

DELEGATED OFFICER REPORT

PROPOSAL	Variation of Condition 2 of Planning Permission APP/18/01238.
LOCATION:	10 Brooklands Road, Havant, PO9 3NT.
REFERENCE NO:	APP/26/00480
APPLICANT:	Mrs A Dobrovoltskaia
APPLICATION TYPE:	Removal/variation of conditions
CONSULTATION EXPIRY DATE:	05/08/2026
APPLICATION EXPIRY DATE:	31/08/2026 (EOT agreed 23/10/2026)
WARD:	Bedhampton
SUMMARY RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The application site is occupied by a detached bungalow on the corner of Penhurst Road and Brooklands Road in Havant. The bungalow is of brick construction with a hipped tiled roof and has an extension on its northern elevation. The boundary to the south and south-east is formed by a low-level brick wall that increases in height along Penhurst Road. A detached garage and a parking space for one vehicle are located to the north of the garden. The dwelling was extended to the northern rear by means of a single-storey extension with a hipped roof under planning permission APP/18/01238. That permission also included a side entrance porch. Although the porch has not been constructed, the permission remains extant because most of the approved development has been completed.
- 1.2 The surrounding area is predominantly residential in character and contains a mixture of detached and semi-detached houses and bungalows of similar periods, styles and designs.

2. Planning History

APP/18/01238 - Single storey side extension and front porch, conditional approval 07/03/2019.

3. Proposal

The application seeks the variation of Condition 2 of planning permission APP/18/01238, which approved a single-storey side (rear) extension and front (side) porch. The current application proposes to amend the approved plans by enlarging the permitted porch, extending its front elevation forwards, increasing the height of its hipped roof and enlarging the approved small side window.

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
CS15 – Flood and Coastal Erosion Risk
CS16 - High Quality Design

Havant Borough Local Plan (Allocations) July 2014
AL1 – Presumption in favour of Sustainable Development

Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

National Planning Framework 2026
DM3: Determining Development Proposals
DM6: Use of Planning Conditions and Obligations
F7: Ensuring Development is Safe from Flooding
S3: Presumption in favour of sustainable development
S4: Principle of development within settlements

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

5. **Statutory and Non-Statutory Consultations**

Environment Agency No comments received.
Southern Water No comments received.
Councillor Michael Lind No comments received.
Councillor Philippa Gray No comments received.
Councillor Jason Beal 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: 9

Number of site notices: N/A

Statutory advertisement: N/A

Number of representations received: 0

Comment	Officer Comment
No comments have been received	N/A

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 area
- (iii) Effect on neighbouring properties
- (iv) Flood Risk
- (v) Biodiversity Net Gain (BNG)
- (vi) Human Rights Act
- (vii) Diversity etc.

(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 area

7.4 The current variation application proposes to amend the approved plans and enlarge the permitted porch by introducing an open entrance area with a brick pillar on the front elevation. The initially submitted plans and design lacked sufficient clarity to enable the application to be determined. However, the applicant agreed to submit clear, concise plans drawn to scale, which were found to be acceptable. The proposal would extend the front elevation of the porch forwards by approximately 1m, resulting in an overall length of approximately 3.1m. The height would also increase from approximately 3.2m

to 3.6m through the use of a larger hipped roof, and the approved small side window would be enlarged to a maximum height of 1.7m. The works would include the construction of the complete porch on the eastern elevation, extending approximately 1.3m from the existing wall, as already permitted. The proposed porch would use materials that match or are similar to the red brick and red concrete tiles of the existing dwelling. No other changes are proposed to the building. The proposal is therefore not considered to be out of keeping with the design of the host dwelling and would not have a detrimental effect on the surrounding area. It is considered acceptable in visual terms within the existing street scene.

- 7.5 The design and appearance of the enlarged side entrance porch are considered appropriate in the context of the main building and are therefore acceptable, meeting the requirements of Policy CS16 of the HBLP (Core Strategy) and the NPPF. Furthermore, the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.6 The proposed enlarged porch would be sited on the eastern elevation and, as such, is not considered to have any greater impact on the occupiers of properties to the north, south or west than the permitted porch would have. Penhurst Road separates the application site from the closest property to the east, No. 8 Brooklands Road, resulting in a separation distance of approximately 20m.
- 7.7 No other neighbouring properties would be adversely affected, having regard to their separation distances and the corner position of the site. It is also noted that no letters of objection have been received in respect of the scheme.
- 7.8 Consequently, it is considered that the proposal would not appear overbearing or lead to a significant loss of light, outlook or privacy, and would have a limited and acceptable impact on the properties immediately adjacent to the application site and on surrounding properties, meeting the requirements of Policy CS16 of the HBLP (Core Strategy).

(iv) Flood Risk

- 7.9 The application site is located within Flood Zones 2 and 3, as shown on the Environment Agency's flood maps for rivers and seas, and is therefore at risk of flooding.
- 7.10 The Environment Agency provides a standard form for householders within Flood Zones 2 and 3 to complete or requires details of flood-protection measures. The applicant has confirmed that the floor levels within the proposed development will be set no lower than the existing levels, as shown on the submitted plans. Therefore, the proposed alteration and enlargement of the entrance porch approved under the existing permission would not create any additional flood risk beyond that already permitted. This would meet the requirements of Policy CS15 of the HBLP (Core Strategy) and Policy F7 of the NPPF 2026.

(v) Biodiversity Net Gain (BNG)

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

(vi) Human Rights Act

- 7.12 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

(vii) Equalities and Diversities

- 7.13 This application has had due regard to Section 149 of the Equality Act with regard to the Public Sector Equality Duty and it has been concluded that the application does not cause discrimination on the grounds of gender, race and disability.

8 Conclusions

- 8.1 The proposal is considered acceptable in design terms and would relate appropriately to its surrounding context. It would not result in any significant adverse impact on the appearance and design of the existing dwelling, the amenity of neighbouring occupiers or flood risk. The proposal would therefore meet the requirements of Policies CS15 and CS16 of the Havant Borough Local Plan (Core Strategy) March 2011, Policy AL1 of the Havant Borough Local Plan (Allocations) July 2014, and Policies DM3 and F7 of the NPPF 2026.
-

9. RECOMMENDATION:

That the **HEAD OF PLANNING AND GROWTH** be authorised to **GRANT PERMISSION** for application APP/26/00480 subject to the following conditions.

Conditions:

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

Location and Block Plan, Drawing No. 5 of 5
South Side Elevation Plan, Drawing No. 1 of 4
East Side Elevation Plan, Drawing No. 2 of 4
North Side Elevation Plan, Drawing No. 3 of 4
Roof Plan, Drawing No. 4 of 4

Reason: To ensure provision of a satisfactory development.

- 2 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.

Informatives:

- 1 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 on any issues that may arise during the processing of your application and, where possible, suggesting solutions.

In this instance:

- Following the submission of amended plans that accurately showed the proposal, no further assistance was needed.