drw. No. 3.102 - received 25 Aug 2021

South and West Elevations Sheet 1 Drw. No. 3.200 REV 02 - received 25 Aug 2021

North and East Elevations Drw. No. 3.201 REV 01 - received 25 Aug 2021

Fence Details Drw. No. 3.240 - received 25 Aug 2021

Deck and Planter RPZ Drw. No. 3.302 - received 25 Aug 2021

Site and Block Plan Drw. No. 3.010 REV 10 - received 30 June 2023

Site Plan Part 1 Drw No. 3.011 REV 07 - received 30 June 2023

Site Plan Part 2 Drw No. 3.012 REV 03 - received 25 Aug 2021

Site Plan Part 3 Drw. No. 3.013 REV 05 - received 08 Oct 2021

Summerhouse Plan Drw. No. 3.120 REV 03 - received 08 Oct 2021

Summerhouse Elevations Drw. No. 3.220 REV 04 - received 08 Oct 2021

Garage and Ancillary Accommodation Plan Drw. No. 3.110 REV 05 - received 26 Oct 2021

Garage Elevations Drw. No. 3.210 REV 04 - received 26 Oct 2021

Reason: To ensure provision of a satisfactory development.

- 2 The landscaping/hardscaping works shown on the approved plans [Landscape Plan - Hardscape Drw. No. 206 4.009 REV 01, Landscape Proposals Drw. Nos. L02, L03, PP02, PP03, PP04, PP05, PP06, PP07, PP08, PP09, PP10, Landscape Proposals Drw. No. L01 June 2023 Planting Plan Bed 1 Drw. No. PP01 June 2023, Planting Schedules and Arboricultural Impact Assessment / Statement and Tree Protection Plan (March 2021)] shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements agreed or within 18 months of final occupation of the development hereby permitted, whichever is the sooner. 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 CS11, CS16 and DM8 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.