
Site Address:	Northshore, 40 Sinah Lane, Hayling Island, PO11 0HH		
Proposal:	Demolition of existing dwelling and outbuildings and construction of replacement dwelling and outbuildings.		
Application No:	APP/20/00998	Expiry Date:	01/01/2021
Applicant:	Mr Nunn		
Agent:	Mr Keefe	Case Officer:	Lesley Wells
	Rak Architecture		
Ward:	Hayling West		

Recommendation: **GRANT PERMISSION**

1 Site Description

- 1.1 The application site is a large detached house set within a generous plot, which borders the coast line with Langstone Harbour. The property is located approximately 65m north of the highway off Sinah Lane, with the access driveway running alongside the eastern boundary off 40a Sinah Lane. The house is predominantly two storey, with a third storey element, which has balconies and roof decks to both the north and south elevations.
- 1.2 Fencing borders most of the boundaries, which in the main are approximately 1.8m in height, with a 2m wall to the south. There are a number of trees within the site, some of which are protected by a Tree Preservation Order.
- 1.3 The house and annex/garage to the front of the site falls within Flood Zone 1, with an area to the north falling with Flood Zones 2 and 3. An existing single storey pavilion is sited within this area. To the west of the site, Nos. 42 and 44 Sinah Lane are Listed Buildings.

2 Planning History

98/59149/006 - Restoration of slipway at 40 Sinah Lane, H.I. (retrospective application), PERM,21/05/1998
97/59149/005 - Application for certificate of lawfulness in respect of existing sea wall, PERM,26/01/1998
95/59149/003 - Demolition of existing garage, single storey extension forming garage and conservatory., PERM,
95/59149/004 - Detached garage/workshop to south west of property, PERM,
94/59149/000 - Single storey rear extension for indoor swimming pool, extension to front of gar
age and extension to front of tan room on roof., PERM,23/06/1994
07/59149/008 - Extension to north east corner - 2 storey, a 2 storey extension to north elevation. Replacement of existing roof top enclosure. Extension to existing detached garage and addition of ancillary accommodation., PERM,23/03/2007
APP/11/00246 - Cut back 2m on east side 1No. Oak tree (G3), cut back 2m on west side 1No. Oak tree (G4), remove 1No. Leylandii (G1) and replant, and remove 2No. Macracarpa (G6) and replant. All subject to TPO 1879. , PERM,31/05/2011

APP/11/01221 - Remove 4No. Leylandii within Group 1 of TPO 1879 and replant. ,
PERM,30/08/2011

APP/18/00360 - Certificate of Lawfulness application for a single storey side
extension., PERM,07/06/2018

APP/18/00646 - Erection of garage to east elevation, installation of external swimming
pool to include 2No. pergolas to north and south of swimming pool, window alterations
to south elevation of main house and window alterations to garden annexe building.
Bay window added to approved western kitchen extension. (APP/18/00360).,
PERM,19/09/2018

APP/18/01011 - Tree works in accordance with professionally provided Schedule of
Tree works by Transform Landscapes, on various TPOs on site at Northshore.,
PERM,05/12/2018

3 Proposal

The demolition of the existing dwelling and outbuildings and construction of a
replacement dwelling and outbuildings. The replacement outbuilding to the south would
comprise of two annexes, a garage and storage area. The replacement outbuilding to
the north would be a pavilion. No changes are proposed to the existing access onto
Sinah Lane. The submission states that the proposal would provide a more energy
efficient and sustainable dwelling.

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))
CS16	(High Quality Design)
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

DM20	(Historic Assets)
AL1	(Presumption in Favour of Sustainable Development)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)

Havant Borough Submission Local Plan

E22	(Amenity and pollution)
E5	(Chichester Harbour Area of Outstanding Natural Beauty)
DR1	(Delivery of Sustainable Development)
E4	(Development on the Coast)
E20	(Drainage infrastructure in new development)
E1*	(High quality design)
H1*	(High quality new homes)

- E13 (Historic environment and heritage asset)
- E12 (Low carbon design)
- E16 (Solent Special Protection Areas)
- E14 (The Local Ecological Network)

Listed Building Grade: Adjacent to Grade II listed buildings
Conservation Area: Not applicable.

5 Statutory and Non Statutory Consultations

Arboriculturalist

Final Comment - No Objection

Following the discussion and changes made to the summer house and decking area I now raise **no objection** to this proposal in line with the narrative and newly submitted plans. The changes to this area are now highly unlikely to negatively impact on the Oaks and there is a defensible argument to control any applications to fell or over-prune these trees in the future as there is now a sustainable relationship between proposed built structure and trees.

My comments should be added to the no objection within my original consultation for the construction of the new house and all works must be in accordance with the AIA, AMS and TPP submitted by Alderwood Consulting.

The AIA, TPP and AMS must form part of any set of conditions if permission is given for this application.

With regard to the landscaping proposals, I will defer to consultation from you to the Landscape architects in CELT

Initial comment

No objection to the main dwelling (With the above conditions).

Objection to the Summer House / Pavillion.

The AIA is thorough and comprehensive, and I raise no objection to the demolition and rebuilding of the main dwelling, although the AMS and TPP must be conditioned and not deviated from to ensure the retained trees on site are not damaged during the construction phase. (If permission is given for this app)

In addition to this I would like to include that a pre commencement site meeting is conditioned so as the Arb Consultant is on site with the Site Manager (and Covid allowing an HBC Arb Officer) to ensure the protective fencing is in place and to also provide a further condition that Arb site supervision is required for any technical construction methods around trees - no dig surfaces etc.

In terms of the proposed tree planting - we would like to see the specimens to be Standards (nursery category) in size.

Regarding the summer house and pavilion. I raise objection to this part of the application as I consider it to be at odds with the surrounding trees; If permission is given it is highly likely that there will be significant pressure to prune the trees once the use of this area is underway - it is designed as a 'garden room area'.

The relationship between the retained trees and proposed structure / pavilion are not sustainable.

It is stated in the report that the Council will have control over any future applications to prune or fell the trees; whilst this is correct to a point it can also be argued that the Council having given permission for a development knowing the untenable relationship between trees and buildings should allow for either excessive tree pruning or felling. Hence the Council would be in a very weak position to defend its decision should a TPO application be refused and go to appeal.

In summary:

- No objection to the main dwelling (With the above conditions).
- Objection to the Summer House / Pavillion.

Community Infrastructure, Planning Policy & Urban Design

Final Comment - No Objection

We can confirm that the SRMS only requires payment for net additional dwellings (refer to paragraphs 6.3 and 6.4, of the attached strategy).

As this application is for 'Demolition of existing dwelling and outbuildings and construction of replacement dwelling and outbuildings' and the annexes are only for use by the family there is no SRMS due.

Initial comment

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CIL Liable. <http://www.havant.gov.uk/community-infrastructure-levy-charging-schedule>

Additionally, pending a response from Natural England on the 'HRA', instructions should be passed by the Case Officer to the CI Team to:

(a) Issue the Solent Recreation Mitigation Strategy Unilateral Undertaking, based on the number of net additional dwellings and their respective number of bedrooms. See <http://www.havant.gov.uk/unilateralundertaking-solent-recreation-mitigation-strategy>. As this is a replacement dwelling the Solent Recreation Mitigation Strategy does not apply to the main dwelling. However, the replacement self contained annex contains one extra separate unit of accommodation, which would be liable

(b) Issue the Nutrient Neutrality Unilateral Undertaking. See <https://www.havant.gov.uk/nitrogen-developers>

Councillor Clare Satchwell - Hayling East

No comment received.

Councillor I Scott Hayling West

No comment received.

Councillor Joanne Thomas

No comment received.

Coastal Partner

Final Comments - No Objection

I can confirm that Coastal Partners are satisfied with the FRA submitted and we are happy to remove our previous holding objection.

- Holding Objection

Thank you for your consultation on the above application, I can confirm that Coastal Partners, formerly known as the Eastern Solent Coastal Partnership, wish to place a

Conservation Officer - No Objection

The site is located in Sinah Lane on Hayling Island. It is characterised by detached dwellings situated within generous plots. The application site is located on the north side of the road with a rear garden which extends down to the Langstone Harbour edge. The house is set back from Sinah Lane and accessed via a long driveway. Another house (40a) has been built within the original front garden.

The site comprises a 3-storey dwelling dating back to the 1930's in a flat roof, square, art deco style. It also includes a separate single storey annexe (with 4 garages, plant room and a self-contained apartment) to the south and single storey summer house located at the northern end of the site, adjacent to the harbour setting.

The application dwelling is one of a group of 4no. 1930s style flat roof houses (40, 40A, 42 and 44 Sinah Lane). No's 42 and 44 Sinah Lane are both Grade II listed houses due to them being designed by the architects Connell, Ward and Lucas in 1934. They are both notable as two early examples of concrete homes within the UK in the early 1930's.

No. 40 and 40a are not listed as whilst they have a similar appearance to No's 42 and 44, they are constructed of brick and timber joist and not concrete. Their architectural interest therefore does not warrant statutory listing.

Proposal

The proposal is to demolish the existing dwelling and outbuildings and construct a replacement dwelling, annex / garage building and summerhouse. The new buildings will have a slightly larger footprint than the existing but largely similar in height and scale (main dwelling will be slightly higher). However, it is noted that the existing house has permissions for extensions which have not been implemented. If these had been, then the new house would have a smaller footprint than the existing.

Legislative and Policy Context

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

Legislation

Section 66 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 listed building or its setting, to 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.

Historic England Planning Advice Notes

The 'Historic Environment Good Practice Advice in Planning Note 2', states at paragraph 4:

'The significance of a heritage asset is the sum of its archaeological, architectural, historic, and artistic interest' and provides at paragraphs 8, 9 and 10 that in order for the Local Planning Authority to make decisions in line with legal requirements, the objectives of the development plan; and, the policy requirements of the NPPF, great importance is placed on understanding the nature, extent and level of the significance of the heritage asset.

National Planning Policy Framework

The revised NPPF (February 2019) sets out in Chapter 16, the core principles relating to development affecting Heritage Assets that local planning authorities should consider in making planning decisions in the following paragraphs:

Paragraph 184:

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 189:

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Paragraph 190:

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 191:

Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the

deteriorated state of the heritage asset should not be taken into account in any decision.

Paragraph 192:

In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Considering potential impacts

Paragraph 193:

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.

Paragraph 194:

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

Havant Borough Council Local Plan

With regards to local planning policy, the following policies are relevant:

Policy CS11 of the Core Strategy 2011 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)

Policy CS11 of the Core Strategy states that planning permission will be granted for development that:

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 of the Core Strategy 2011 (High Quality Design)

Policy CS16 (1a) of the Core Strategy states '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:

Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.

Policy DM20 of the Allocations Plan 2014 (Historic Assets)

Policy DM20 of the Allocations Plan 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.

Emerging Policy in the Emerging Local Plan

Policy E13 (Historic Environment and Heritage Assets)

Heritage assets are an irreplaceable resource and consequently great weight will be given to their conservation. Development proposals should, in the first instance, avoid any harm to or loss of the significance of assets and any harm or loss considered unavoidable will require clear and convincing justification, irrespective of the level of that harm.

Assessment

A Heritage Assessment has been submitted with the application, which sets out the significance of the adjacent heritage assets which also includes their settings and assesses the impact of the proposal on that significance. The submission of this assessment accords with Para 189 of the NNPF and Local Plan Policy DM20.

With regards to the wider setting of the adjacent listed building at No. 42, this already includes the existing dwelling at No. 40 and outbuildings and No. 40a to the immediate east. There has also been a 2016 approval to subdivide the plot of No. 42 for a new dwelling in the rear of the garden.

It was felt at the time of determination of that application, that the new dwelling would be a sufficient distance away from the listed building to allow it to retain its setting, without having a harmful impact upon its significance.

The application proposal is akin to a like for like replacement of the existing buildings on site. It will retain the flat roof, 1930's style design and be built within relatively the same position within the plot. It will have an increase in overall height and the existing western wing will be larger, (although similar in size to the approved extension of the west elevation).

However, the dwelling will be set further into the plot (so further back from No. 42). The outbuildings will be in relatively the same position and of similar designs to the existing.

Overall, subject to acceptability of high quality materials, it is considered that the proposed development would not have a harm impact on the significance (including its setting) of the adjacent heritage asset.

Conditions:

1. Material samples and / or technical details of all external materials to be submitted and agreed prior to above ground construction.

Conclusion – No Objection .

Council Ecologist

Second Comment - No Objection

The application is accompanied by a Construction Environment Management Plan (CEMP) (Cirrus Projects Limited, February 2021). This includes details of measures to avoid and minimise potential impacts to the adjacent designated sites. These are acceptable.

First Comment - No Objection

The application is accompanied by an Ecological Appraisal (HES, September 2020). The site comprises a narrow plot containing a large detached dwelling and outbuildings, with areas of managed lawn and planted vegetation. The buildings are considered unsuitable for supporting roosting bats and therefore no further surveys are required. Two on-site trees exhibit features with potential for use by tree-roosting bats. There is potential for small numbers of nesting birds to occur, and the site is immediately adjacent to Chichester & Langstone Harbours Special Protection Area and Ramsar, Solent Maritime Special Area of Conservation and Langstone Harbour Site of Special Scientific Interest.

Given the existing ecological value of the site there is relatively limited potential for impacts to protected species. The key potential issue is impacts to the adjacent SPA/Ramsar, SAC and SSSI. Impacts could occur during construction (via noise, visual disturbance and airborne and waterborne pollution).

Overall, I am content that ecological impacts are not likely to be significant provided that suitable mitigation measures are implemented during construction. If you are minded to grant permission can I suggest that mitigation measures and ecological enhancements are secured by condition.

Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Ecological Appraisal (HES, September 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological enhancement measures shall be installed in accordance with ecologist's instructions and retained in a location and condition suited to their intended function

Reason: to protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

In addition, I would recommend that a Construction Environment Management Plan (CEMP) is secured. This should include full details of all measures to avoid/mitigate construction impacts on the adjacent internationally and nationally designated sites.

Prior to the commencement of development activities a Construction Environment Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include details of measures to avoid harm to adjacent internationally and national designated sites, including explicit avoidance and mitigation measures and the roles and responsibilities of those persons responsible for implementing the agreed CEMP.

Reason: to protect biodiversity in accordance with the Conservation Regulations 2017, Wildlife & Countryside Act 1981, the NERC Act (2006), NPPF and Policy CS 11 of the Havant Borough Core Strategy March 2011.

Officer comment: Conditions relating to compliance with the ecological appraisal and CEMP are included in the recommendation.

Developer Services, Southern Water - No Objection

Southern Water requires a formal application for a connection to the public foul and surface water sewer to be made by the applicant or developer.

To make an application visit: developerservices.southernwater.co.uk and please read our New Connections Services Charging Arrangements documents which are available on our website via the following link:

southernwater.co.uk/developing-building/connection-charging-arrangements
The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development.

In situations where surface water is being considered for discharge to our network, we require the below hierarchy for surface water to be followed which is reflected in part H3 of the Building Regulations. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

Environment Agency

Final Comment - No Objection

We are satisfied that the revised Flood Risk Assessment, submitted in December 2020, has adequately addressed all the issues raised in our initial objection of 9th December 2020, we can therefore **withdraw our objection** to this development.

Initial Comment - Objection

In the absence of an acceptable flood risk assessment (FRA) we **object** to this application and recommend that planning permission is refused

Reasons

The application's red line site boundary lies within Flood Zone 3, which is land defined by the planning practice guidance as having a high probability of flooding. The National Planning Policy Framework (paragraph 163, footnote 50) states that an FRA must be submitted when development is proposed in such locations.

The submitted FRA does not comply with the requirements for site-specific flood risk assessments, as set out in paragraphs 30 to 32 of the Flood Risk and Coastal Change section of the planning practice guidance. The FRA does not therefore adequately

assess the flood risks posed by the development. In particular, the FRA fails to:

- The current FRA fails to adequately assess flood risk for the lifetime of the development.
- consider how people will be kept safe from the identified flood hazards
- consider how a range of flooding events (including extreme events) will affect people and property
- consider the requirement for flood emergency planning including flood warning and evacuation of people for a range of flooding events up to and including the extreme event
- take the impacts of climate change into account

An FRA is vital to making informed planning decisions. In its absence, the flood risks posed by the development are unknown. This is sufficient reason for refusing planning permission

Overcoming our objection

We recognise that the Applicant, using our Flood map for planning service, has submitted a document defining the site as Flood Zone 1 and as such has included no FRA. However, given the site incorporates Flood Zone 3 and submitted documentation indicates development occurring in the designated Flood Zone, it is required that an FRA assessing the risk to this development for its lifetime is submitted.

We would expect the applicant to assess the future flood levels with appropriate climate change allowances as described in Table 1: peak river flow allowances by river basin district for the South East, Central and Higher Central allowances 'Flood risk assessments: climate change allowances'. We have included further advice on this below.

In general, we require that the Finished Floor Levels (FFLs) of any proposed development is set 600mm above the predicted flood level with appropriate climate change allowances for the lifetime of the development. Should this not be achieved, justifications should be given in the FRA and FFLs should be set no lower than 300mm above the predicted flood level with appropriate climate change allowances lifetime of the development.

To overcome our objection, the applicant should submit an FRA which demonstrates that the development is safe without increasing risk elsewhere. Where possible, it should reduce flood risk overall.

If this cannot be achieved, we are likely to maintain our objection. Please re-consult us on any revised FRA submitted and we'll respond within 21 days of receiving it.

Guidance on how to prepare a flood risk assessment can be found at <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>.

Advice to Local Planning Authority/Applicant

Flood resistance and resilience

We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

To find out which measures will be effective for this development, please contact your building control department. In the meantime, if you'd like to find out more about reducing flood damage, visit the Flood Risk and Coastal Change pages of the planning practice guidance. The following documents may also be useful: *Department for Communities and Local Government: Preparing for floods*
<http://www.planningportal.gov.uk/uploads/odpm/4000000009282.pdf> *Department for Communities and Local Government: Improving the flood performance of new buildings*:
<https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

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Advice to Applicant

FRA sources of information

We do not prepare or provide FRAs. However, our Customers and Engagement team can provide any relevant flood risk information that we have available (including climate change data). Please contact SSDEnquiries@environment-agency.gov.uk and ask for a 'Product 4' including climate change levels and allowances. When sending your request, do also include a location map for the site. Requests are usually dealt with within 20 working days. Please detail the areas of interest and provide a site plan to ensure that our team gives you data specific to the areas that it is needed.

Your Local Planning Authority should have undertaken a Strategic Flood Risk Assessment (SFRA) which will also include local flood risk information to inform your FRA. Please contact your Local Planning Authority to determine what information is available.

Further advice on what to include in an FRA can be found here –

<https://www.gov.uk/guidance/flood-risk-and-coastal-change#site-specific-flood-risk-assessment-all>

Signing up for flood warnings

The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit <https://www.gov.uk/sign-up-for-flood-warnings>. It's a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities.

For practical advice on preparing for a flood, visit

<https://www.gov.uk/prepare-for-flooding>.

To get help during a flood, visit <https://www.gov.uk/help-during-flood>.

For advice on what to do after a flood, visit <https://www.gov.uk/after-flood>.

Charged Advice

If the Applicant would like any further detailed advice we would be happy to provide this subject to a charge.

As part of this service you would have a dedicated project manager to coordinate the advice from different teams within the Environment Agency. It would also include bespoke technical and planning advice if you request this. This will allow you to have greater clarity about the assessments you need to accompany your planning application and certainty about whether the development is acceptable to us before you resubmit.

Advice to the Local Planning Authority

If you are minded to approve the application contrary to our objection, we would be grateful if you could re-notify us to explain why material considerations outweigh our

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objection, and to give us the opportunity to make further representations. Should our objection detailed above be removed, it is likely we will recommend planning conditions to be included on any subsequent approval.

If you are minded to grant permission against our advice, please contact the Sustainable Places Advisor named below before making a formal decision to discuss the conditions and advice that we would wish to apply to this proposal.

Forestry Commission - No Objection

Officer comment: the comments from the Forestry Commission are general forestry

advice.

Highways England - No Objection

Highways England offer no objection.

Highway Authority

No comment received.

Langstone Harbour Board - No Objection

The Board's Planning Sub Committee has considered this application and has no objections to the proposals.

Natural England

Final Comment - No Objection

Deterioration of the Water Environment & Solent Recreation Mitigation Strategy

Natural England notes that this development will not result in any additional residential dwellings and is therefore satisfied that there will be no adverse impacts on designated sites in this regard.

Construction Environmental Management Plan

Natural England is satisfied that the submitted CEMP will mitigate any adverse impacts on designated sites during the constructional phase of development.

Initial Comment

The consultation documents provided by your authority do not include information to demonstrate that the requirements of Regulations 63 and 64 of the Conservation of Habitats and Species Regulations 2017 ('the Habitats Regulations') have been considered by your authority, i.e. the consultation does not include a Habitats Regulations Assessment.

In advising your authority on the requirements relating to Habitats Regulations Assessment, it is Natural England's advice that the proposal is not necessary for the management of the European site. Your authority should therefore determine whether the proposal is likely to have a significant effect on any European site, proceeding to the Appropriate Assessment stage where significant effects cannot be ruled out.

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: 9

Number of site notices: 2

Statutory advertisement: Not applicable.

Number of representations received: 7

Comment	Officer Comment
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The following is a precis of the representations received:

- Replacement modern energy efficient dwelling should be supported, with adequate protection for the amenity of neighbours.
- Suggested conditions: control on working hours, height of the new built should match existing, restrictions on the type of trees to be planted to avoid overshadowing and loss of amenity to the occupiers of adjoining properties. Planting should be of a domestic nature.
- Significant increase in height, massing, floor area, building silhouette, proximity to western boundary and dwelling to the west.
- Height is greater than the existing - should be the same height.
- Floor area of western extension substantially increased and now two storey.
- Height of the annex had increased along boundary.
- Increase in glazing - overbearing and significant material impact upon amenity space and entire privacy of the single storey residence north of The Saltings
- Increased glazing on north elevation - detrimental impact on Langstone Harbour
- The scale of the pavilion is excessive, out of keeping with and detrimental to the locality - not reflective of others buildings along the foreshore - potential for increased noise, impacting on residents and wildlife - undesirable precedent - foreshore a popular coastal walk
- Detrimental impact on marine birds and other wild life should be considered.
- Protected trees should be retained - trees too near buildings will come under pressure to be felled or pruned - trees should be retained.
- Conditioned that any of the trees die must be replanted in the first five years?
- Major trees works under consent APP/18/01011 - any trees required by condition planted in mitigation for loss of tree are not being removed as part of this application

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 of the development on heritage assets
- (iv) Impact upon residential amenity
- (v) Parking
- (vi) Flooding
- (vii) Ecology
- (viii) Trees
- (ix) CIL

- (i) Principle of development

7.2 The application site is situated within an urban area where further development is considered acceptable subject to the usual development control criteria.

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

7.3 Sinah Lane contains a mixture of property styles from predominantly two storey dwellings forming a linear frontage along the street to existing bungalow/chalet bungalows to the rear of a number of the frontage dwellings. The proposed replacement dwelling, which is off set from the driveway and set back into the site, lies to the rear of 40a Sinah Lane. The entrance to the driveway has high level gates. Whilst the proposal would be visible from Sinah Lane, which is the case with the existing dwelling, it would be viewed within the context of the street scene, which would not be out of character with the appearance of the area.

7.4 As to views from the foreshore to the north, the proposal is only set back approximately 3m further into the site, which benefits from a long rear garden, with trees along the foreshore boundary, which is also banked between the slipway at this point. (There are also trees along the west and east boundaries, with further tree planting proposed.) In addition, the design of the building, whilst slightly larger than existing, is similar in design to that it is replacing (ie 1930's style), which would sit comfortably within the plot. The proposal would not appear to be overly bulky or of a size that would be out of keeping with the surrounding area or the character of the immediate coastal zone. As to the design of the proposal, this would be part two storey/part three storey, with flat roofed decks to the north and south, as per the existing. The materials would be predominantly white render with dark framed aluminium windows (as existing) and a solid wood front door. Due to the location of the proposal, it would not materially impact on the character and appearance of the locality.

7.5 As to the outbuilding along the south boundary, due to its location behind No. 40a and screening around the site, it would not be visible from the public realm. It would also be replacing a building of a similar height, albeit it would be longer and wider. This would not materially impact upon the character and appearance of the area.

7.6 The pavilion, as now, would be sited to the rear of the garden, near the foreshore. The proposed pavilion would be larger than that it would replace, with its longest length (to the rear) 11.4m x 4.4 x 2.6m. That said, it is replacing a building of a similar design, in

a similar position, with its impact on the wider locality mitigated by existing and proposed trees along the foreshore boundary. This development would also be viewed against the backdrop of the main dwellinghouse. Therefore, on balance, the proposed pavilion would not have an adverse impact on the foreshore, or the wider area.

- 7.7 It is therefore concluded that in terms of its impact on the character and appearance of the area the proposal would accord with Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

(iii) Impact of the development on heritage assets

- 7.8 Numbers 42 and 44 Sinah Lane are listed buildings. As to the former, planning permission was granted under reference APP/16/00383 for a dwellinghouse, in the rear garden, which based on the limited information provided, appears to be implemented, but not built out.
- 7.9 Section 66 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 listed building or its setting, to 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.
- 7.10 The Conservation Officer has been consulted over the proposal, who has raised no objection to the proposal as *"... subject to acceptability of high quality materials, it is considered that the proposed development would not have a harm impact on the significance (including its setting) of the adjacent heritage asset."* A condition to this effect is recommended.
- 7.11 Consequently, it is considered that the proposal would not have a harmful impact on the listed buildings, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy) and DM20 of the HBLP (Allocations) and the statutory duty set out in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iv) Impact upon residential amenity

- 7.12 The proposal would replace an existing dwelling, (at an angle to the site), and two outbuildings, details of which have been set out above. The existing house is predominantly two storey, with a third storey element. There is access from the third storey element to roof decks to the north and south. Views across the surrounding area would be seen from these roof desks, which would include neighbours' gardens.
- 7.13 A Lawful Development Certificate (LDC) was granted for a single storey extension on the west elevation on 7/6/18 under reference APP/18/00360. Planning permission was granted for the *'erection of a garage to east elevation, installation of external swimming pool to include 2No. pergolas to north and south of swimming pool, window alterations to south elevation of main house and window alterations to garden annexe building. Bay window added to approved western kitchen extension'* on 19/9/18 under reference APP/18/00646. In support of the application, the applicant refers to the LDC and the planning permission granted, which if implemented would have increased the size of the existing dwelling.

However, these are single storey extensions and their bearing on neighbouring properties is materially different to the proposal, which must be considered on its individual merits, having regard to the impact the existing dwelling may already have

on neighbours' amenity.

Existing Dwelling

- 7.14 The height of the dwelling for the two-storey element, with the balustrade is approx. 7.1m, with the third storey section rising to approximately 8.9m high.
- 7.15 The existing dwelling has no windows in the two storey element on the east elevation at first floor. The separation from the eastern boundary with No. 38 at its closest point is approximately 4.2m; at its widest point approx. 7.4m.
- 7.16 To the south, west and north of the property there are a number of windows at first floor, with views over neighbouring properties; some oblique, some more direct. The separation distance to the boundary at its closest point to the west is approximately 12m.
- 7.17 With regard to the third storey element, this has access doors to the roofs to the west and east and glazed doors to the two roof decks to the north and south. There would be views into neighbouring gardens to the south, north, west and east from these roof decks.
- 7.18 Therefore, there is already a level of overlooking into the gardens of neighbouring properties from the existing dwelling. In assessing the proposed replacement dwelling in terms of its impact on residential amenity, the key questions before the LPA are: would the proposal significantly change this level of overlooking to an unacceptable degree and would the increase in size/height of the proposal be overbearing or domineering?

Proposed Dwelling

- 7.19 The replacement dwelling is of a similar design (1930's flat roof style) to the existing dwelling, and as with the existing dwelling features a central core to the house aligned on a north-south axis, with projecting sections to the west and east. Overall, the proposal is sited further back into the site by approximately 3m. The proposal is larger than existing, with a floor area of 794 sqm as opposed to 537 sqm. . The height of the three-storey element of the proposal dwelling is approximately 9.7m, as opposed to 8.9m, an increase in height of 0.8m. The height of the two storey element is 7.4m, as opposed to 7.2m, with a separation distance of 20m from 40a, which increases to approximately 31m from the third storey element. Due to the separation distance, the increase in height and scale should not materially impact on No. 40a to the south, particularly as the new dwelling is to be sited further back into the site than the current dwelling.
- 7.20 As with the existing dwelling, there are a number of windows proposed on the first floor and any overlooking should not be materially different from that currently being experienced with regard to the south, north and east elevation. With specific regard to

the east elevation, the separation distance to the boundary would be basically the same as the existing dwelling, approximately 6.2m, with trees along part of the boundary. Whilst the width of the two storey section to the east remains at 5.3m, the depth would increase to 11.1m, from 8.4m. There would be a wrap around window at first floor in the north east corner of the east elevation, which would service a bathroom and therefore can be expected to be obscurely glazed. Therefore the impact on neighbouring properties to the east would not materially change.

- 7.21 As to the wider two storey west section, the size of which would be 10.5 x by 8.4m, this would bring the development within 5m of the western boundary at its closest point, as opposed to approximately 12m. There would be two wrap around windows on the west/south elevation and on the west/north elevation. These windows would service bedrooms 2 and 3. These windows would reflect those on the existing west two storey section, albeit they would lie closer to the western boundary. As to the impact on the proposed dwelling to the north west of the site (No.42A), the proposal would overlook the front garden as of now, albeit closer. Notwithstanding this, they would lie 25m or more away from the nearest habitable room windows in No.42A, thus exceeding the minimum separation distances expected in the Borough Design Guide.
- 7.22 As to the dwelling to the south west (No.42) there would be some closer quarter overlooking of part of the rear garden. This would be mitigated by tree planting along this boundary. In terms of the dwelling to dwelling relationship, the separation distances would clearly exceed the minimum separation distances expected in the Borough Design Guide. Other windows on this elevation are set further back into the site and would be similar to the windows on the existing dwelling on this elevation. As to the third floor, a floor to ceiling window is proposed along part of the western elevation. This is set back approximately 16m from the western boundary.
- 7.23 On balance it is considered that the increased size of the replacement dwelling compared to that existing would not significantly impact on the private residential amenity of the two properties to the west. Furthermore, due to the separation distances between the proposal and the neighbouring properties, the development would not be domineering or overbearing.

Outbuilding to South - Existing and Proposed

- 7.24 The proposal seeks to replace an existing outbuilding to the front of the house sited along the southern boundary. This existing building is flat roofed with a length of 22m (staggered at the western end) x 5.8m x 3.1m. The existing use of the building comprises an annex, with a living/kitchen room, bathroom and 1 bedroom, garage, and a plant room.
- 7.25 The replacement building would likewise be flat roofed sited along the southern boundary to the front of the house. The measurements would be approximately 8.2m x 22m x 3.2m. The proposed use would comprise of two annexes, each providing a living/kitchen/bedroom and a bathroom and a garage (with access from the east) and storage (including cycle storage) area. The applicant has confirmed that these annexes would only be used for visiting family and friends in conjunction with the main house, which based on the evidence provided would be ancillary to the host dwelling. Access to the annexes would be via sliding doors on the north elevation.

A condition is recommended that the annexes would only be used ancillary to the main dwellinghouse.

- 7.26 As stated above, this building would be sited along the southern boundary, with a 2m wall to its rear. The height of the proposal is very similar to the existing building and therefore should not materially impact on No. 40a to the south, or other neighbours.

Outbuilding to North - Existing and Proposed

- 7.27 The proposal seeks to replace an existing pavilion to the rear of the site. Its longest length to the rear is 11.4m, width 4.4m, height 2.6m. A floor plan of the existing building has been submitted, and the Flood Risk Assessment describes the purpose of both the existing and proposed buildings as "*to support water -bourne activites with no overnight accommodation*". The existing pavilion is flat roofed, as would be the proposal. The proposal is to replace the existing building with a similar style structure which would be at its longest length 15.7m, width of 5.9m, height of 3m. The proposal would be set off the eastern boundary by a minimum of 3.75m. The replacement pavilion would include a living and kitchen area, with a wood burning stove, to the front. To the rear would be a WC, Changing & Shower Room and storage areas. These facilities would only be accessible from the rear of the pavilion. There would be decking, as now, around the pavilion.
- 7.28 Both the west and the east boundaries benefit from a 1.8m fence. The siting of the pavilion in the north east corner of the application site, opposite a building in No. 38's garden to the east would not materially impact on the residential amenity of the occupiers of this property. Due to the fencing and the position of the building, it would not adversely impact on the residential amenities of the other neighbouring properties.
- 7.29 Overall, it is considered that the proposal would not give rise to significant or demonstrable harm to the residential amenity of the occupiers of neighbouring properties, nor be domineering or overbearing. As such the development would accord with Policy CS16 of the HBLPCS and the Havant Borough Design Guide.

(v) Parking

- 7.30 This 5 bed dwelling necessitates 3 on site vehicle parking spaces in accordance with Havant's Car Parking SPD. Six car parking spaces are shown on the Site Layout Plan, with a vehicle turning area and cycle storage for at least 4 cycles. This accords with Havant's Car Parking SPD and Policy DM13 of the HBLPCS.

(vi) Flooding

- 7.31 With the exception of the pavilion, the development lies within Flood Zone 1. The pavilion falls within Flood Zone 2 and 3. The EA initially objected to the proposal, but following the submission of a revised Flood Risk Assessment withdrew their objection, as did the Coastal Team. A condition is recommended that the development proceeds in accordance with the revised FRA dated December 2020. On this basis the proposal accords with Policy CS15 of the HBLPCS.

(vii) Ecology

- 7.32 The site is immediately adjacent to the Chichester & Langstone Harbours Special

Protection Area and Ramsar, Solent Maritime Special Area of Conservation and Langstone Harbour Site of Special Scientific Interest. Both Natural England and the Council's Ecologist has been consulted over the proposal and are content that the ecological impacts are not likely to be significant, on the basis that the proposal will not result in any additional residential dwellings, and are therefore satisfied that there will be no adverse impacts on designated sites in this regard subject to development proceeding in accordance with the Ecological Appraisal submitted and a Construction Environment Management Plan (CEMP). As to the CEMP, this has been submitted by the agent, and has been agreed by the Council's Ecologist. A condition is recommended to ensure that the development proceeds in accordance with the Ecology Appraisal and the CEMP.

7.33 On this basis the proposal accords with Policy CS11 of the HBLPCS.

(viii) Trees

7.34 There are trees the subject of a Tree Preservation Order along the western, northern and eastern boundaries. The site also benefits from other trees along the boundaries and within the site. The Landscape Plan shows additional trees proposed to be planted along the western and eastern boundaries.

7.35 The Arboricultural Officer initially raised concerns about the pavilion due to its close proximity to protected trees on the site. Amended plans were submitted which addressed the concerns and subject to the Arboricultural Method Statement and Tree Protection Plan being conditioned, together with a pre-commencement site meeting with relevant parties, no objection is raised in respect of the proposal. A condition to this effect is recommended, which has been agreed with the agent. A condition is also recommended as to the landscaping of the site, which would include a clause that any trees that die within 5 years would be replaced.

7.36 No concerns have been raised by the Arboricultural Officer regarding tree work on the site previously approved.

7.37 On this basis the proposal accords with Policy CS11 of the HBLPCS.

(ix) CIL

7.38 The CIL liability for the proposal currently stands at £26,847.32. The applicant is claiming exemption.

8 Conclusion

8.1 The proposal is for a replacement dwelling that would not adversely impact on the character or appearance of the area or residential amenity. In highway, ecology, tree and flood risk terms the proposal is acceptable and accords with the development plan when taken as a whole and the National Planning Policy Framework and conditional planning permission is recommended.

9 RECOMMENDATION:

That the Head of Planning be authorised to **GRANT PERMISSION** for application

APP/20/00998 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 Compulsory Purchase Act 2004.

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

Application form

Design & Access Statement

Arboricultural Impact Assessment dated 16/10/20

Energy Assessment dated 11/9/20

Ecological Appraisal Report dated September 2020

Email dated 16/12/21 confirming use of annexe as ancillary to the main dwellinghouse

Flood Risk Assessment Final dated December 2020

Construction Environmental Management Plan

Proposed Site Plan – Drawing No. 1032A-00-001-REVB

Proposed Site Plan – Drawing No. 1032A-00-002-REVB

Additional Site Plan- Drawing No. 1032A-00-002-REVA

Landscape Plan- Drawing No. 1032A-00-003-REVB

Proposed Fire Engine Plan - Drawing No. 1032A-999-001-REVB

Main House – Proposed Ground Floor Plan - Drawing No.
1032A-01-001-REVA

Main House – Proposed First Floor Plan - Drawing No. 1032A-01-002-REVA

Main House – Proposed Second Floor Plan - Drawing No.
1032A-01-003-REVA

Main House – Proposed Roof Plan - Drawing No. 1032A-01-004-REVA

Main House – Proposed South Elevation - Drawing No. 1032A-01-005-REVA

Main House – Proposed East Elevation - Drawing No. 1032A-01-006-REVA

Main House – Proposed North Elevation - Drawing No. 1032A-01-007-REVA

Main House – Proposed West Elevation - Drawing No. 1032A-01-008-REVA

Main House – Proposed Section Plan A-A, B-B- Drawing No.
1032A-01-009-REVA

Annexe – Proposed Ground Floor Plan - Drawing No. 1032A-02-001-REVA

Annexe – Proposed Roof Plan - Drawing No. 1032A-02-002-REVA

Annexe – Proposed Elevations - Drawing No. 1032A-02-003-REVA

Annexe – Proposed Section Plan A-A, B-B - Drawing No.
1032A-02-004-REVA

Pavilion – Proposed Ground Floor Plan - Drawing No. 1032A-03-001-REVB

Pavilion – Proposed Roof Plan - Drawing No. 1032A-03-002-REVB

Pavilion – Proposed Elevations - Drawing No. 1032A-03-003-REVB

Pavilion – Proposed Section Plan A-A, B-B- Drawing No. 1032A-03-004-REVB

Proposed - Amended Pavilion Plan - Drawing No. 1032A-SK-100

Site Location Plan - Drawing No. 1032A-100-001-REVA

Site Survey - Drawing No. 1032A-100-003-REVA

Proposed House & Annexe Height Analysis - Drawing No.
1032A-SK097-REVA

Privacy and Overlooking Study - Drawing No. 1032/SK096

Reason: - To ensure provision of a satisfactory development.

- 3 Notwithstanding any description of materials in the application no above ground construction works shall take place until samples and / or a full specification of the materials to be used externally on the building(s) 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 policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order, prior to first occupation of the building hereby permitted the windows in the first floor on the east elevation shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and 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.

- 5 The car parking and other vehicular access arrangements shown on the approved plans to serve the development hereby permitted shall be made fully available for use prior to the development being first brought into use and shall

be retained thereafter for their intended purpose.

Reason: In the interests of highway safety and having due regard to policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 6 The development hereby permitted shall be carried out in accordance with the submitted Flood Risk Assessment dated December 2020, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants having due regard to Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

- 7 The development hereby granted shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment and Method Statement and Tree Protection Plan submitted by Alderwood Consulting dated 16 October 2020, unless otherwise agreed in writing with the Local Planning Authority.

Prior to any work commencing a meeting shall take place, with the Council's Arboricultural Officer and the applicant's Arboricultural Consultant.

Reason: To ensure the enhancement of the development by the retention of existing trees and natural features during the construction phase in accordance with the objectives of the National Planning Policy Framework and Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011.

- 8 Development shall proceed in accordance with the ecological mitigation and enhancement measures detailed within the Ecological Appraisal (HES, September 2020) unless otherwise agreed in writing by the Local Planning Authority. All ecological enhancement measures shall be undertaken in accordance with the instructions in the Ecological Appraisal and retained in a location and condition suited to their intended function, prior to the occupation of the dwelling.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 9 The development hereby permitted shall be carried out strictly in accordance to the approved Construction Environmental Management Plan, produced by Cirrus Projects Limited, dated February 2021, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect and enhance biodiversity in accordance with the Conservation Regulations 2017, the Wildlife & Countryside Act 1981 (as amended), the NERC Act 2006, NPPF and Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011.

- 10 Prior to the occupation of the dwelling hereby permitted and notwithstanding the approved landscape plan (1032-00-003-REVA), details of the proposed tree planting, in terms of sizes and species shall be submitted in writing to the

Local Planning Authority for approval. The approved landscaping works shall be carried out in accordance with the approved details and in accordance with any timing / phasing arrangements approved or within the first planting season following 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.

Reason: To ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 11 Notwithstanding the approved landscape plan, details of native trees to be planted to the west of the garden courtyard along the western boundary, shall be submitted in writing for approval prior to the occupation of the development hereby permitted. The approved tree planting shall be undertaken in the next planting season, following the approval of the scheme. Any trees 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.

Reason: In the interest of residential amenity and to ensure the appearance of the development is satisfactory and having due regard to policies CS11, CS16, DM8 and DM9 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

- 12 The annexes hereby permitted shall be occupied solely for purposes incidental to the occupation and enjoyment of the existing dwelling and shall not be used as a separate unit of accommodation, or rented or let separately.

Reason: The unit of accommodation is not a satisfactory position and no nature conservation mitigation measures have been provided in respect of the Solent Recreation Mitigation Strategy and nutrient neutral development to be occupied separately from the main dwelling and having due regard to policies CS16 and DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.