DELEGATED OFFICER REPORT

PROPOSAL	**Listed Building Consent to remove 3.5m long x 1.4m high damaged flint wall and rebuild to match existing.**
LOCATION:	The Elms, 2 Lower Road, Havant, PO9 3LH.
REFERENCE NO:	APP/25/00929
APPLICANT:	Mr Peter Wallbank
APPLICATION TYPE:	Listed building consent (Alt/Ext)
CONSULTATION EXPIRY DATE:	27/05/2026
APPLICATION EXPIRY DATE:	15/06/2026 (Agreed EOT 26/06/26)
WARD:	Bedhampton

SUMMARY RECOMMENDATION: GRANT LISTED BUILDING CONSENT

1. Site Description

1.1 The building is Grade II* listed and began life as a simple C17 farmhouse. It was improved in the C18 reflected in the current distinctive 'Strawberry Hill Gothic style. In 1828 the property was acquired by Sir Theophilius Lee. His cousin Arthur Wellesley was the first Duke of Wellington. The present banqueting Hall was commissioned by Sir Theophilius Lee and was called the Waterloo Room in honour of his cousin's successful military victory. The existing brick and flint walling is located on the northern boundary of the site and is presently in poor structural condition. The site is also located within the Bedhampton Conservation Area.

1.2 The application site is located within an urban and residential area with the character of the street featuring a mix of materials.

2. Planning History

APP/17/01271 - Listed Building application for installation of 1No. replacement window and 1No. replacement door to rear and associated internal works, Approved 18/01/2018.

APP/17/01025 - Listed Building application for installation of 2No. conservation roof lights to the roof space above the Waterloo Room, Approved 06/11/2017.

APP/17/01024 - Installation of 2No. conservation roof lights to the roof space above the Waterloo Room, Approved 06/11/2017.

APP/17/00495 - Reduce lower branches by 2m of 1No.Pine and remove dead branches overhanging drive, subject to TPO 0496, Approved 05/06/2017.

APP/17/00432 - Fell 1No.Holly within Conservation Area of Old Bedhampton, Raise No Objection, 05/06/2017.

APP/14/00021 - Reduce height of hedgerow to rear eastern boundary by 3m back to previous pruning points, within Conservation Area of Old Bedhampton, Raise No Objection, 17/02/2014.

09/61439/007 - Fell 2No. Bay trees within Old Bedhampton Conservation Area, Raise No Objection, 02/09/2009.

08/61439/006 - Conservation Area consent to reduce the height of 1No. Hawthorn and 1No. Elderberry to 2.2 metres; both within Old Bedhampton Conservation Area, Raise No Objection, 18/02/2008.

06/61439/005 - Application to Fell a Copper Beech (T31) within TPO 0496, Approved 19/07/2006.

06/61439/004 - Application to carry out tree works to include crown clean, removing major deadwood, weak, split and broken branches. Reduce loading on weak fork unions, reducing end weight of major branches by minimal pruning back or thinning only ends of limbs by 2-3 metres maximum, thereby slightly reducing overall canopy spread to Copper Beech (T31). Crown clean removing major deadwood to an Austrian Pine (T1). Formative pruning, thinning crown by up to 20% removing weak and crossing branches and co-dominant stems. Raise crown by selective removal of low and secondary branches to Austrian Pine (T30). All trees subject to TPO 0496, Approved 27/03/2006.

01/61439/003 - Height reduction by 2m and reduce the radii by 2-3m of a Cedar tree (T1) at The Elms, 2 Lower Road subject to TPO1718, Approved 28/09/2001.

99/61439/002 - Underpinning and repairs to the Wellington room, insertion of tie bar and repair s to the front gate piers, Approved 07/01/2000.

98/61439/001 - Notification of intention to fell an Elm tree also to crown reduce a Cedar tree. Both trees within Old Bedhampton Conservation Area, RO 27/11/1998.

95/61439/000 - Listed building application for internal alterations and external works to west and north elevations, Approved 26/02/1996.

3. Proposal

To remove 3.5m long x 1.4m high damaged flint wall and rebuild to match existing.

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
CS16 - High Quality Design

Havant Borough Local Plan (Allocations) July 2014
AL1 – Presumption in favour of Sustainable Development
DM20 - Historic Assets

Emsworth Neighbourhood Plan Post Examination Version 2020
N/A

Listed Building Grade: Grade 2*.
Conservation Area: Old Bedhampton

5. Statutory and Non-Statutory Consultations

Conservation Officer:

Legislation

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

Planning (Listed Building and Conservation Areas) Act 1990

In considering this application, special regard must be given to the desirability of preserving the setting of the Grade II listed building on site under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

National Planning Policy Framework (revised December 2024)

Relevant policy considerations also include Section 16 of the National Planning Policy Framework (2024), particularly paragraphs 212, 213, 215 and 216, alongside Policies CS11.4 and CS16 of the Havant Borough Core Strategy and Policy DM20 of the Havant Borough Allocations Plan.

Assessment

The proposal relates to the rebuilding of a wall in the rear garden, which has suffered structural damage due to the presence and growth of a tree, immediately adjacent to the wall, but within the neighbouring plot.

The existing wall (1.4m in height) is mainly constructed from flint brick work but has a red brick pillar at the point which it attaches to the main building northwest corner, and which has the brickwork ‘toothed’ into the flintwork. The proposal is to replace the wall in like for like materials including flint cobbles in the same size, variety and colour as the existing including flint cobbles from Kingley Vale, including Saint-Astier NHL 3.5 mortar. The applicant has confirmed (email dated 10/6/2026) that the intention is to retain as many of the 'toothed' fingers of brick on the brick pillar section, so that the new flintwork can be toothed into this. If any additional bricks are required, these will be matched like for like to the existing bricks in terms of style, colour and size.

Given that the wall is to be built like for like, using very similar, traditional materials (as specified within the application submission), it is considered that the proposed development would not result in harm to the significance of the Grade II* listed building. The proposal therefore meets the statutory duty set out in S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"), which requires local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest when considering whether to grant listed building consent. The proposal also complies with both national and local planning policy relating to heritage. **Conclusion** **NO OBJECTION** subject to a condition which requires materials to be used as specified in the application to be used and if any replacement bricks are required, these need to match the existing bricks in style, colour, size and mortar type / colour.
Arboriculturalist/Tree Officer: Having now reviewed the proposal alongside the accompanying tree information and supporting documentation, I can confirm that the proposed works to rebuild the wall will not conflict with any of the trees on site. I am satisfied that the development can proceed without causing adverse impacts to the existing tree stock. On this basis, I have **No Arboricultural Objections** to the proposal.
Councillor Liz Fairhurst No comments received.
Councillor Philippa Gray No comments received.
Councillor Michael Lind 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: 17

Number of site notices: One

Statutory advertisement: N/A

Number of representations received: 1

Comment	Officer Comment
They wish to fully support this proposal.	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) Impact upon Heritage Assets
(iii) Effect upon Trees

(i) Principle of development

7.2 In this case the proposal includes works to a Listed Building, which is sited within the Bedhampton Conservation Area. The proposal must therefore be assessed against the relevant parts of the Planning (Listed Buildings and Conservation Areas) Act 1990 and this assessment is made below.

(ii) Impact upon Heritage Assets

7.3 Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Planning Authorities to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess. The site is an important Grade II* listed designated heritage asset, sited within a Conservation Area.

7.4 The proposal relates to the rebuilding of a wall in the rear garden, which has suffered structural damage due to the presence and growth of trees and foliage, immediately adjacent to the wall, but within the neighbouring plot.

7.5 The existing wall (1.4m in height) is mainly constructed from flint and brick work. This wall has a red brick vertical pillar at the point which it attaches to the main building north-west corner and has the brickwork ‘toothed’ into the flintwork. The proposal is to replace the wall in ‘like for like’ materials including flint cobbles in the same size, variety and colour as the existing, including flint cobbles from Kingley Vale and Saint-Astier NHL 3.5 mortar. The applicant has confirmed (email dated 10/6/2026) that the intention is to retain as many of the 'toothed' fingers of brick on the brick pillar section, so that the new flintwork can be toothed into this. If any additional bricks are required, these will be matched ‘like for like’ to the existing bricks in terms of style, colour and size. In the light of the above, using similar traditional materials, it is considered that the proposed development would not result in harm to the significance of the Grade II* listed building and the Bedhampton Conservation Area.

7.6 The proposal therefore meets the statutory duties set out in Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("1990 Act"). Sections 16 and 66 require local planning authorities to have special regard to the desirability of preserving a listed building, its setting or any features of special architectural or historic interest, while Section 72 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area. The proposal also complies with both national and local planning policy relating to heritage.

7.7 Overall, the Conservation Officer is satisfied that the proposal would not result in harm to the listed building and would restore the northern boundary walling back to its former condition is a sensitive manner. The proposal would not result in harm to the significance or setting of the Listed Building, or the Conservation Area. A heritage statement has been submitted as part of the application which covers the requirements of policy DM20 of the HBLP (Allocations). The proposal is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy) and DM20 of the HBLP (Allocations), as well as the statutory duty set out in Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. It is noted that one letter of support was received from local residents, but no letters of objection were received in respect of the Listed Building application.

(iii) Effect on Trees

7.8 There are two protected trees within this site, TPO 1718 and TPO 0496, these two are within the front garden. There was a protected tree in the rear garden, but this has been recently felled. None of these however are located next to the walling for repair. Also, there are a number of smaller trees with hedging on the northern boundary of the site, adjacent to the brick and flint wall, but none of these are the subject of a TPO. However, the Tree Officer was consulted, who commented he had no objection to the proposal, following a review of the accompanying tree information and supporting documentation, and confirmed that the proposed works will not conflict with any of the trees on site. He is satisfied that the development can proceed without causing adverse impacts to the existing tree stock.

7.9 Consequently, it is considered that the development can proceed without causing adverse impacts to the existing tree stock and therefore acceptable, meeting the requirements of Policy CS11 and CS16 of the HBLP (Core Strategy).

8 Conclusions

8.1 It is considered that the proposed external repair, restoration and rebuilding of the external walling shall preserve the special historic character and setting of the Grade II* Listed Building and would not result in harm to its significance. The works would also preserve the character and appearance of the Bedhampton Conservation Area and would not result in harm to its significance. The proposal is therefore in accordance with Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and Policy DM20 of the Havant Borough Local Plan (Allocations) and the National Planning Policy Framework.

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9. RECOMMENDATION:

That the **INTERIM DEVELOPMENT MANAGER** be authorised to **LISTED BUILDING CONSENT** for application APP/25/00929 subject to the following conditions

Conditions:

1 The works must be begun not later than the expiration of three years beginning with the date of this consent.

Reason: To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 All works of external repair, restoration and replacement shall faithfully match the original features of the brick and flint walling on site and shall be implemented in strict accordance with the details contained within the Heritage Statement dated 13/04/2026 and the application form uploaded 10/11/2025, unless otherwise agreed with the Local Planning Authority in writing.

Reason: To secure a satisfactory and sympathetic form of development and having due regard to policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and policy DM20 of the Havant Borough Local Plan (Allocations) 2014, the National Planning Policy Framework.

INFORMATIVES:

1. This application has been determined with the following approved plans:
   - Application Form Uploaded 10/11/2025
   - Site Plan Uploaded 20/04/2026
   - Site Access Plan Uploaded 20/04/2026
   - Heritage Statement by Manor Trust, Bedhampton Dated 13/04/2026
   - Tree Statement Uploaded 20/04/2026
   - Arboricultural Tree Report by Southern Arboriculture Ltd Uploaded 13/03/2026
   - Agent's email dated 10/06/2026, uploaded 10/06/2026

   Changes to these plans would require a new Listed Building Consent.

2. 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:

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