DELEGATED OFFICER REPORT

PROPOSAL	**Replacement of existing conservatory with rear single storey flat roof extension.**
LOCATION:	11B Salterns Lane, Hayling Island, PO11 9PH
REFERENCE NO:	APP/26/00167
APPLICANT:	Mr & Mrs David and Caroline Jackson
APPLICATION TYPE:	Lawful development: Proposed use
CONSULTATION EXPIRY DATE:	14/04/2026
APPLICATION EXPIRY DATE:	11/05/2026
WARD:	Hayling East

SUMMARY RECOMMENDATION: Grant a Lawful Development Certificate

1. Site Description

1.1 The application site comprises of a two storey detached dwellinghouse located in Hayling Island. The character of the streetscene is mixed with a variety of designs.

2. Planning History

2.1 Is there any planning history relevant to the current application?

No recent relevant history

3. Proposal

3.1 Replacement of existing conservatory with rear single storey flat roof extension.

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 however the following consultation was undertaken:

Southern Water	Development Site is not within Southern Water's Supply Area The development site is not located within Southern Water's statutory area for water supply services. Please contact Portsmouth Water who are the relevant statutory undertaker.

	Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal. Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website. Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water. Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site. For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

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:

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** it would exceed the eaves of the single storey element but would not exceed the eaves height of the two storey element of the dwelling).

(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.(**accords**).

(f) The rear extension would have a single storey and will not extend more than 4m from the rear wall of the existing dwellinghouse (**approximately 3.6 metres**), nor will it exceed 4m in height (approximately 2.7 metres eaves height and approximately 2.85 metres including the rooflight) 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 (approximately 6.4 metres at the extension's closest part to the boundary) and the eaves height would not exceed 3 metres (approximately 2.7 metres eaves height and approximately 2.85 metres including the rooflight) and would **accord**.

(j) The extension extends beyond a side wall, however, it would not exceed 4 metres in height, feature more than a single storey, or feature a width greater than half the width of the original dwellinghouse and therefore would **accord**.

(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 would **accord** with this.

(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 – The plans show that the external materials would be matching, there would also be no first floor windows therefore it **accords**.

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/26/00167

Informative:

1. Southern Water has provided the following advice to the applicant:

   The development site is not located within Southern Water's statutory area for water supply services. Please contact Portsmouth Water who are the relevant statutory undertaker.

   Southern Water has determined that the flow rate for the above site will remain consistent, so capacity is not an issue, and no Southern Water assets will be affected. Therefore, Southern Water has no objections to this proposal.

   Please note surface water should not be disposed of into a public foul sewer and must comply with the Hierarchy of H3 of the Building Regulations. For more details, refer to the Drainage and Waste Disposal: Approved Document H on the GOV.UK website.

Any new connections to the public sewerage system will require a New Sewer Connection application (also known as a Section 106) to be submitted and approved by Southern Water.

Due to legislative changes effective from 1st October 2011 regarding the ownership of sewers, it is possible that some previously private sewers, now deemed public, could be crossing the above property and may not be shown on Southern Water records. Therefore, if any additional sewers are discovered during construction, an investigation will be required to determine their condition, the number of properties served, and potential access methods before any further work can proceed on site.

For further advice, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119)

Website: southernwater.co.uk or by email at:
SouthernWaterPlanning@southernwater.co.uk

Yours faithfully,
Future Growth Planning Team
southernwater.co.uk/developing-building/planning-your-development

Havant Borough Council, as Local Planning Authority, certifies that on 16/03/2026 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 validated on 16/03/2026.

SECOND SCHEDULE:

This certificate relates to land at 11B Salterns Lane, Hayling Island, PO11 9PH**,** as shown edged red on the submitted Location Plan uploaded 10/03/2026.

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.