

DELEGATED OFFICER REPORT

PROPOSAL Erection of part side part rear single storey extension, existing front ground floor window removed and new French uPVC doors fitted to match existing style of first floor window.

LOCATION: 36 Bridgefoot Path, Emsworth, PO10 7EB

REFERENCE NO: APP/25/00528

APPLICANT: Mr Bury

APPLICATION TYPE: Householder planning permission

CONSULTATION EXPIRY DATE: 01/08/2025

APPLICATION EXPIRY DATE: 12/08/2025

WARD: Emsworth

SUMMARY RECOMMENDATION: Approve with Conditions

1. Site Description

- 1.1 36 Bridgefoot Path is a two storey end-of-terrace property to the east of Bridgefoot Path and facing the Mill Pond. The property is finished in white painted block and render, with a flint course below the first floor window and replacement fenestration in white uPVC beneath a clay tiles gable ended roof with exposed eaves. The floor plan is typical of a late Victorian terrace with a two storey projection to the rear that attaches to the neighbouring property on the north side with a shared gable roof whilst leaving a path to the garden to the south. The property has also been previously extended with a single storey addition and a conservatory. The site is noticeably sloped, with a stepped entrance up to a front patio area enclosed by a white painted brick wall. There is a path along the south side of the property leading to an approximately 17.3m long and 6.3m wide terraced rear garden bounded by brick walls with staggered height to follow the slope of the site. The east boundary wall backs on to the public South Street Car Park and there is a timber pass gate set within it.
- 1.2 The site lies within the Emsworth Conservation Area and is considered to be a property of other local interest. Bridgefoot Path is a largely late 19th century and early 20th century development of residential dwellings facing The Mill Pond to the west and terminating in Emsworth Quay to the south. To the east is South Street Car Park with South Street beyond, which is comprised of a mixture of mainly Georgian style residential and commercial properties.

2. **Planning History**

Is there any planning history relevant to the current application?

APP/10/01021. Remove windows to the north elevation of the existing single storey rear extension and to change the flat roof to a pitched roof with 6No. velux rooflights. New dormer to east (rear) roof slope. 36 Bridgefoot Path, Emsworth. PERMIT.

18855_2. First floor rear extension. 35 Bridgefoot Path, Emsworth. REFUSE.

18855_1. Alterations and additions to existing house to form two units of living accommodation at 35 Bridgefoot Path, Emsworth. REFUSE.

3. **Proposal**

Erection of part side part rear single storey extension, existing front ground floor window removed and new French uPVC doors fitted to match existing style of first floor window.

Officer Comments

Following discussions with the agent, the proposals were revised to remove a proposed rear balcony and the description was updated accordingly.

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)
CS12 (Chichester Harbour Area of Outstanding Natural Beauty (AONB))
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

ENP_H1 (Design & Heritage)
ENP_D1 (General Design Policy)
ENP_D2 (Height, Mass & Materials)
ENP_D3 (Layout, Form & Density)

Listed Building Grade: N/A
Conservation Area: Emsworth

5. Statutory and Non Statutory Consultations

Conservation Officer

Site / Location

The application site is located on Bridgefoot Path, which overlooks the Mill Pond in Emsworth. The site is located within the Emsworth Conservation Area. The application site comprises a two-storey building, mid terrace of brick and tile construction, with a small front garden. The terrace is elevated from the highway level so includes some steps up to the front garden and entrance.

Legislation

When assessing the proposal, the following legislation and policy context is taken in consideration.

Planning (Listed Building and Conservation Areas) Act 1990

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires planning authorities, when considering whether to grant planning permission for development which affects a **Conservation Area**, to have special regard to the desirability of preserving or enhancing the character and appearance of that area.

National Planning Policy Framework (revised December 2024)

Chapter 16 of the NPPF relates to **the Historic Environment** including paragraphs 202-221. The following are most relevant:

Para 212 states that:

'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'

Para 214 states that:

*'Where a development will result in **substantial harm to, or total loss of**, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 208 requires this harm to be weighed against the public benefits of the proposed development.'*

Para 215 states that:

*'Where a development proposal will lead to **less than substantial harm** to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The building subject to this application is not listed, but is deemed to be a non-designated heritage asset (as set out in the introduction) and therefore the following paragraph is also relevant:

Para 216:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.

Havant Borough Local Plan (Core Strategy 2011 and Allocations Plan 2014)

Policy CS11 – Protecting and Enhancing the Special Environment and Heritage of the Havant Borough

Policy CS11 (4) states that planning permission will be granted for development which:

'Protects and where appropriate enhances the borough's statutory and non-statutory heritage designations by appropriately managing development in or adjacent to conservation areas, listed buildings, scheduled ancient monuments, historic parks and gardens, archaeological sites, buildings of local historic or architectural interest'.

Policy CS16 – High Quality Design

Policy CP16 (1a) of the Core Strategy states that:

'Planning permission will be granted for development that is designed to a high standard, which helps to create places where people want to live, work and relax. All development should demonstrate that its design:

- a) Identifies and responds positively to existing features of natural, historic or local character within or close to the proposed development site'.*
- b) Integrates with existing local landscape features, promotes wildlife and biodiversity and/or applies characteristics of the local area into the design of a scheme wherever possible to create variety and interest;*
- c) Uses the characteristics of the locality to help inform the design of the new development including heights, massing, existing buildings lines, plot widths and depths, materials and proportions of windows and doors;*
- d) Is well connected to and integrates with the immediate local area and the wider area by linking to existing pedestrian and cycle routes and encouraging people to use public transport where possible; and*
- e) The development does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking.*

Policy DM20 (Allocations Plan) - Historic Assets

Policy DM20 states that;

'Planning permission will be granted for development proposals that conserves and enhances the historic assets of Havant. It also states that application which affect, or have the potential to affect, heritage assets are expected to provide a Heritage Statement that:

- 1. Describe the significance of the asset and its setting, using appropriate expertise and where necessary original survey, at a level of detail proportionate to its significance and sufficient to understand the potential impact of the proposal.*

2. Sets out the impact of the development on the heritage assets and mitigation that is proportionate to the impact and the significance of the heritage asset, including where possible positive opportunities to conserve and enjoy heritage assets.

The Emsworth Neighbourhood Plan – Heritage Policies

Assessment

Rear extension:

The proposal includes widening the existing rear extension and incorporating a new flat roof across the existing extension and the extended section and an upstand roof light. It would be constructed from materials to match the main house. It is considered that this would not result in harm to the Emsworth Conservation Area.

New French doors on front elevation:

The proposal also includes the replacement of the front ground floor window to a set of French double doors. This alteration has already been implemented at No. 40 Bridgefoot Path. The style / design of the proposed doors would match the first floor window (white uPVC with a lattice glazing design)

Although the substitution of the ground-floor window with French doors introduces a departure from the established architectural rhythm of the wider Victorian terrace and its adjoining groups, it is acknowledged that a comparable alteration has already occurred at No. 40. The alteration is to facilitate the dwelling's connection with its front garden, which overlooks the Mill Pond. When considered in its specific context, the proposal is not considered to give rise to harm to the significance of this part of the Emsworth Conservation Area.

Overall, it is considered that the proposals would not result in harm to the Emsworth CA and therefore meet the test set out in S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"), along with being in accordance with the relevant policies in the NPPF, Local Plan and Emsworth Neighbourhood Plan.

Conclusion

NO OBJECTION subject to the following condition:

1. Details and / or samples of all new external materials (including new French doors), to be used in the construction of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their use on site. The development shall thereafter be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to preserve the character and appearance of the Emsworth Conservation Area.

Officer Comment

A condition requesting further details of materials is recommended as per the above comments.

Emsworth Residents Forum

No comments received.

Chichester Harbour Conservancy

Thank you for consulting Chichester Harbour Conservancy on the above planning application. Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for a National Landscape (formerly AONB). Further details are explained in the Appendix to this response.

Please note that the above case has been considered as a fully delegated decision by the Principal Planning Officer at Chichester Harbour Conservancy.

Chichester Harbour Conservancy's Response**NO OBJECTION WITH CONDITIONS:-****1) Materials to match existing.**

Conditions are to be read in conjunction with the overall recommendation and should not be separated.

Reasoned Justification

This end-of-terrace house lies within the Emsworth Conservation Area and the Chichester Harbour National Landscape. The front walls of the houses themselves are identified as 'important walls (buildings)' within the Conservation Area Character Appraisal due to their visibility from both sides of the Mill Pond and their contribution to the character of the Conservation Area. The proposed rear extension and balcony balustrade are discreetly located facing onto the public car park but are unlikely to be clearly visible from this perspective due to the boundary walls and structures to the rear of the site. This element of the proposals would therefore not have a significant impact on the National Landscape in our opinion.

There is some concern regarding the change from the front ground floor window to French doors given the uniform character of the rest of the terrace and adjoining terraces, but we accept that this has been carried out at No.40 and understand the desire to improve the enjoyment of the front garden and views across the Mill Pond for the occupiers of the property. On balance, it is not considered that this change would have a significant impact on the natural beauty or special qualities of the National Landscape or the character and appearance of the Conservation Area.

We would ask that the alterations are carried out in materials to match the existing building.

Officer Comment

A materials condition is recommended as per Conservation comments above.

Councillor Grainne Rason

No comments received.

Councillor Reuben Mychaleckyj No comments received.
Councillor Charles Roberts 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: 7

Number of site notices: 2

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice (x2)		07/07/2025	28/07/2025	Is in conservation area
Site Notice (x2)		29/10/2025	19/11/2025	Is in conservation area

Statutory advertisement: Not applicable.

Number of representations received: 5

Comments	Officer Comments
I have studied the application and wish to strongly object to the rear balcony. The idea of a balcony is surely to give access to a view? This balcony will give no view apart from over their garden, and unacceptably over the gardens of their neighbours at 35 and 37. I therefore feel it is unnecessary and objectionable. No other house in our group of similar terraced houses have such a balcony. I am also concerned that 4 bedrooms could also mean a larger number of cars could belong to this property on a road that has very limited parking.	The balcony element of the original proposals was removed due to concerns relating to neighbour impact. The amended drawings show no additional bedrooms, therefore no details of additional parking provision have been requested.
I would like my objection to be registered, [comments relating to loss of privacy Redacted].	As above.

I would like my objection to be registered on the grounds of privacy. [Redacted]. Also there is already insufficient parking on Bridgefoot Path and if all 4 bedrooms were potentially occupied, 8 people could live there. This property has no allocated parking.	As above.
Objection to the proposed balcony on grounds of loss of privacy and overshadowing. No objection to the extension itself.	As above.
The balcony would definitely invade on neighbours privacy. The plan stated that privacy for surrounding homes/gardens would not change. I absolutely disagree as it would allow MUCH further viewing of neighbours gardens then is currently possible from just a window. The proposal is not in keeping with the lines of the rest of the terrace. The overall look of the row of homes will be changed as no other balconies are attached to any of these terraces in the rear. Therefore I strongly object to any balcony included in this proposal	As above.

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 Emsworth Conservation Area and the Chichester Harbour National Landscape
- (iii) Effect on neighbouring properties
- (iv) 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.

(ii) Appropriateness of design and impact on the character of the Emsworth Conservation Area and the Chichester Harbour National Landscape

- 7.3 The proposals are for a single storey extension with internal alterations to form an open-plan kitchen, dining, and living area together with a downstairs utility room and W.C. and new bathrooms at first floor. An existing lounge to the front of the house would be retained and sectioned off from a hallway and a front facing ground floor window would be replaced with French doors. The proposals originally included a first floor rear facing balcony, which was removed following concerns over neighbour privacy, and the conversion of the lounge into an additional bedroom. The applicant elected to retain the lounge following the removal of the proposed balcony. The existing conservatory would be removed as part of the proposal, although much of the structure of the existing rear extension would be retained and incorporated into the addition.
- 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 Havant Borough Local Plan (Core Strategy) 2011 and Policy H1 of the Emsworth Neighbourhood Plan 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. Policy CS12 of the Core Strategy requires, amongst other matters, that development will conserve and enhance the special qualities of the Chichester Harbour National Landscape (formerly AONB). The Emsworth Conservation Area is significant because it comprises an old town located between two small creeks (adapted for mill ponds), with a medieval layout of streets and alleyways. It grew in importance from the 13th century and was especially prosperous in the 18th century as a port with fishing and trade.
- 7.5 The proposed extension would infill a rear corner of the host dwelling and would be approximately 1.8m wide and 6m in length. Following concerns raised over potential impact to the neighbouring dwelling to the south, the overall height was reduced from approximately 3.7m, as measured from external ground level to the top of the balcony rail, to approximately 2.8m. The proposed extension would be finished in white render with white uPVC fenestration to match the existing rear extension and would not be visible from the public realm, or more widely within the Conservation Area and National Landscape, and as such is considered to be acceptable.
- 7.6 The proposed French doors would be visible within the street scene, however it is noted that similar alterations at No.40 to the south have been made previously and that the proposed glazing would be subdivided to be in keeping with existing fenestration.
- 7.6 In terms of the impact of the proposals on the Emsworth Conservation Area, the Council's Conservation Officer has been consulted and has raised no objection to the proposals, subject to further details of the proposed materials being secured by condition. A condition is therefore recommended with particular focus on the proposed French doors. The Conservation Officer noted that the proposed French doors would facilitate a connection between the host dwelling and views from the front over the Mill Pond and would therefore be acceptable in the context of Bridgefoot Path's relationship to the Conservation Area.
- 7.7 Chichester Harbour Consultancy have been consulted with regards to potential impact on the Chichester Harbour National Landscape and have raised no objection, provided the proposed materials would match those of the host dwelling as indicated. This would be further secured by the inclusion of a materials condition.

- 7.8 The design and appearance of the proposal is deemed appropriate in context to the main building and is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy). There would be no harm to the significance of the Emsworth Conservation Area. It is considered that the scheme would conserve the visual amenity of the Chichester Harbour National Landscape and the Emsworth Conservation Area, in accordance with Policies CS11 and CS12 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 and the Chichester Harbour National Landscape under Section 84 of the Countryside and Rights of Way Act 2000.

(iii) Effect on neighbouring properties

- 7.9 To the north and attached to the host dwelling is the two storey terraced dwelling at No.35 Bridgefoot Path. The property has previously been extended to the rear at single storey. Following concerns regarding a proposed rear facing balcony, that would have been in close proximity to the bedroom window of No.35, this element of the proposals was removed. Noting that the proposed extension would include retaining the side and rear wall of the existing extension and would be lower in height than the existing monopitch roof, the impact to this property is considered to be limited and acceptable.
- 7.10 To the south is No.37 Bridgefoot Path, a similar style property to the host dwelling. The two properties are separated by an access path leading to gates to the rear gardens which Nos.35 to 38 all appear to have a right of access across. No.37 has previously been extended to the rear at single storey with a study that has a north facing window and set of French doors, as well as a rear facing door to a dining area. The proposed extension would stop short of the French doors and, following a reduction in height, would meet both the guidance set out in sections 5.43 and 5.44 of the Havant Borough Council Design Guide SPD (2011) and the 25 degree rule of thumb test for windows opposite a development or extension. The impact of the revised proposals on No.37 is therefore considered to be limited and acceptable. There are no other immediately adjacent properties.
- 7.11 Consequently, it is considered that the proposal will not appear overbearing or lead to a loss of light, outlook or privacy and 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).

(iv) Biodiversity Net Gain (BNG)

- 7.12 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. There would be no harm to the significance of the Conservation Area and it would conserve the scenic beauty of the National Landscape. On this basis it is recommended for approval.

9. RECOMMENDATION:

That the Head of Place be authorised to **GRANT PERMISSION** for application APP/25/00528 subject to the following conditions

Conditions:

- 1 The development must be begun not later than three years beginning with the date of this permission.

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:

Location Plan
Existing and Proposed Site Plans
Proposed Floor Plans received 05 November 2025
Proposed Elevations received 05 November 2025
Design, Access and Heritage Statement received 05 November 2025

Reason: To ensure provision of a satisfactory development.

- 3 No development above ground level shall commence until details and / or samples of all new external materials to be used in the construction of the development hereby permitted, including materials and finishes to the French doors, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in full accordance with the approved details.

Reason: In the interests of preserving the character of the Emsworth Conservation Area and having due regard to policy CS16 of the Havant Borough Local Plan (Core Strategy) 2011, policy DM20 of the Havant Borough Local Plan (Allocations) 2011, policy H1 of the Emsworth Neighbourhood Plan 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.