

DELEGATED OFFICER REPORT

PROPOSAL	Variation of Conditions 2 & 3 of Planning Application APP/24/01019 relating to alterations to external materials
LOCATION:	Bidbury Lawn, Bidbury Lane, Havant, PO9 3JG
REFERENCE NO:	APP/25/00932
APPLICANT:	Laura Mitchell Jarred Gibbons
APPLICATION TYPE:	Removal/variation of conditions
CONSULTATION EXPIRY DATE:	02/03/2026
APPLICATION EXPIRY DATE:	26/01/2026
WARD:	Bedhampton
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 Bidbury Lawn is a detached three storey property set within extensive grounds to the north of Bidbury Lane. The application site is roughly triangular in shape, with a private gated entrance from Bidbury Lane to the south at the narrowest point. The site widens to the north as well as sloping upwards with the main dwelling approximately 13m from the northern boundary at the end of a long driveway that runs parallel to the south-west boundary. The frontage has otherwise been laid to lawn and the lawned area continues around the dwelling to the east and north. There are a number of small outbuildings clustered around the north and west boundaries on paved terrace areas, including a double carport to the south-west of the main dwelling. The main dwelling is finished in brick and hung tiles with a plain clay tile gable ended pitched roof and white cottage style uPVC fenestration. The property has previously been extended with a one and a half storey addition to the west that has modern style anthracite grey bifold doors at ground floor. The boundaries of the site are heavily planted and include TPO groups to the north, west, and south-east as well as individual TPOs.
- 1.2 The application site is within a residential area comprised of one and two-storey dwellings in a variety of style and materials. The properties to the north are part of a modern estate, however the application site and properties to the east, south, and west lie within the Old Bedhampton Conservation Area. The Old Bedhampton Conservation Area Character Appraisal (2019) notes that the area is distinguished by surviving networks of lanes and streams and a generally irregular development pattern, which includes a number of listed buildings and TPOs. The application site is not listed, but has been identified as a Building of Local Interest and is therefore a Non Designated Heritage Asset.

2. Planning History

02/56946/007 - Erection of 5 bedroom detached dwelling with integral garage with access to Bidbury Lane., REF, 13/02/2003

03/59646/010 - Erection of a 3 bedroom detached dwelling with an integral double garage utilising the existing access to Bidbury Lane., REF,04/08/2003

07/59646/013 - Retention of wrought iron fence (height 2.02m) and gates along the south and part of the south west boundary of the site., PERM,23/04/2007

07/59646/014 - Application to carry out works to trees subject to TPO 0496 as detailed in the schedule. , PERM,16/04/2007

01/59646/005 - Fell a willow tree at Bidbury Lawn, Bidbury Lane within Old Bedhampton Conservation Area., RNO,01/06/2001

APP/10/00104 - Fell 1No. Pear tree, 1No. Cherry tree and 1No. Silver Birch tree and crown raise to 4m 2No. Silver Birch trees and 1No. Acer tree, all within Old Bedhampton Conservation Area., RNO,09/06/2010

APP/11/00217 - Cut back 4No. Monterey Cypress trees (east side) by 2m to boundary and cut back 1No. Beech tree (east side) by 1m to boundary. All subject to TPO 0496., PERM,06/06/2011

APP/12/00241 - Reduce 1No. Eucalyptus to previous pruning points and rebalance crown and fell 1No. Eucalyptus (suppressed), both trees within Group Order 1 of TPO 0496., PERM,01/06/2012

APP/12/00881 - Construction of an open-fronted double oak garage with log store and bike shed, incorporating the felling of one conifer and the following works which are covered under separate planning approvals (APP/12/00241 and APP/12/00433): the crown raise of 1no. Mulberry, the felling of 1no. Eucalyptus and the pollarding of 1No. Eucalyptus to original fork. , PERM,08/11/2012

APP/12/01179 - Crown thin 1No. Willow by 10% within Group 2 of TPO 0496., PERM,20/12/2012

APP/16/00913 - Crown lift 1No. Ash (T7) above footway to 3.5m, reduce limbs above carriageway by 5.1m and crown reduce by 2m. Reduce limbs above carriageway by 5.1m and above footway to 2.3m 1No. Field Maple (T6). Reduce limbs around street lighting to provide 1.5m clearance. Reduce limbs above carriageway by 5.1m and above footway by 2.3m for trees within G3 of TPO 1526., PERM,28/10/2016

APP/24/01019 - Erection of two storey rear and side extension and single storey front extension, alterations to fenestration and associated works. PERMIT 22/08/2025.

Condition 2 of APP/24/01019 states that:

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

Block & Location Plan 24023-PL-001 Rev. P03

Proposed Ground Floor Plan 24023-PL-003 Rev. P03

Proposed First Floor Plan 24023-PL-005 Rev. P03

Proposed Elevations 24023-PL-007 Rev. P03

Indicative 3D Visual 24023-PL-008 Rev. P03

Heritage Statement by James Potter Associates

Arboricultural Impact Assessment and Preliminary Method Statement MDJAC

BS24116-AIAPMS-01 Rev. B

Preliminary Bat Roost Assessment by Phillips Ecology, February 2025
Bat Roost Assessment by Phillips Ecology, June 2025

Reason: To ensure provision of a satisfactory development.

Condition 3 of APP/24/01019 states that:

The external materials used 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.

3. Proposal

Variation of Conditions 2 & 3 of Planning Application APP/24/01019 relating to alterations to external materials

Officer Comment

The description originally referred to Condition 4 and was corrected following clarification from the agent.

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 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

CS11 (Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

DM20 (Historic Assets)
AL1 (Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

N/A

Listed Building Grade: N/A
Conservation Area: Old Bedhampton

5. Statutory and Non Statutory Consultations

Conservation Officer

I have now viewed the amended plans which show an off-white render finish to the property instead of cladding. From a heritage / conservation area perspective, I am supportive of this and therefore raise no objection to the proposed variation of condition 4 application.

Officer Comment

The initial application proposed cream cladding boards at first floor, which the Conservation Officer noted, "would be quite a contrast to the prevailing material palette within the CA which comprises red/brown brick, tile hanging, and some limited use of dark wooden / wood effect cladding." The proposal was revised to an off-white render following a study of the local area carried out by the agent.

Ecologist

Thank you for consulting me on this application. I have no comments to make in relation to the proposed changes.

Provided that the previously agreed bat mitigation measures are implemented, I would have no concerns over these proposals.

Councillor Liz Fairhurst

No comments received.

Councillor Philippa Gray

No comments received.

Councillor Michael Lind

No comments received.

6. Publicity and Community Involvement

This application was publicised in accordance with the Council's Code of Practice for Publicity of Planning Applications approved at minute 207/6/92 (as amended), as a result of which the following publicity was undertaken:

Number of neighbour notification letters sent: 14

Number of site notices: 1

Statutory advertisement: 1

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Press Advert		05/12/2025	05/01/2026	Is in conservation area
Site Notice		05/12/2025	05/01/2026	Is in conservation area

Press Advert		03/03/2026	27/03/2026	Is in conservation area
Site Notice		03/03/2026	27/03/2026	Is in conservation area

Number of representations received: 0

Comment	Officer Comment
No comments received.	

Material planning considerations are addressed in Section 7.

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) Principle of development
- (ii) Appropriateness of design and impact on the character of the Old Bedhampton Conservation Area and on a Non Designated Heritage Asset
- (iii) Effect on neighbouring properties
- (v) Impact on Ecology and Trees
- (vi) Biodiversity Net Gain (BNG)

(i) Principle of development

7.2 The application site is located within the defined urban area, therefore development is considered acceptable in principle subject to development management criteria.

7.3 Section 73 of the Town and Country Planning Act 1990 provides for the determination of applications to develop land without compliance with conditions previously attached. It only provides for the variation of conditions attached to an existing permission; it does not provide a means of varying the development permitted (other than through the imposition of new/varied conditions). Given the previous permission, the principle of the development is considered to be acceptable.

(ii) Appropriateness of design and impact on the character of the Old Bedhampton Conservation Area and on a Non Designated Heritage Asset

7.4 Policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011 requires that new development responds to, draws inspiration from and respects local context and identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site. Policies CS11 and DM20 of the of the Havant Borough Local Plan (Core Strategy) 2011 seek to protect and, where appropriate, enhance the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to Conservation Areas.

7.5 The proposal seeks to vary the approved materials from the originally approved brickwork and hung tiles to match existing to brickwork and off white render, as shown on drawings 24023-PL-007 and 24023-PL-008. When originally submitted the proposals showed an off white cladding material to the upper floor, however concerns were raised by the Council's Conservation Officer that this would appear out of keeping with the

vernacular of the Old Bedhampton Conservation Area. The agent provided a Context Study looking at light coloured materials in and around the Conservation Area, and following discussions revised the proposal to off white render.

- 7.6 The Context Study and visits to the site showed that white and off white render is visible on several properties within the immediate vicinity of the site, notably Manor House in Edward Gardens to the east, which is a grade II listed building. The design and appearance is therefore deemed appropriate in context to the main building and is considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy). It is considered that the scheme would preserve the character and appearance of the Old Bedhampton Conservation Area, in accordance with Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and the tests in Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

(iii) Effect on neighbouring properties

- 7.7 The proposed change of materials would not result in any additional impact to neighbouring properties. Consequently, it can be concluded that the revised proposals would have limited and acceptable impact on the properties immediately adjacent to the application site and the properties opposite or to the rear, meeting the requirements of Policy CS16 of the HBLP (Core Strategy). It is noted no letters of objection were received with respect to the scheme.

(v) Impact on Ecology and Trees

- 7.8 The Council's Principal Ecologist was consulted and has raised no objection, provided previously agreed bat mitigation measures are implemented. A condition to this effect is recommended.
- 7.9 The proposed change of materials would not result in any additional impact to TPO trees within the site.

(vi) Biodiversity Net Gain (BNG)

- 7.10 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.

8 Conclusions

- 8.1 The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area and would have a limited and acceptable impact on the neighbouring properties. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Development Manager be authorised to **GRANT PERMISSION** for application APP/25/00932 subject to the following conditions

Conditions:

- 1 The development must be begun not later than 22 August 2028.

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:

Block & Location Plan 24023-PL-001 Rev. P03
Proposed Ground Floor Plan 24023-PL-003 Rev. P03
Proposed First Floor Plan 24023-PL-005 Rev. P03
Proposed Elevations 24023-PL-007 P05
Indicative 3D Visual 24023-PL-008
Context Study received 09 January 2026
Arboricultural Impact Assessment and Preliminary Method Statement
MDJAC-BS24116-AIAPMS-01 Rev. B
Preliminary Bat Roost Assessment by Phillips Ecology, February 2025
Bat Roost Assessment by Phillips Ecology, June 2025

Reason: To ensure provision of a satisfactory development.

- 3 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.

- 4 Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extension hereby permitted the windows in the first floor on the rear elevation facing north shall be fitted with, to a height of no less than 1.7m above finished floor level, non-opening lights and textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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

- 5 Development shall proceed in accordance with the ecological enhancement measures within the Bat Roost Assessment (Phillips Ecology, June 2025) unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide ecological enhancement in accordance with the Environment Act 2021, NPPF, NERC Act 2006 and Policy CS 11 of the Havant Borough Core Strategy March 2011.

- 6 The development hereby permitted shall only be carried out in accordance with the submitted Arboricultural Impact Appraisal and Preliminary Arboricultural Method Statement and British Standard BS5837: 2012 (Trees in relation to design, demolition and construction - Recommendations).

Reason: To ensure the continuity of amenity value afforded by the trees in question and in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Informatives:

- 1 In accordance with paragraphs 38-50 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.
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- 2 Your attention is drawn to the provisions of the Conservation (Natural Habitats, &c.) Regulations 1994 which makes it an offence to deliberately capture, kill or disturb a European Protected Species or to damage or destroy the breeding site or resting place of such an animal. It may be possible to obtain a licence from the Department for Environment Food and Rural Affairs (DEFRA) if the loss of a protected species cannot be avoided. For further advice about licences you can contact DEFRA European Wildlife Division on 08459 33 55 77.