

DELEGATED OFFICER REPORT

APPLICATION REFERENCE: APP/25/006673

APPLICATION TYPE: Certificate of Proposed Lawful Use

PROPOSAL: Application for Lawful Development Certificate relating to proposed single storey extension to be built under the guidelines for Permitted Development:

1) Side extension - proposed to be no more than half the width of the original house. 2)

Materials to match existing. 3) Maximum eaves height less than 3m.

SITE ADDRESS: 66 Juniper Square, Havant, PO9 1JA

AGENT DETAILS: Mr. Bessant

APPLICANT DETAILS: Mr and Mrs Mansbridge

CASE OFFICER: Denise Sheath

TARGET DATE FOR DECISION: 22 October 2025

RECOMMENDATION: GRANT A CERTIFICATE OF LAWFUL USE

1 Site Description

66 Juniper Square, Havant, PO9 1JA

2 Planning History

None relevant

3 Proposal

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4 Policy Considerations

4.1 The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

5 Statutory and Non Statutory Consultations

Not required

6 Community Involvement

Not required for a Certificate of Lawful Proposed Use or Development.

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) Whether the development would require planning permission
- 7.2 The proposal has been assessed against the 'permitted development' allowances in The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- 7.3 7.3 The development has been assessed against Schedule 2, Part 1, Class A.
- A.1 Development is not permitted by Class A if—
- (a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class G, M, MA, N, P, PA or Q of Part 3 of this Schedule (changes of use); **(Not relevant)**
- (b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse); (the proposal would **accord**)
- (c) the height of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the highest part of the roof of the existing dwellinghouse (**would not**);
- (d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse; (the side extension **would not** exceed the eaves height of the existing dwellinghouse)
- (e) the enlarged part of the dwellinghouse would extend beyond a wall which—
- (i) forms the principal elevation of the original dwellinghouse (**would not**); or
- (ii) fronts a highway and forms a side elevation of the original dwellinghouse (**would not**);
- (f) subject to paragraph (g), the enlarged part of the dwellinghouse would have a single storey and—
- (i) extend beyond the rear wall of the original dwellinghouse by more than 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
- (iii) exceed 4 metres in height; ((i) and (ii) are **met** as this is for a side extension, and not a rear extension)
- (g) for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—
- (i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or
- (i) exceed 4 metres in height; ((i) and (ii) would be **met** as this is for a side extension)
- (h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or
(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse being enlarged which is opposite the rear wall of that dwellinghouse; (h (i) and (ii) would be **met** as this is not for a two-storey rear extension)

- (i) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres; (The side extension would be within 2 metres of the boundary, and would have an eaves height of 3m so would **accord**)
- (j) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would—
 - (i) exceed 4 metres in height (**would not**),
 - (ii) have more than a single storey, (**would not**) or
 - (ii) have a width greater than half the width of the original dwellinghouse; (the width of the dwellinghouse is measured at approximately 5.898 metres and the extension would be approximately 2.49 metres, therefore the extension would **accord**)
- (ja) any total enlargement (being the enlarged part together with any existing enlargement of the original dwellinghouse to which it will be joined) exceeds or would exceed the limits set out in sub-paragraphs (e) to (j); (**would not**)
- (k) it would consist of or include—
 - (i) the construction or provision of a verandah, balcony or raised platform (**N/A**),
 - (ii) the installation, alteration or replacement of a microwave antenna (**N/A**),
 - (iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe (**N/A**), or
 - (iv) an alteration to any part of the roof of the dwellinghouse (**N/A**).; or
- (l) the dwellinghouse is built under Part 20 of this Schedule (construction of new dwellinghouses) (**not relevant**).

7.4 A3 - The plans submitted demonstrate that the conditions in A3 would be met.

7.5 A search of the planning history has not revealed any conditions that restrict 'permitted development' rights, nor is the dwelling part of an Article 4 direction.

8 Conclusion

8.1 The proposed development falls within permitted development regulations as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended). Therefore, a Lawful Development Certificate can be issued.

9 RECOMMENDATION:

That the Development Manager be authorised to **GRANT A CERTIFICATE OF LAWFUL USE** for application APP/25/00673

FIRST SCHEDULE:

This certificate relates to the following development:

Application for Certificate of Lawfulness relating to the proposed development for the conversion of garage to ancillary residential accommodation. As described in the written

particulars, plans and other documents submitted with your application received on 27 August 2025.

SECOND SCHEDULE: This certificate relates to land at 66 Juniper Square, Havant, PO9 1JA as shown edged red on the submitted Location Plan received 27 August 2025.

OTHER IMPORTANT INFORMATION:

1. This Certificate is issued solely for the purpose of Sections 192 of the Town and Country Planning Act 1990 (as amended). It does not relate to any other application that may be required under any other part of the Town and Country Planning Act, 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. It certifies that the development specified in the First Schedule taking place on land described in the Second Schedule would have been lawful within the meaning of section 192 of the Town and Country Planning Act 1990 (as amended) on the specified date and thus would not have been liable to enforcement action under part 7 of the 1990 Act on that date.
3. The certificate only applies to the extent of the development specified in the First Schedule taking place on land described in the Second Schedule and identified on the attached plan. Any development which is materially different from that described or which relates to other land may render the owner/occupier liable to enforcement action under section 172 of the 1990 Act.
4. The effect of the certificate is also qualified by the provision in section 192(4) of the 1990 Act (as amended), which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matter relevant to determining such lawfulness.
5. Your attention is drawn to the attached information regarding your right to appeal to the Department for Transport Local Government and the Regions, if you are aggrieved by the Council's decision.