

DELEGATED OFFICER REPORT

PROPOSAL	Application for Non-Material Amendment to Planning Permission APP/20/01093 to amend house types on 4No. plots (72-75) and minor amends to hard landscaping and tenure layout.
LOCATION:	land north of Sinah Lane, Hayling Island
REFERENCE NO:	APP/26/00216
APPLICANT:	Miss Rachel Ballam
APPLICATION TYPE:	Non-Material Amendment
CONSULTATION EXPIRY DATE:	07/05/2026
APPLICATION EXPIRY DATE:	27/04/2026
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

The site lies to the north of Sinah Lane on Hayling Island and is a residential development site granted planning permission under application reference APP/20/01093 for the erection of 195 dwellings together with associated works.

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.

Appeal against Non-Determination – subsequently Withdrawn August 2021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). Permitted 30 June 2021 with S106

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), PERMIT Deed of Variation

APP/23/00724 - 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. PERM 22/02/2024

3. Proposal

- 3.1 Application for Non-Material Amendment to Planning Permission APP/20/01093 to amend house types on 4No. plots (72-75) and minor amends to hard landscaping and tenure layout.
- 3.2 The amendments to the house types on plots 72 – 75 would change them from two pairs of 3 bed semis to a row of four terraced dwellings, the mid two being 2 beds, and the end two being 3 beds. The hard landscaping change relates to repositioned pathways between the highway and front doors; and in terms of tenure, it is proposed to swap some of the affordable housing from plots 88-91 to plots 72 – 75 instead.

4. Policy Considerations

In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, the Development Plan, and all other material planning considerations identified in the Planning Considerations section of the report.

Havant Borough Local Plan (Core Strategy) March 2011

CS8	(Community Safety)
CS9	(Housing)
CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS14	(Efficient Use of Resources)
CS15	(Flood and Coastal Erosion)
CS16	(High Quality Design)
CS17	(Concentration and Distribution of Development within the Urban Areas)
CS20	(Transport and Access Strategy)
CS21	(Developer Requirements)
DM1	(Recreation and Open Space)
DM6	(Coordination of Development)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM10	(Pollution)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)
AL2	(Urban Area Boundaries and Undeveloped Gaps between Settlements)
DM23	(Sites for Brent Geese and Waders)
DM24	(Recreational Disturbance to Special Protected Areas (SPAs) from Residential Development)

Listed Building Grade: n/a
Conservation Area: n/a

5. Planning Considerations

- 5.1 This application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application.

- 5.2 Notwithstanding the above, given the proposal to slightly change the hard landscaping, and swap the house types and affordable housing from plots 88-91 to plots 72-75 instead, the Landscape team as well as both the Housing team and CIL team have been consulted:

Landscape – No landscape objection.

Housing - I have no issue with this amendment.

CIL - As far as the S106 is concerned Legal have advised we just need a new affordable housing plan to replace the original. – *this has been provided.*

- 5.3 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. Therefore, having regard to the relevant policies of the development plan it is considered that the main issues arising from this application are:

(i) Impact of proposed changes

- 5.4 The change of house types on plots 72 to 75 would have no impact on associated parking requirements with 2 spaces per unit continuing to be provided, albeit in a slightly different layout.
- 5.5 Plots 72 to 75 are sited at 90 degrees to the main feeder road and the loss of the gap resulting from the change from semis to a terrace would not be overly visually prominent within the street scene terms, especially given the scale and range of house types across the whole site.
- 5.6 The hard landscaping changes are very minor with no objection from the landscape officer. The re-siting of the affordable plots is at the request of the Registered Provider and does not change the overall number and tenure mix of affordable housing across the whole site.
- 5.7 Overall it is considered that the proposed changes are minor in scale relative to the whole development and do not have any adverse consequences to the approved scheme.

Conclusions

- 6.1 Overall, the proposed changes in house types, landscaping and tenure, as shown on the amended plans, are not considered to result in a material change to the extant planning permission and the change is recommended for approval.
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7. RECOMMENDATION:

That the Interim Head of Planning be authorised to **GRANT PERMISSION** for application APP/26/00216 subject to the following conditions:

Conditions:

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

Site Location Plan - Drawing Number PL-01
Proposed Site Layout – Drawing Number PL-02 P16
Housetype Booklet May 2026
Developable Land Plan – Drawing Number PL12 P9
Materials Plan – Drawing Number PL-03 P21
Adoption Plan – Drawing Number PL-11 P16
Affordable Plan – Drawing Number PL-08 P17 dated June 2026
Boundary Treatment Plan – Drawing Number PL-04 P21
POS Phasing Plan – Drawing Number PL-14 P8
Electric Charge Point Plan – Drawing Number PL-13 P15
Chimney Location Plan – Drawing Number PL-10 P16
Storey Heights Plan – Drawing Number PL-09 P16
Bin & Cycle store plan – Drawing Number PL-07 P16
Proposed PV Plan – Drawing Number PL-16 P4
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 1
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 2
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 3
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 4
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 5
Detail Soft Landscape Proposal – Drawing Number BDWS 20660 11 Sheet 6

Reason: - To ensure provision of a satisfactory development.

Informative:

In accordance with paragraphs 39-51 of the NPPF Havant Borough Council (HBC) takes a positive and proactive approach and works with applicants/agents on development proposals in a manner focused on solutions by:

- Offering a pre-application advice service, and

- Updating you of any issues that may arise in the processing of your application and where possible suggesting solutions, and,

In this instance:

- You were updated about issues after the initial site visit