

DELEGATED OFFICER REPORT

PROPOSAL	Variation of Condition 5 of planning application APP/24/00017 to alter the approved external materials.
LOCATION:	Laburnums, St Peters Road, Hayling Island, PO11 0RT
REFERENCE NO:	APP/26/00196
APPLICANT:	Ms Emma O'Shea
APPLICATION TYPE:	Removal/variation of conditions
CONSULTATION EXPIRY DATE:	12/05/2026
APPLICATION EXPIRY DATE:	26/05/2026
WARD:	Hayling West
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 Laburnums is a detached two storey dwelling which lies on the east side of St Peters Road, with vehicular access to the south of the property. To the rear of the residential planning unit is a detached former garage converted to a residential annex linked to the main dwelling. To the east and south of the dwelling are fenced fields with hedgerow along the boundaries to the east (part of), south and west.
- 1.2 The site lies outside of the urban area and falls within a non-urban area, with Chichester Harbour National Landscape to the east and south of the site. 1.3 The proposed building would be in Flood Zone 1, with part of the site lying within Flood Zone 2 and according to the Strategic Flood Risk Assessment 2024 is at risk from future climate change.

2. Planning History

APP/24/00017 Erection of a stable block – Approved 28.05.2025

3. Proposal

Variation of Condition 5 of planning application APP/24/00017 to alter the approved external materials.

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.

National Planning Policy Framework

Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016
Chichester Harbour Management Plan 2024-2025
Havant Borough Council and Chichester District Council Joint SPD - Chichester
Harbour Area of Outstanding Natural Beauty

Havant Borough Local Plan (Core Strategy) March 2011
CS12 Chichester Harbour Area of Outstanding Natural Beauty (AONB)
CS15 Flood and Coastal Erosion
CS16 High Quality Design
DM10 Pollution
DM13 Car and Cycle Parking on Residential Development
DM8 Conservation, Protection and Enhancement of Existing Natural Features

Havant Borough Local Plan (Allocations) July 2014
AL1 Presumption in Favour of Sustainable Development
DM23 Sites for Brent Geese and Waders
AL2 Urban Area Boundaries and Undeveloped Gaps between Settlements

Emsworth Neighbourhood Plan

Listed Building Grade: Not applicable
Conservation Area: Not applicable

5. Statutory and Non Statutory Consultations

None received

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

No publicity as Section 73 variation of condition for minor amendment

7. Planning Considerations

1. Principle of Development
2. Impact on the character and appearance of the area.

1. Principle of Development

- 7.1 The principle of development has already been established through the grant of planning application APP/24/00017 for the erection of a stable block. The current application seeks a variation of condition 5 to allow amendments to the materials to be used in the development only. The original application included elements of flint in the elevations. The current proposal seeks to remove the flint and replace it with painted render to the front of the building and treated timber feather-edged boards to the rear of the building.

2. Impact on the character and appearance of the area

- 7.2 The original application included flint in the elevations to match the design of the house however the building is a stable building therefore the removal of flint and use of render and timber feather-edged boards are entirely appropriate materials for a stable building. This alteration will not have a significant impact on the character and appearance of the area such as to warrant refusal of the proposal. It is considered these changes would not result in any material harm to the character or appearance of the building or surrounding area.
- 7.3 No adverse comments from the public or any consultees have been received in respect of the change of materials.

8. Conclusions

- 8.1 The proposal is recommended for approval.
- 8.2 Relevant conditions are required to be carried forward from the original permission. As to the time limit for the commencement of development, this is 3 years from the grant of the previous permission i.e. 28 April 2025.

9. RECOMMENDATION:

That the Interim Head of Planning be authorised to Approve with Conditions for application APP/26/00196

Conditions:

1. The development hereby permitted shall be begun no later than 28 April 2028, being the date by which the original planning permission was required to be commenced.

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:

Plans

Proposed Plans, Elevations and Renders PROPOSED-OSHEA P 02 Rev B
Flood Risk Assessment by GeoSmart dated 7/2/25
Drawing No 01F

Reason: To ensure provision of a satisfactory development.

3. The stables hereby permitted shall only be used for the keeping of horses ancillary to the occupation of the dwellinghouse known as Laburnums and shall not be used for any commercial or residential purposes.

Reason: The location of this site is unsuitable for the establishment of this type of activity or use having regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

4. The number of horses on the land shall be restricted to no more than six.

Reason: In the interests of the amenities of occupiers of nearby residential properties and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

5. The external materials used shall be as indicated on the submitted forms and hereby approved plans, or shall match, in type, colour and texture, those of the existing building so far as practicable.

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

PRIOR TO COMMENCEMENT

6. No development shall take place until plans and particulars specifying the following matters have been submitted to and approved in writing by the Local Planning Authority:

- (i) The provision to be made within the site for a material storage compound during site clearance and construction of the development;
- (ii) The provision to be made within the site for a material storage compound during site clearance and construction of the development.

Thereafter, throughout such site clearance and implementation of the development, the approved parking provision and storage compound shall be kept available and used only as such.

Reason: To safeguard the amenities of the locality and/or in the interests of traffic safety and having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

7. PRIOR TO USE

Prior to the commencement of the use of the development hereby permitted, the rainwater harvesting system, together with the proposed soakaway system shall be fully implemented and thereafter retained and maintained.

Reason: In the interests of flood risk and the efficient use of resources having due regard to policy CS14 and CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

8. Prior to the commencement of the use of the development hereby permitted, the manure collection bay as shown on Drawing No. 01F shall be made available and shall thereafter be the only place on the site used for the storage of horse manure generated by the proposal.

Reason: In the interests of amenity having due regard to policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework.

Informatives:

Other Important Information:

- (1) This notice only relates to the decision of Havant Borough Council as Local Planning Authority under the Town and Country Planning Acts. It does not relate to any other application that may be required under the Building Regulations or under any other Act, Regulation, Byelaw or Order where the Council's approval may be needed. For further guidance as to the need for consent under the Building Regulations please phone 023 9244 6571.
- (2) Your attention is drawn to the attached information regarding firstly your right to appeal to the Planning Inspectorate, if you are aggrieved by the Council's decision, and secondly the rights of an owner to, in certain circumstances serve a purchase notice on the Council. See www.planningportal.co.uk
- (3) Any failure to adhere to the details of the approved plans, and other documents or to comply with any conditions listed above may lead to enforcement action being taken by the Council. If you wish to depart from the approved details or conditions in any way you should contact the Planning and Development service at the Plaza or by telephoning 023 9244 6015.
- (4) 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.
- (5) Southern Water

Following the review of the submitted documents, we have the below comments for the Planning consultation.

Protection of Public Apparatus

Please see the attached extract from Southern Water records (on Council's website) showing the approximate position of our existing foul sewer within the development site. The exact position of the public asset must be determined on site by the applicant in consultation with Southern Water before the layout of the proposed development is finalised.

- The 150 mm public foul sewer requires a clearance of 3 metres on either side of the public foul sewer to protect it from construction works and to allow for future maintenance access.
- No development or tree planting should be carried out within 3 metres of the external edge of the public foul sewer without consent from Southern Water.
- No soakaways, swales, ponds, watercourses or any other surface water retaining Our Ref: APP/24/00017 or conveying features should be located within 5 metres of public or adoptable gravity sewers.
- All existing infrastructure should be protected during the course of construction works.

It is possible that a sewer now deemed to be public could be crossing the development site. Therefore, should any sewer be found during construction works, an investigation of the sewer will be required to ascertain its ownership before any further works commence on site.

(6) Flood Risk Assessment

As advised in the above Assessment, users of the site should be signed up to receive EA Flood Alerts and Flood Warnings.