Havant BOROUGH COUNCIL

Public Service Plaza,
Civic Centre Road,
Havant, Hampshire,
PO9 2AX

T 023 9244 6019
www.havant.gov.uk

Application for Removal or Variation of a Condition following Grant of Planning Permission or Listed Building Consent

Town and Country Planning Act 1990 (as amended); Planning (Listed Buildings and Conservation Areas Act) 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Land West of Coldharbour Farm Road

Address Line 2

Emsworth

Address Line 3

Town/city

Postcode

PO10 7XA

Description of site location must be completed if postcode is not known:

Easting (x)

474725

Northing (y)

106501

Description

Land West of Coldharbour Farm Road, Emsworth

Applicant Details

Name/Company

Title

Mrs

First name

Harriet

Surname

Lobacz

Company Name

Henry Adams LLP

Address

Address line 1

Rowan House

Address line 2

Baffins Lane

Address line 3

Town/City

Chichester

County

West Sussex

Country

United Kingdom

Postcode

PO19 1UA

Are you an agent acting on behalf of the applicant?

- [x] Yes
- [ ] No

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Agent Details

Name/Company

Title

Mrs

First name

Harriet

Surname

Lobacz

Company Name

Henry Adams LLP

Address

Address line 1

Rowan House

Address line 2

Baffins Lane

Address line 3

Town/City

Chichester

County

West Sussex

Country

United Kingdom

Postcode

PO19 1UA

Contact Details

Primary number

***** REDACTED ******

Secondary number

Fax number

Email address

***** REDACTED ******

Description of the Proposal

Please provide a description of the approved development as shown on the decision letter

Construction of 44 dwellings with access, open space, landscaping and associated work and diversion of footpath No. 71 to the west

Reference number

APP/19/01226

Date of decision (date must be pre-application submission)

22/03/2024

Please state the condition number(s) to which this application relates

Condition number(s)

Condition 2- Approved Plans
Condition 17- Approved Landscape Scheme

Has the development already started?

- [x] Yes
- [ ] No

If Yes, please state when the development was started (date must be pre-application submission)

06/01/2025

Has the development been completed?

- [ ] Yes
- [x] No

Condition(s) - Variation/Removal

Please state why you wish the condition(s) to be removed or changed

This application is required by virtue of minor adjustments which have been proposed during the S278 Technical Approval Process. These relate principally to a shift in the crossing point on Coldharbour Farm Road by approximately 7.5 metres east. The carriageway alignment itself remains unchanged. These adjustments were necessitated by two constraints that emerged during detailed design and technical review with HCC:

- The approved footpath alignment directly conflicts with the headwall of an existing culvert and cannot be constructed as drawn;
- The gradient of the consented footpath would have been approximately 1:12, rendering it non-compliant with DDA standards and unacceptably steep from a user accessibility perspective.

Please see the attached covering letter.

If you wish the existing condition to be changed, please state how you wish the condition to be varied

The plans submitted to vary Condition 2 of planning permission APP/19/01226 are listed below;

Drawing 28165-WD102C Existing Site Location Plan.

Proposed General Arrangement Plans:

Drawing JUBB_XX_XX_DR_C_120 Rev C3- Proposed Levels

Drawing JUBB_XX_XX_DR_C_500 Rev C9- Drainage Layout

Drawing JUBB_XX_XX_DR_C_700 C2- Surfacing Plan

The plans submitted to vary Condition 17 of planning permission APP/19/01226 are listed below

Proposed Landscape Plans:

Drawing GLS_090_151_1300 Rev C to replace GLS_090_151_1300 Rev B- Landscape General Arrangement plan
Drawing GLS_090_151_1500 Rev C to replace GLS_090_151_1500 Rev B- Landscape Planting Plan
Drawing GLS_090_151_1600 Rev B to replace GLS_090_151_1600 Rev B- Hard Landscape Plan

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- [x] Yes
- [ ] No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- [x] The agent
- [ ] The applicant
- [ ] Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- [x] Yes
- [ ] No

If Yes, please complete the following information about the advice you were given (this will help the authority to deal with this application more efficiently):

Officer name:

Title

***** REDACTED ******

First Name

***** REDACTED ******

Surname

***** REDACTED ******

Reference

Confirmation from Legal Team

Date (must be pre-application submission)

07/08/2025

Details of the pre-application advice received

Confirmation received from the Councils Legal Team to confirm that this application can be dealt with under S73 so long as:

1. The description of the development does not change (i.e. the operative part of the permission); and
2. The red line plan and access plan are drawings listed in one of the conditions.

Ownership Certificates and Agricultural Land Declaration

Certificates under Article 14 - Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Please answer the following questions to determine which Certificate of Ownership you need to complete: A, B, C or D.

Is the applicant the sole owner of all the land to which this application relates; and has the applicant been the sole owner for more than 21 days?

◯ Yes
⊘ No

Can you give appropriate notice to all the other owners/agricultural tenants? (Select 'Yes' if there are no other owners/agricultural tenants)

⊘ Yes
◯ No

Certificate Of Ownership - Certificate B

I certify/ The applicant certifies that:

⊘ **I have/The applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates; or**

◯ **The applicant is the sole owner of all the land or buildings to which this application relates and there are no other owners* and/or agricultural tenants**.**

*** "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.**

**** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990**

Owner/Agricultural Tenant

Name of Owner/Agricultural Tenant:
***** REDACTED ******

House name:
Peninsular House

Number:

Suffix:

Address line 1:
Wharf Road

Address Line 2:

Town/City:
Portsmouth

Postcode:
PO2 8HB

Date notice served (DD/MM/YYYY):
10/09/2025

Person Family Name:

Person Role

◯ The Applicant
⊘ The Agent

Title

Mrs

First Name

Harriet

Surname

Lobacz

Declaration Date

10/09/2025

☑ Declaration made

Declaration

I/We hereby apply for Removal/Variation of a condition as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☑ I / We agree to the outlined declaration

Signed

Harriet Lobacz

Date

22/09/2025