DELEGATED OFFICER REPORT

PROPOSAL	**Demolition of existing garage and rear extensions, erection of two storey side and single storey rear extensions, new raised rear terrace, and alteration of first floor window to Juliet balcony.**
LOCATION:	37 Horndean Road, Emsworth, PO10 7PU
REFERENCE NO:	APP/25/00824
APPLICANT:	Mrs Gemma Duke
APPLICATION TYPE:	Householder planning permission
CONSULTATION EXPIRY DATE:	08/04/2026
APPLICATION EXPIRY DATE:	07/05/2026
WARD:	Emsworth

SUMMARY RECOMMENDATION: Approve with Conditions

1. Site Description

1.1 37 Horndean Road is a three storey semi-detached Edwardian style dwelling to the south-west of Horndean Road, set back from the street behind a gravelled frontage surrounded by mature screen planting that includes two TPO trees the front boundary. The property is finished in red brickwork with a mixture of white uPVC and white painted softwood fenestration under a concrete tile roof. The main three storey element is gable ended and projects slightly to the front, whilst the roof adjoining No.39 has been converted with a small rear dormer. To the rear of the main dwelling there is an existing conservatory, the corner of which has collapsed and there is also a line of brick built single storey buildings across the boundary with No.39. These are divided through the centre, with the side belonging to the host dwelling containing a boot room and kitchen accessed internally through the breakfast room. The rear garden is approximately 37.8m long and 13m wide, as measured immediately behind the single storey buildings, and has been mostly laid to lawn. The boundary to the south-east is a mixture of relatively new 1.8m high close-boarded fencing and shrub planting and at the time of visiting the site, some shrub planting towards the rear dividing the application site from No.35 had been removed. A brick wall forms the rear boundary and continues around the north-west boundary to meet up with the single storey buildings.

1.2 The area immediately surrounding the application site is residential, with a mixture of older properties within large plots along Horndean Road and newer development to the south and north-west. St. James C of E Primary School lies to the south-east on the opposite side of Horndean Road.

2. Planning History

APP/21/00028. Remove 1No. Cedar (T1) and remove 1No. Lime (T2). Subject to TPO 2116. WITHDRAWN.

3. Proposal

Demolition of existing garage and rear extensions, erection of two storey side and single storey rear extensions, new raised rear terrace, and alteration of first floor window to Juliet balcony.

Officer Comment

The description was amended following discussions with the applicant to include the proposed rear terrace area and Juliet balcony.

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

Havant Borough Local Plan (Core Strategy) March 2011

CS11	(Protecting and Enhancing the Special Environment and Heritage of Havant Borough)
CS16	(High Quality Design)
DM8	(Conservation, Protection and Enhancement of Existing Natural Features)
DM13	(Car and Cycle Parking on Residential Development)

Havant Borough Local Plan (Allocations) July 2014

AL1	(Presumption in Favour of Sustainable Development)

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1	(General Design Policy)

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

5. Statutory and Non Statutory Consultations

Emsworth Residents Association
No comments received.

Arboriculturalist/Tree Officer

The TPP appears to be okay however as the RPA of T1 and T2 extend into the current driveway and parking area we must ensure that no materials are stored in this area and that no prep works such a cement mixing etc is undertaken here.

It is interesting to note that there is a recommendation to fell the Cedar however if this is not stated within the application itself then a separate TPO application must be made.

If permission is given then please attach the following condition:

The development hereby permitted shall only be carried out in accordance with the *Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan by Atwood Arboriculture Feb 2026.*

Reason: To protect the health of adjacent trees in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

Along with an advisory regarding the removal of the Cedar should be applied for by a separate TPO application if this is sought.

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. Please contact Portsmouth Water who are the relevant statutory undertaker.

Hierarchy of Building Regulations H3 for disposal of surface water - not yet provided documentation proving compliance:
If the applicant has not already provided documentation demonstrating compliance with the surface water hierarchy reflected in part H3 of the Building Regulations, as shown below, we will require this to be provided where surface water is being considered for discharge to our network. Whilst reuse does not strictly form part of this hierarchy, Southern Water would encourage the consideration of reuse for new developments.

- Reuse
- Infiltration
- Watercourse
- Storm Sewer
- Combined Sewer

Guidance on Building Regulations is here:
https://www.gov.uk/government/publications/drainage-and-waste-disposal-approved-document-h

We would like to engage with you on the design for disposal of surface water for this development at the earliest opportunity and we recommend that civil engineers and landscape architects work together and with Southern Water. In many cases this may negate or reduce the need for network reinforcement and allow earlier completion of the development.

Where a surface water connection to the foul or combined sewer is being considered, this should be agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Condition:
We request that should this application receive planning approval, the following condition is attached to the consent:

Construction of the development shall not commence until details of the proposed means of surface water run off disposal in accordance with Part H3 of Building Regulations hierarchy as well as acceptable discharge points, rates and volumes have been agreed by the Lead Local Flood Authority, in consultation with Southern Water.

Proposed Soakaways:
The Council's Building Control officers or technical staff should be asked to comment on the adequacy of soakaways to dispose of surface water from the proposed development. No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

No Soakaways should be connected to the public surface water sewer.

Rear / side extension build-over/close-to a sewer:
'It appears that the developer is intending to build-over/close-to a public foul sewer which is crossing the site. Building over a "public sewer" is not normally permitted by Southern Water. An investigation of the sewer is required to confirm its size and depth, ascertain its condition, number of properties served and potential means of access before any decision can be made as to whether it would be acceptable for Southern Water to allow building-over/close-to the sewer. The length of sewer to be built over under the terms of Part H of the Building Regulations dictates that the matter is determined by the sewerage undertaker, which in this case is Southern Water. The conditions and application associated with the build-over/close-to a public sewer are available at Southern Water's Get Connected service: https://developerservices.southernwater.co.uk.

Condition:
In order to protect drainage apparatus, Southern Water requests that if consent is granted, the following condition is attached to the planning permission;

prior to the commencement of development, the developer must advise the local authority, in consultation with Southern Water, of measures which will be undertaken to protect the public sewers.

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

Officer Comment

The applicant is has confirmed that they are discussing a build over agreement with Southern Water and has agreed to the recommended pre-commencement condition. An informative is recommended in relation to surface water disposal.

Southern Gas - IM and MP Pipelines
No comments received.

Councillor Reuben Mychaleckyi
No comments received.

Councillor Grainne Rason
No comments received.

Councillor Charles Robert 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: N/A

Statutory advertisement: N/A

Number of representations received: 1

Comment	Officer Comment
There has been considerable concern in the past over the treatment of trees T1 and T2 on the map due to suspected or actual ringbarking. This Ringbarking has been noted on the Arboricultural assessment together with what would appear to be lack of proper maintenance (dead wood over the road T1 and more seriously on T2 thick ivy over the probable ringbarking and damaged canopy). The drive is quite narrow and considerable traffic over the root area of T2 is very likely. I hope the provisions set out in the Care statement will be closely monitored (and perhaps increased) as these trees are a significant feature of Horndean Road and need proper protection/ maintenance.	The applicant has provided an Arboricultural Method Statement and Tree Protection Plan, which states that, “All of the trees are to be retained in their present state”. The Council’s Arboriculturist has visited the site and has recommended a condition in relation to the protection of the existing TPO trees.

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 area
(iii) Effect on neighbouring properties
(iv) Parking provision
(v) Impact to trees
(vi) 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 area

7.3 The proposals include the demolition of the existing single storey rear extensions and detached garage, to be replaced with a new single storey rear extension and a two storey side addition. A new raised terrace area is also proposed to the rear and a Juliet balcony would be created to the rear at first floor.

7.4 The proposed side extension would be two storey with a tabletop roof designed to sit under the eaves of the three storey gable. It would be slightly set back from the front of the gable, being approximately 9.9m long and 2.9m wide with a maximum height of 6.9m, some 3.4m lower than the main ridge. At ground floor it would have garage type double doors with an arched header to a store area, and fenestration at first floor has been designed to be similar in appearance and proportion to smaller windows within the host dwelling. The extension would be in materials to match the existing house. Overall, the addition would be architecturally sympathetic to the host dwelling and is therefore considered to be acceptable.

7.5 The proposed rear extension would span the width of the host dwelling and proposed side extension, with a width of approximately 8.7m and depth of 6.7m and joining on to the existing single storey building immediately behind the property. Part of the existing pitched roof from this building would be retained with a new flat roof to a height of 3.73m over the remainder and the single storey building further from the dwelling would be demolished up to the party wall. A proposed raised terrace would extend up to 3.4m behind the rear extension and would be approximately 0.45m high. In general, both elements would be similar in height and general appearance to the rear extension and terrace at No.39 approved under APP/14/00764, and neither would be visible within the street scene

7.6 The proposed Juliet balcony would replace a large first floor window within the rear elevation. Whilst the doors to the balcony would be slightly longer than the existing window, the overall proportions would be generally similar to and in keeping with the original fenestration. Proposed materials would match those of the host dwelling.

7.7 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 Policy CS16 of the HBLP (Core strategy). It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

7.8 To the north-west is No.39 Horndean Road, which is the other half of the semi-detached pair. No.39 has been previously extended at single storey to the side and rear and shares part of the run of buildings behind the dwellings. Noting that proposed demolition work would affect one of these single storey buildings, and that a certain amount of making good to the party wall and remaining would be required, a certificate B has been completed. The proposed additions to the rear would be obscured by the retained single storey buildings and the proposed side extension would be located on the south-eastern side of the main dwelling. It is recommended that a condition be applied to prevent access to the flat roof of the rear extension from the proposed Juliet balcony, which could result in overlooking and loss of privacy. Subject to this the impact to No.39 is considered to be limited and acceptable.

7.9 No.35 Horndean Road lies to the south-east and is a modern style two storey detached dwelling. No.35 was previously extended at two storey under APP/20/00201, which is not reflected on the submitted block plan, and has no side fenestration other than a garage door facing the application site. The proposed extensions would be set approximately 1.36m away from the shared boundary with this property and it is noted that the proposed terrace would reduce in depth to approximately 2m where it approaches the boundary, so that it would avoid the need to remove an existing Magnolia tree and would be adjacent to a section of densely planted evergreen shrubs rather than close-boarded fencing. The shrub planting is somewhat higher than the fencing to either side and is considered to provide adequate screening. The impact to No.35 is therefore considered to be limited and acceptable.

7.10 To the rear of the site is No.33 Horndean Road, a detached dwelling accessed via a long, curving driveway. The proposals would be located over 40m from the boundary to this property, and over 55m to the dwelling itself, such that the impact to No.33 is considered to be minimal.

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). It is noted no letters of objection were received with respect to the scheme.

(iv) Parking provision

7.12 The proposals would result in the loss of the existing garage, and the store proposed at ground floor would not be of a sufficient size to provide replacement parking. However, the existing gravel driveway is approximately 12.5m by 13m and is considered to provide sufficient on-site parking for up to five vehicles, thereby meeting the requirements specified in the Havant Borough Council Parking SPD (2016) and in accordance with Policy DM13.

(v) Impact to trees

7.13 An Arboricultural Method Statement, and Tree Protection Plan have been provided and have satisfactorily demonstrated that the proposals accord with Policy DM8 of the HBLP (Core Strategy). The Council's Arboriculturist was consulted and has confirmed no objection, subject to a condition securing the measures set out in the Arboricultural Method Statement. The applicant is also advised that should the TPO Cedar or Lime require any works a separate TPO application will be required.

(vi) Biodiversity Net Gain (BNG)

7.14 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. On this basis it is recommended for approval.

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9. RECOMMENDATION:

That the Interim Head of Planning be authorised to **GRANT PERMISSION** for application APP/25/00824 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**:**

Proposed Floor Plans, Elevations, Location and Block Plan 20087- 01
Proposed Floor Plans, Elevations and Block Plan 20087- 02
Tree Survey AA/5837-14.01.26
Tree Protection Plan AA/TPP-04.02.26
Arboricultural Method Statement and Arboricultural Implications Assessment by Atworth Arboriculture Limited
BS5837:2012 Assessment
Visual Tree Assessment 2026 by Atworth Arboriculture Limited

Reason: To ensure provision of a satisfactory development.

3 The external materials used 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.

4 Prior to the commencement of development, details of measures to be undertaken to protect or divert the public sewers shall be submitted to and approved in writing by the Local Planning Authority in consultation with Southern Water. The development shall thereafter be carried out in accordance with the approved details.

Reason: To safeguard against undue damage to the public sewer in the vicinity of the development having due regard to policies CS19 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework. It is considered necessary for this to be a pre-commencement condition as such details need to be taken into account in the construction of the development and thus go to the heart of the planning permission.

5 The development hereby permitted shall only be carried out in accordance with the Arboricultural Method Statement and Arboricultural Implications Assessment by Atworth Arboriculture Limited and Tree Protection Plan AA/TPP-04.02.26.

Reason: To protect the health of adjacent trees in accordance with policies CS16 and DM8 of the Havant Borough Core Strategy (2011) and the National Planning Policy Framework.

6 At no time shall the flat roof of the rear extension hereby approved be used as balcony or roof terrace, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the occupiers of nearby properties 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 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.

2 Works to TPO trees

Should any works to the TPO Cedar and Lime trees identified be required a separate TPO application must be made.

3 Surface Water Disposal

No new soakaways should be located within 5 metres of a public or adoptable gravity sewer, rising main or water main.

No Soakaways should be connected to the public surface water sewer.