

DELEGATED OFFICER REPORT

PROPOSAL	Application for Non-material amendment to Planning Permission APP/25/00850 relating to Dwelling - zinc roofing to be replaced with cedral rivendale fibre cement slate, front elevation, reducing 3no. ground floor full height windows to 2no. standard windows, reducing Juliet balcony to a standard window, removal of green roof to car port. Annex -Timber clad roof to be replaced with cedral rivendale fibre cement slate. 2no. rooflights removed. 1no. side facing window added (outlook to adjacent garage wall).
LOCATION:	9 Kingsey Avenue, Emsworth, PO10 7HP
REFERENCE NO:	APP/26/00395
APPLICANT:	Mr James Plimmer
APPLICATION TYPE:	Non-Material Amendment
CONSULTATION EXPIRY DATE:	10/07/2026
APPLICATION EXPIRY DATE:	09/07/2026
WARD:	Emsworth
SUMMARY RECOMMENDATION:	Approve with conditions

1. Site Description

This application site comprises a detached chalet bungalow located on the north side of Kingsey Avenue, Emsworth, where the road forms a cul-de-sac. The property has a pitched roof with dormers to the side elevations. There is a driveway running down the side of the property leading to a detached garage. The elevations are formed from painted brickwork and cladding.

2. Planning History

APP/25/00227 - Single storey side and rear extensions, roof alterations to form 3no. dormers, attached car port and change to materials with a new detached annex to rear garden- PERM

APP/25/00850 - Variation of Condition 2 of APP/25/00227 to increase the footprint and amend the roof design and fenestration of the annexe PERM

3. Proposal

3.1 The application seeks approval under Section 96A of the Town and Country Planning Act 1990 to Planning APP/25/00850 relating to Dwelling - zinc roofing to be replaced with cedral rivendale fibre cement slate, front elevation, reducing 3no. ground

floor full height windows to 2no. standard windows, reducing Juliet balcony to a standard window, removal of green roof to car port.

Annex -Timber clad roof to be replaced with cedral rivendale fibre cement slate. 2no. rooflights removed. 1no. side facing window added (outlook to adjacent garage wall).

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.

National Planning Policy Framework
Havant Borough Council Borough Design Guide SPD December 2011
Havant Borough Council Parking SPD July 2016

Havant Borough Local Plan (Core Strategy) March 2011

CS16 (High Quality Design)

Havant Borough Local Plan (Allocations) July 2014

AL1 (Presumption in Favour of Sustainable Development)
AL2 (Urban Area Boundaries and Undeveloped Gaps between Settlements)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)

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

5. Statutory and Non Statutory Consultations

Charles Robert- no comment received
Grainne Rason- no comment received
Reuben Mychaleckyi- no comment received

6. Planning Considerations

6.1 As detailed in paragraph 3.1 above, this application has been submitted under Section 96A of the Town and Country Planning Act which allows a local planning authority to make a change to any planning permission if they are satisfied that the change is not material. The Government has advised that the requirements for design and access statements, publicity and consultation, and to take reasonable steps to identify unknown owners, would have applied to the original application if relevant. Therefore, those requirements do not apply to this type of application. The Government have advised that Local Planning Authorities must have regard to the effect of the change when determining where the proposal is a 'non-material' amendment.

6.2 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 area
- (iii) Effect on neighbouring properties

(i) Principle of development

6.3 The principle of this development on the site is already established through APP/25/00227 and APP/25/00850 .This proposal seeks to amend window details and materials .

(ii) Appropriateness of design and impact on the character of the area

6.4 Proposed changes include :

- Rear Juliet balcony to be amended to form a window
- Rear ground floor full height windows x3 to be changed to x2 windows
- Zinc roof changed to fibre cement slate
- Green car port roof amended to single ply roof
- Aluminium cladding to fascias.
- Timber clad roof to be replaced with cedar rivendale fibre cement slate
- X2 Rooflights removed
- Additional window proposed to side elevation serving bathroom

6.5 The proposed alterations to materials are considered to be acceptable in appearance within the streetscene and context of the host dwelling . The alterations to window fittings to the annexe and main dwelling are also deemed to be acceptable changes , not resulting in any harm to the character of the area and in accordance with Policy CS16 of the Havant Borough Local Plan.

(iii) Effect on neighbouring properties

6.6 The window alterations to the main dwelling would be in the same sitings as previously approved and are not considered to result in any neighbour harm. There would be an additional bathroom window to the side elevation of the annexe however this would be sited adjacent with the existing garage and is not considered to result in any overlooking. This would also be obscure glazed. This proposal is considered to be in accordance with Policy CS16 of the Havant Borough Local Plan.

8 Conclusions

8.1 The proposed alterations would not materially alter the nature or impacts of the approved development. The amendment is minor in scale, policy-compliant, and satisfies the Section 96A test. It is therefore recommended for approval.

9. RECOMMENDATION:

That Robert Young, Interim Development Manager be authorised to Approve with conditions for application APP/26/00395

Conditions:

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

25394-F-101-PL Proposed revised dwelling floor plans
25394-F-201 Rev F Proposed elevations dwelling
09 Apr 2025 LOCATION PLAN
25394-102-PL site plan
25394-201-MMA Amended proposed annexe elevations
25394-102-BR Revised annexe floor plans
09 pr 2025 ARBORICULTURAL REPORT

Reason: To ensure provision of a satisfactory development.

Informatives:

In accordance with Policy DM3 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:

Your application was acceptable as submitted and no further assistance was required.