DELEGATED OFFICER REPORT

PROPOSAL	**Application for Lawful Development Certificate relating to proposed single storey rear extension to replace existing single storey rear extension, under 3 meters in depth.**
LOCATION:	38 Parkside, Havant, PO9 3PL
REFERENCE NO:	APP/26/00121
APPLICANT:	Mr Alec Matthews
APPLICATION TYPE:	Lawful development: Proposed use

CONSULTATION EXPIRY DATE:

APPLICATION EXPIRY DATE: 20/04/2026

WARD: Bedhampton

SUMMARY RECOMMENDATION: Grant a Lawful Development Certificate

1. Site Description

1.1 The application site comprises of a two storey dwellinghouse located in Bedhampton that features an original rear extension and a two and one storey side extension to its southern side.

2. Planning History

Is there any planning history relevant to the current application?

Yes - 2-storey extension plus new garage – Approved 21st March 1985

3. Proposal

Application for Lawful Development Certificate relating to proposed single storey rear extension to replace existing single storey rear extension, under 3 meters in depth.

4. Policy Considerations

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

5. Statutory and Non Statutory Consultations

5.1 Not required

6. Publicity and Community Involvement

6.1 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 The development has been assessed against Part 1, Schedule 2, Class A.

7.4 Under Class A the proposed single storey rear extension meets the following tests:

(a) Permission to use the dwellinghouse as a dwellinghouse has not been granted only by virtue of Class G, M, MA, N, P or Q of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (changes of use) **(accords).**

(b) The rear extension would not result in over 50% of the total area of the curtilage being covered by buildings (excluding the original dwellinghouse) (**accords**).

(c) The height of the proposed rear extension would not exceed the highest part of the roof of the existing dwellinghouse (**accords**).

(d) The height of the eaves of the proposed rear extension will not exceed the highest part of the eaves of the existing dwellinghouse (**accords**).

(e) The rear extension would not extend beyond a wall which forms either the principal elevation of the original dwellinghouse or fronts a highway and forms a side elevation of the original dwellinghouse. Regarding side elevations, the existing original rear extension and its side walls would be removed which would be permitted development, and as such the proposal would not extend beyond an original side wall and **accords** with this guidance.

(f) The rear extension would have a single storey and will not extend more than 3m from the rear wall of the existing dwellinghouse, nor will it exceed 4m in height and would therefore **accord**.

(g) **Not relevant** in this application as within permitted development limits

(h) **Not relevant** in this application as the extension is single storey

(i) The extension would not be within 2m of the boundary and the eaves height would not exceed 3 metres and would **accord**.

(j) **Not relevant** in this application as the development will be located to the rear of the dwelling.

(ja) The 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) - The proposed rear extension will not be attached to any previous extensions (**accords**).

(k) The proposal does not include the construction or provision of a veranda, balcony or raised platform; it does not include the installation, alteration or

replacement of a microwave antenna; it does not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or the alteration to any part of the roof of the dwellinghouse (**accords**).

(l) The dwellinghouse is not built under Part 20 of this Schedule (construction of new dwellinghouses) (**accords**).

7.5 A2 - The application site is not situated within Article 2(3) land.

7.6 A3 – An email received 08 April 2026 confirm that the conditions in A3 would be met (i.e. materials to be of a similar appearance to those on the existing dwelling). There would also be no first floor windows.

7.7 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 Conclusions

8.1 There is sufficient evidence as detailed in the submitted documentation to prove that the addition of the single storey rear extension is permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), Part 1 'Development within the curtilage of a dwelling house', Class A.1.

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9. RECOMMENDATION:

That the Interim Head of Planning be authorised to Grant a Lawful Development Certificate for application APP/26/00121

Havant Borough Council, as Local Planning Authority, certifies that on 23 February 2026 the development described in the First Schedule to this certificate in respect of land described in the Second Schedule and edged in red on the submitted Location Plan would have been lawful within the meaning of section 192 of the of the Town and Country Planning Act 1990 (as amended) for the following reason:

The proposed development falls within permitted development allowance as set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

FIRST SCHEDULE:

This certificate relates to the following development:

Application for Certificate of Lawfulness relating to proposed single storey rear extension. As described in the written particulars, plans and other documents submitted with your application uploaded on 23/02/2026 and 08/04/2026**.**

SECOND SCHEDULE:

This certificate relates to land at 38 Parkside, Havant, PO9 3PL, as shown edged red on the submitted Location Plan received 08/04/2026.

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.