

DELEGATED OFFICER REPORT - HOUSEHOLDER

PROPOSAL:	Demolition of existing garage and replacement with 1.5 storey side extension with a front and rear dormer. Render the existing and proposed, dark grey windows, new porch and extended canopy to replace the existing structure over the front window.
LOCATION:	13 Waters Edge Gardens, Emsworth, PO10 7EU
REFERENCE NO:	APP/26/00363
APPLICANT:	Garry & Pauline Marshall
APPLICATION TYPE:	Householder planning permission
CASE OFFICER:	Robert Riley
APPLICATION EXPIRY DATE:	11/08/2026 (Agreed extension of time until 03/09/2026)
WARD:	Emsworth
RECOMMENDATION:	Approve with Conditions

1. Site Description

- 1.1 The existing property is located in Emsworth and comprises of 3 bedrooms, a lounge diner, kitchen and bathroom, along with an externally accessed garage. The site is within a small cul-de-sac road. The site is adjacent to the Emsworth Conservation Area.

2. Planning History

No relevant recent history

3. Proposal

- 3.1 Demolition of existing garage and replacement with 1.5 storey side extension with a front and rear dormer. Render the existing and proposed, dark grey windows, new porch and extended canopy to replace the existing structure over the front window.

Officer comment:

- 3.2 The proposal has been amended to remove the proposed rear extension, and the side extension has been amended to be a one and a half storey extension as opposed to the superseded plans which featured a two storey side extension.

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, August 2026

DM3 - Determining development proposals

DM6 - Use of planning conditions and obligations

S3 - Presumption in favour of sustainable development

S4 - Principle of development within settlements

HE4 – Securing the conservation of heritage assets

HE5 – Assessing effects on heritage assets

HE6 – Proposals affecting designated heritage assets

HE9 - Conservation Areas

Havant Borough Local Plan (Core Strategy) March 2011

CS16 High Quality Design

DM13 Car and Cycle Parking on Residential Development

CS15 Flood and Erosion Risk

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

Havant Borough Local Plan (Allocations) July 2014

AL1 Presumption in Favour of Sustainable Development

DM20 Historic Assets

Emsworth Neighbourhood Plan Post Examination Version 2020

ENP_D1 (General Design Policy)

ENP_D2 (Height, Mass & Materials)

ENP_D3 (Layout, Form & Density)

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Listed Building Grade: Not applicable

Conservation Area: **Adjacent to Emsworth Conservation Area**

5. Statutory and Non Statutory Consultations

Councillor Charles Robert	No comments received.
Councillor Grainne Rason	No comments received.
Councillor Reuben Mychalecky	No comments received.
Emsworth Residents Forum	No comments received.
Conservation Officer	The application is located in the Emsworth Conservation Area, which is a designated heritage asset. Waters Edge Gardens is a residential cul-de sac located to the rear of Bath Road, comprising mainly modern properties. The application is located in the corner of the cul-de-sac and comprises a two-storey, detached property of brick and tile construction.

	<p>The proposal is to demolish the existing garage and replace this with a 1.5 storey side extension with a front and rear dormer, along with rendering the existing and proposed elevations, installation of dark grey windows, a new porch and extended canopy to replace the existing structure over the front window.</p> <p>Overall, it considered that the proposal is in keeping with the existing character of the prevailing development within the cul-de-sac and will not result in harm to the Emsworth Conservation Area. No objection is raised to the application subject to the inclusion of a condition to request and agree details of all new materials prior to the development commencing.</p> <p>Officer comment: <i>The boundary of the conservation area is adjacent to the site boundary, the application site is therefore not within the conservation area, however is within its setting</i></p> <p><i>A condition requiring the materials to be agreed prior to the commencement of development has been agreed and forms part of the recommendation.</i></p>
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6. **Publicity and Community Involvement**

This application was publicised in accordance with the Council's Local Code of Corporate Governance and the Statement of Community Involvement.

Number of neighbour notification letters sent: 10

Number of site notices: 2

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Site Notice		01/07/2026	24/07/2026	Is advertised in the public interest;

				Is in conservation area
Site Notice		29/07/2026	20/08/2026	Is advertised in the public interest; Is in conservation area

Number of representations received: Objecting = 2 - Supporting = 0 - Neutral = 0

Comment	Officer Comment
<p>Objection comment received - 01/07/2026 – Summary of Objection</p> <p>Amended 3D views are wrong as they do not show neighbouring properties</p> <p>Close proximity of works and potential to impede shared boundary due to foundations and scaffolding</p> <p>Superseded planning statement uses examples about side extensions which do not provide context to the proposed side extension</p> <p>Overlooking, overshadowing and overbearing concerns</p>	<p>Noted.</p> <p>This is not a planning issue, and certificate A has been served which is for developments solely on the applicant's land.</p> <p>Noted, however, the application is determined based upon its merits which are assessed in section 7.</p> <p>These impacts are assessed in section 7.</p>
Hgfhgf	This would appear to be erroneous and has not been counted as a public comment.
<p>Objection comment received - 31/07/2026 - Objection comprising of concerns regarding overshadowing and overbearing concerns from the side extension, overlooking from the rear dormer, and the works being out of keeping with the street scene.</p> <p>Appeal regarding landing windows and how they can be unacceptably impacted.</p>	<p>These impacts are considered in section 7 of this report.</p> <p>Every application is determined on its own merits and the impact on this landing window is discussed in section 7.</p>

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 and the Emsworth Conservation Area
- (iii) Effect on neighbouring properties
- (iv) Biodiversity Net Gain (BNG)
- (v) Parking
- (vi) Flood Risk
- (vii) Human Rights Act
- (viii) Equalities and Diversities

- (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 and the Emsworth Conservation Area

Demolition of existing garage and replacement with 1.5 storey side extension

7.3 The proposed side extension was originally submitted as a two storey extension, however, this was considered to be out of keeping with visual amenities and has been amended to be proposed as a one and a half storey extension of which this application is to be determined on. Regarding the proposed side extension, it is noted that it would feature an approximate separation distance of approximately 1 metre to No.11's Southern elevation. Whilst this would not accord with the Havant Borough Design Guide SPD for extensions: "*a single storey extension should be no closer than 1 metre to neighbouring properties and 2 metres for two storey extensions*". It is noted that the one and a half storey extension would replace an existing garage, lessening the increase of bulk from the proposal. Whilst it is noted that there would be an increase of terracing, the one and a half storey nature of the proposal would lessen the sense of terracing, as the extension would feature its maximum height close to the ridge line of the existing dwelling, and its roof would set back from the front elevation. Whilst the front dormer in combination with the proposed one and a half storey extension would increase a sense of bulk and terracing, the combination of both elements is not considered to increase terracing so unacceptably to warrant the refusal of this planning application.

Front and rear dormer

7.4 Regarding dormers, The Havant Borough Design Guide SPD states:

Dormers are considered an acceptable way of providing light and ventilation to existing buildings. They should be designed to sit back into the roof, back from the front line of the wall below, in from the verge and below the existing ridge line. Dormers should not dominate the roof or the existing building. To help avoid this they should be the same size or preferably smaller than the windows below. Generally the dormers should have pitched roofs, with slopes in keeping with the existing roof.

- 7.5 The dormers would be of a small scale and would feature pitched roofs in keeping with the existing dwelling, with regards to this, the dormers are considered to accord with the guidance of the Havant Borough Design Guide SPD and are considered to have an acceptable impact upon visual amenities.

Proposed porch

- 7.6 The proposed front porch would be of a minor scale and would feature a pitched roof in keeping with the existing property. Moreover, it is noted that there are numerous porches featured on the Waters Edge street scene. With regards to this, the proposed front porch is considered to have an acceptable impact upon visual amenities.

Extended canopy to replace the existing structure over the front window.

- 7.7 The extended canopy would be of a minor scale and is considered to be in keeping with the character of the dwelling and with regards to visual amenities. With consideration, of this, the proposed extended canopy is considered as acceptable.

Materials

- 7.8 The proposal would replace the existing windows with dark grey windows and would render the external walls of the property. The roof materials are proposed to be tiles to match the existing. The Council's Conservation officer has been consulted regarding this proposal and has not objected but has requested a condition be added to the decision notice if permission is forthcoming to agree the materials of the development are agreed before the development commences, the recommended condition has been agreed by the agent, and this is considered as acceptable.
- 7.9 Moreover, the Conservation Officer has been consulted during the application process, and is content that the proposal would not result in harm the Emsworth Conservation Area.
- 7.10 The design and appearance of the proposal is on balance deemed appropriate in context to the main building and the proposal. Subject to a materials condition, it would not result in harm to the setting of the conservation area and would have no effect on its significance. Is therefore considered to be acceptable, meeting the requirements of Policies CS11 and CS16 of the HBLP (Core Strategy), Policy DM20 of the HBLP (Allocations) 2014 and Policies ENP_D1, ENP_D2 and ENP_D3 of the Emsworth Neighbourhood Plan. It is considered on balance that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Effect on neighbouring properties

- 7.10 With regards to the scale location and nature of the works, the proposal is considered to acceptably impact properties to the front of the application site. Moreover, the proposed rendering of the property and proposed dark grey windows would also acceptably impact residential amenity.

11 Waters Edge Gardens

- 7.11 The proposed extended canopy and front porch are considered to acceptably impact this property due to the scale and separation distance with regards to this property. It has been considered important to assess the impact of the proposed one and a half storey extension and front and rear dormer due to the proximity of these elements to No.11. Regarding overlooking concerns, the front dormer would face the public realm, which is considered as acceptable. The rear dormer window has been annotated to be obscure and high level, preventing unacceptable overlooking and is considered to have an acceptable impact. There would be no side fenestration on the extension, which is acceptable. Regarding these considerations, the proposal is considered acceptable regarding overlooking concerns.
- 7.12 Regarding overshadowing and overbearing concerns, it has been important to assess the impact of the proposal upon No.11's fenestration. It is noted on the southern elevation at first floor level, that there is 1No landing window. Whilst it is noted that there would be a significant impact towards this window, this is not serving a habitable room, moreover it is noted that this is not a large window to be overshadowed and at present faces a flank wall. Whilst the landing window would be impacted, as this does not serve a habitable room, impacts are considered as acceptable. It is also noted that there is side fenestration on the southern elevation serving a kitchen. It is noted that this would presently be overshadowed by the existing dwelling, and that this is secondary to the larger window to the rear elevation, which would be acceptably impacted by the works. With regards to these considerations, the proposal is considered to acceptably impact this property.

15 Waters Edge Gardens

- 7.13 The proposed one and a half storey extension with a front and rear dormer is considered to acceptably impact this property, as the existing dwelling would shield the impacts of these elements of the works. The proposed porch and extended canopy would also feature a sufficient separation distance from this property and these elements are considered to acceptably impact this property.

Nos 35 and 36 Bath Road

- 7.14 The proposal is considered acceptable regarding overshadowing and overbearing concerns. Regarding overlooking concerns, the proposed rear dormer window had been shown as obscure and only openable at high level (which would be conditioned to only be openable at 1.7 metres above finished floor level. With regards to this, the proposal is considered to acceptably impact these two properties.
- 7.15 Consequently, it is considered on balance that the proposal would not appear overbearing or lead to a loss of light, outlook or privacy and on balance 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 two letters of objection were received with respect to the scheme.

(iv) Biodiversity Net Gain (BNG)

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

(v) Parking

- 7.17 The proposal would reduce potential parking space on site due to the proposed removal of the existing garage and the proposed front porch. The application site is required to provide 2 parking spaces, with the proposal not changing the existing bedroom numbers (3). Whilst the parking plan is somewhat contrived, it is considered that the proposed layout would be attainable on site, and the proposal is considered to accord with the Havant Parking SPD and Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011.

(vi) Flood Risk

- 7.18 Due to the application site being located in Flood Zone 3 Future Tidal 2122 and partially in Flood Zone 2, a flood risk assessment has been required during the application process. An acceptable amended flood risk assessment has been received during the application process which is considered to feature a suitable assessment and mitigations, and the proposal is considered to accord with Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011.

(vii) Human Rights Act

- 7.19 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.

(viii) Equalities and Diversities

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

8 Conclusion

- 8.1 This proposal has been assessed against the recently updated NPPF, August 2026 and the development plan. The proposed development is on balance acceptable in principle, is on balance appropriate in terms of design and its impact on the character of the area and on balance 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 Development Manager be authorised to **Approve with Conditions** for application APP/26/00363

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:

Amended Flood Risk assessment: Uploaded 27/08/2026

Drawing Number: 12.26.02 Revision H: Amended proposed plans and elevations, site plan and 3D views: Uploaded 22/07/2026

Amended planning statement: Uploaded 22/07/2026

Drawing Number: 12 · 26 · 01: Existing Plans, Elevations, Location and Site Plans: Uploaded 26/05/2026

Location Plan: Uploaded 26/05/2026

Reason: To ensure provision of a satisfactory development.

3. No development shall commence until details and samples of all external facing materials to be used in the construction of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure the appearance of the development is satisfactory with regard to the Emsworth Conservation Area and having due regard to policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and DM20 (Allocations) 2014 and the National Planning Policy Framework 2026.

4. Notwithstanding the provisions of any Town and Country Planning (General Permitted Development) Order 2015, prior to first occupation of the extensions permitted the window in the first floor on the eastern elevation facing serving the rear dormer shall be unopenable below 1.7m above finished floor level, and shall feature textured glass which obscuration level is no less than Level 4 of the Pilkington Texture Glass scale (or equivalent) and retained as such thereafter.

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.

Informative:

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 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