
Site Address: Land at Sinah Lane, Hayling Island, PO11 0EY
Proposal: Application for Non-material change to Planning Permission
APP/20/01093 relating to installation of PV panels to the plots shown as green blocks highlighted on drawing No. BAR-PEB-500
Rev A to accord with new Building Regulations.
Application Type: Non-material change
Application No: APP/23/00724 Expiry Date: 18/10/2023
Applicant: Mr Briggs
Barratt David Wilson Homes
Agent: Case Officer: Lesley Wells
Ward: Hayling West

Recommendation: **GRANT PERMISSION**

1 Site Description

Land at Sinah Lane, Hayling Island, PO11 0EY

2 Planning History

APP/18/00724 - Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area
, NDET,04/02/2021

APP/20/01093 - Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area (Resubmission of APP/18/00724) (30.6.21). Request to Discharge Condition Nos. 3, 4, 6, 7,11,12, 13, 14, 20, 22, and 23 (recd 5.7.21) Request to Discharge Condition 18 (recd 17.3.22). Request to discharge condition 18 (06.07.22).Request to discharge conditions 6 and 14 (29.03.23)., PERM,30/06/2021

APP/21/00857 - Variation of conditions 2 and 5 of Planning Permission APP/20/01093 (Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area) to replace approved Winter Bird Mitigation Strategy (containing Winter Bird Mitigation Plan) with an updated document which shows a temporary access via a new farm gate (2m tall) at the northern end of North Shore Road to facilitate access into the Winter Bird Mitigation Area by the RSPB for the purpose of maintenance and management, until such a time as the Area may be safely accessed via the previously approved access.
, WD,06/06/2022

APP/22/00304 - Display of 1No. development site marketing panel.
, PERM,28/06/2022

APP/22/01132 - Erection of 1.8m high wall serving entrance to residential development (resubmission of APP/22/00639). Repositioning of 2No.Trees to

accommodate wall., PERM,24/01/2023

APP/23/00293 - Variation of S106 relating to Schedule 5 (Open Space), clauses 1.1 and 3.1 (APP/20/01093), ,

3 Proposal

Application for Non-material change to Planning Permission APP/20/01093 relating to installation of PV panels to all dwellings constructed post June 2023 to accord with new Building Regulations. The dwellings to have the PV panels installed on their roof, are identified by the green blocks highlighted on the Proposed PV Plan - drawing No. BAR-PEB-500 Rev A.

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

CS14 (Efficient Use of Resources)
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

Building Control - No Comment

6 Planning Considerations

6.1 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.

6.2 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

(i) Principle of development

- 6.3 The principle of residential development has been established on the site by the grant of planning permission under reference APP/20/01093 for the '*Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wader and Brent Geese Refuge Area.*'

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

- 6.4 Policy CS14 of the Havant Borough Local Plan (Core Strategy) 2011 promotes energy efficient measures, with "... new buildings have the highest standards of energy efficiency and design". Energy efficiency in development is also positively promoted in the National Planning Policy Framework to support the transition to a low carbon future.
- 6.5 The application is for a NMA for the installation of PV panels within the roof scape of the properties granted planning permission under ref: APP/20/01093, where construction has not yet commenced on the buildings. These buildings are identified by the green blocks highlighted on drawing No. BAR-PEB-500 Rev A, which was confirmed during the site visit. (Those buildings not identified by the green blocks have already commenced by their footings being provided, or completed.) The installation of the PV panels is in response to a new Building Regulations requirement which can into effect June 2023.
- 6.6 The installation of PV panels on a dwellinghouse is, subject to a number of requirements, permitted development under Part 14 of The Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, once a property is erected and occupied, unless such rights are withdrawn by condition. Such rights were not withdrawn in respect of this development.
- 6.7 The PV panels to be used would be 'Inline Solar' roof-integrated solar panel, which can be installed in all tile and slate roof types in any configuration and array size, with a black finish. The design and installation of these PV panels would not be out of keeping with the design of the estate or the locality.

Impact on neighbours

- 6.8 The only neighbouring residential properties likely to be affected by the proposal are in North Shore Road to the north west. The closest dwellings in North Shore Road to Plot 125, (with the other plots surrounding Plot 125 already commenced) are Nos. 24 and 26, with a minimum separation distance of approximately 28m from No 26. Due to the orientation of Plot 125, the separation distance and vegetation/ trees along the boundary and the proposed position of the PV panels on the roof, the installation of the PV panels would not give rise to any harm in visual or amenity terms to the occupiers of these properties. This assessment is considered to be the same for the occupiers of the other properties that back onto this part of the development in North Shore Road each of which would have a greater separation distance, with most of the PV panels sited on the eastern side of the properties, away from the dwellings in North Shore Road.

- 6.9 The Hayling Billy Path runs north to south to the east of the site. Plot 43 would be closest to the Path, with a proposed PV panel to the east side of the dwelling. Due to established tree cover along this boundary, the installation of PV panels on this side of the roof would not give rise to visual harm to users of the Path and if observed, would be viewed in the overall context of the dwelling.
- 6.9 The proposed changes are modest and would not lead to an adverse impact to neighbouring properties or users of the Hayling Billy Path and can therefore be considered as non-material.

7 Conclusion

- 7.1 Overall, the proposed alterations to plots identified by green blocks on drawing No. BAR-PEB-500 Rev A are not considered to result in a material change to the extant planning permission and the changes are recommended for approval.

8 RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/23/00724 subject to the following conditions

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

Site Location Plan - PL-01
PV Site Layout - BAR-PEB-500 Rev A

Reason: - To ensure provision of a satisfactory development.