

DELEGATED OFFICER REPORT

PROPOSAL	Existing conservatory replaced with an extension, a garage extension, replacement posts to existing porch, replacement windows, and replacement doors to south elevation.
LOCATION:	19 Tower Street, Emsworth, PO10 7BH
REFERENCE NO:	APP/26/00296
APPLICANT:	Mr & Mrs Morley & Nickolds
APPLICATION TYPE:	Householder planning permission
CONSULTATION EXPIRY DATE:	16/06/2026
APPLICATION EXPIRY DATE:	26/06/2026 (Agreed extension of time until 1/10/2026)
WARD:	Emsworth
CASE OFFICER	Robert Riley
SUMMARY RECOMMENDATION: Approve with Conditions	

1. Site Description

- 1.1 The application relates to a residential property located in Tower Street within Emsworth town centre. The property was built in the mid-2000s as one of two dwellings, built within the grounds of a listed building (Saxted House).
- 1.2 The application is located within the Emsworth Conservation Area which is a designated heritage asset, recognised for its historic and architectural special character as a harbourside town, associated in particular with its former oyster fishing industries. Immediately south of the application site, there is a Grade II listed building – SeaView Cottage (No. 23 Tower Street) which faces onto Chichester Harbour. To the north of the site is Saxted House which is a listed building, but this is separated by another large dwelling.
- 1.3 There are 3No trees the subject of a Tree Preservation Order on the site.

2. Planning History

- 2.1 No relevant history.

3. Proposal

Replacement conservatory and garage extension, replacement posts to existing porch, replacement windows, replacement doors to south elevation.

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 2026, 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
CS12 Chichester Harbour Area of Outstanding Natural Beauty (AONB)
DM8 Conservation, Protection and Enhancement of Existing Natural Features

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)
ENP_H1 (Design & Heritage)

Chichester Harbour Management Plan (2025-2030)

Planning Principles PP01 – Great Weight for a Nationally Important Landscape
Planning Principles PP05 – Dark Skies & Light Pollution
Planning Principles PP07 – Development near the National Landscape Boundary

Havant Borough Council Borough Design Guide SPD December 2011

Havant Borough Council Parking SPD July 2016

Chichester Harbour Area of Outstanding Natural Beauty Joint Supplementary Planning Document, July 2017

Listed Building Grade: **Located within the former curtilage of a Grade II listed building Saxted House**

Conservation Area: **EMSWORTH**

5. Statutory and Non Statutory Consultations

Emsworth Residents Forum	No comments received.
Chichester Harbour Conservancy	No comments received.

	<p>Officer comment: Chichester Harbour Conservancy confirmed they would not object to the works in an email, in lieu of leaving a formal response.</p>
Conservation Officer	<p>Original comments on 20/07/2026</p> <p>Proposal Replacement conservatory and garage extension, replacement posts to existing porch, replacement windows, replacement doors to south elevation.</p> <p>Heritage Assets Affected</p> <p>The application relates to a residential property located in Tower Street within Emsworth town centre.</p> <p>The property was built in the mid 2000s as one of two dwellings, built within the grounds of a listed building (Saxted House).</p> <p>The application is located within the Emsworth Conservation Area which is a designated heritage asset, recognised for its historic and architectural special character as a harbourside town, associated in particular with its former oyster fishing industries. Immediately south of the application site, there is a Grade II listed building – SeaView Cottage (No. 23 Tower Street) which faces onto Chichester Harbour.</p> <p>To the north of the site is Saxted House, but this is separated by another large dwelling.</p> <p>Legislation</p> <p>When assessing the proposal, the following legislation and policy context is taken in consideration. Planning (Listed Building and Conservation Areas) Act 1990</p>

	<p>In considering this application, special regard must be given to the desirability of preserving the setting of the adjacent Grade II residential cottage under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Regard must also be had under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which 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.</p> <p>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.</p> <p>Assessment Significance The application site comprises a residential property, constructed in a traditional style, located within the Emsworth Conservation Area, the significance of which is outline above. The property is set back from Tower Street, within its own grounds, behind a gated entrance. The property to the south of the site is a Grade II listed building – SeaView Cottage which is designated for its historic and architectural interest as a C19 cottage.</p> <p>Impact of the proposal</p>
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	<p>The proposal relates to small scale changes to the property including a replacement conservatory and garage extension, replacement posts to existing porch, replacement windows, replacement doors to south elevation.</p> <p>The existing conservatory is located on the east elevation and therefore has more potential to affect the setting of the adjacent listed building. However, the proposal is to replace the existing conservatory with a brick built, solid roof extension from matching materials. The scale and form would be almost identical to the existing conservatory, other than the roof, which is now proposed to continue to form a canopy area along part of the south elevation. Proposals also include changes to windows (wooden to aluminium) and replacement external support posts.</p> <p>Overall, subject to confirmation of suitable material choices in terms of bricks, tiles, windows, doors etc, it is deemed that the proposals would not result in harm to the setting of the adjacent listed building, nor the special character of the Emsworth Conservation Area.</p> <p>Conclusion</p> <p>The proposal would preserve the significance of the adjacent Grade II listed building and the Emsworth CA, thus being in accordance with the duty under Sections 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.</p> <p>The proposal is consistent with the aims of the NPPF in conserving heritage assets, and with Policies</p>
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	<p>CS11, CS16 and DM20 of the Havant Borough Local Plan. NO OBJECTION subject to the inclusion of a condition requiring details and / or physical samples of all new materials to be submitted and agreed by the LPA, prior to use.</p> <p>Officer comment: The agent did not agree the recommended condition, and instead sent a materials schedule. The Council's Conservation Officer left a further comment on 24/09/2026 which removed the request for the materials to be agreed prior to use, as the submitted materials were acceptable. It is also noted that the NPPF 2024 has been superseded since this consultee comment on 17/08/2026, and the NPPF 2026 is referred to instead, in the officer report.</p>
English Heritage	No comments received.
Arboriculturalist/Tree Officer	<p>The proposed replacement conservatory and rear ground floor extension at 19 Tower Street, Emsworth is acceptable from an arboricultural perspective.</p> <p>The submitted Arboricultural Impact Assessment demonstrates that no trees are required to be removed to facilitate the development, although the removal of T7, T10 and T20 (poor condition category U trees) and T8 (a Eucalyptus in an unsuitable location) is proposed on sound arboricultural grounds. Whilst the replacement conservatory partly encroaches into the Root Protection Area of T1 (Cherry), this is considered acceptable due to the existing built footprint and hard surfacing, with no significant root loss anticipated.</p> <p>The extension itself lies outside retained tree RPAs. Subject to implementation of the submitted Tree Protection Plan and</p>

	<p>Arboricultural Method Statement, including the installation and retention of tree protection fencing for the duration of construction, the proposal is considered to have a low arboricultural impact and no objection is raised.</p> <p>If permission is granted please attach the following condition:</p> <p>The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan by Mark Welby.</p> <p>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.</p> <p>Officer comment: See section 7 where this is assessed.</p>
Councillor Charles Robert	No comments received.
Councillor Grainne Rason	No comments received.
Councillor Reuben Mychalecky	No comments received.
HBIC	<p>Within 50m: Notable and Protected Species: Many Bird species at Emsworth Harbour</p> <p>Officer comment: see section 7 where this is assessed.</p>

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.

Publicity Type	Publicity Details	Start Date	End Date	Reasons
Press Advert		18/05/2026	15/06/2026	Is in conservation area; Affects a Listed Building and/or the setting of a Listed Building
Site Notice	site notice	04/09/2026	25/09/2026	Is advertised in the public interest; Is in conservation area; Affects a Listed Building and/or the setting of a Listed Building

Neighbouring properties consulted (as defined by the Statement of Community Involvement)

Number consulted: 10

Number of representations received: 0

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) Impact upon the character and appearance of the area, heritage assets and the National Landscape
- (iii) Impact upon residential amenity
- (iv) Highways/parking provision
- (v) Impact on trees
- (vi) Flood risk
- (vii) Ecology and Biodiversity Net Gain (BNG)
- (viii) Human Rights Act
- (ix) Equalities and Diversities

(i) Principle of Development

7.2 The application site is located within the defined urban area, i.e. within a 'Settlement' for the purposes of the National Planning Policy Framework (NPPF), August 2026, where further development is considered acceptable in principle, subject to consideration of detailed development management criteria.

(ii) Impact upon the character and appearance of the area, heritage assets and the National Landscape

- 7.3 The application site is within the Chichester Harbour National Landscape (formerly known as an Area of Outstanding Natural Beauty). The site is also within the Emsworth Conservation Area and located within the former curtilage of Saxted House which is a Grade II Listed Building. Sea View Cottage immediately to the south is also a Grade II Listed Building.
- 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. Policy CS11 of the of the Havant Borough Local Plan (Core Strategy) 2011 seeks 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 and Listed Buildings. Policy CS12 of the Havant Borough Local Plan (Core Strategy) 2011 seeks to conserve and enhance the qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).
- 7.5 The special qualities of the National Landscape (as defined in the Chichester Harbour AONB Management Plan) include; *'The particularly strong historic character and associations' and 'The picturesque harbourside settlements.'*
- 7.6 Policy H1 of the Emsworth Neighbourhood Plan requires that 'Any new development or alteration to an existing structure that affects, or has the potential to affect a heritage asset (whether designated or undesignated) will be required in its design, scale and materials to conserve or enhance the significance of the heritage asset, the wider historic character of Emsworth, and to have regard to the design guidance within this neighbourhood plan.
- 7.7 Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas. Section 66 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 listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.8 Paragraph 1 under HE3: Historic Environment Records on Page 94 of the NPPF 2026 requires Local Planning Authorities to "Assess the significance of heritage assets and the contribution they make to their environment".
- 7.9 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.
- 7.10 Saxted House is important, its listing with Historic England states:

"House. Mid C18. Brick, with a slate roof. Symmetrical front of 2 storeys and attic, 5 windows. 2 hipped domers, with moulded eaves cornice and casements, moulded eaves cornice. Blue header brick with red flush dressings, quoins, openings within vertical panels, rubbed flat arches, moulded 1st floor band, plinth. Sashes in exposed

frames. Doric doorcase with open pediment, broken cornice above frieze, having oval decoration on a reeded ground, ¾ plain columns, arched opening with Gothic fanlight, and 6-panelled door. Interiors”.

- 7.11 The proposal comprises an extension to replace the existing conservatory, a garage extension, replacement posts to the existing porch, and replacement materials and fenestration. These small-scale changes would modernise the property. In addition, the property benefits from substantial boundary treatment to the front, which would prevent the works from being readily visible in the street scene. Accordingly, the impact on visual amenity is considered acceptable.
- 7.12 Neither the Chichester Harbour Conservancy nor the Council’s Conservation Officer has objected to the works, and no conditions have been recommended to be added to the decision notice relating to heritage.

Materials

- 7.13 The Council’s Conservation Officer has not objected to the proposed materials but originally requested a condition to agree materials to ensure the stated materials would be of a satisfactory finish prior to use. A pre-commencement condition was requested to be agreed by the agent, however, this was not been agreed. A materials schedule was received instead from the agent and uploaded on 24/09/2026 and the Conservation Officer re-commented, confirming the materials were acceptable. A condition will be added to the decision notice requiring the works to be accordance with the plans and materials schedule and the works are considered to have an acceptable impact regarding the chosen material palette.
- 7.14 The design and appearance of the proposal is deemed appropriate and would not result in material harm to the visual amenity of the host dwelling or the street scene. Furthermore, the proposal would preserve the character and appearance of the Emsworth Conservation Area and the settings of the Grade II listed Saxted House and the Grade II listed Sea View Cottage. Therefore, there would be no material harm to the significance of these heritage assets. The proposal would therefore accord with Policies CS11 and CS16 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM20 of the Havant Borough Local Plan (Allocations) 2014, and Policies ENP_D1, ENP_D2, ENP_D3 and ENP_H1 of the Emsworth Neighbourhood Plan. Furthermore, it would accord with the requirements of the NPPF 2026 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

(iii) Impact upon residential amenity

- 7.15 Does the development cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking?

No.

- 7.16 Is the proposal sited such as to avoid overbearing development?

Yes.

- 7.17 Is there sufficient amenity space?

Yes

(iv) Highways/parking provision

- 7.18 The works would remove small areas of the site for potential parking, however, the application site features ample parking for more than 3 cars and the proposal is considered to accord with Policy DM13 of the Havant Borough Local Plan (Core Strategy) 2011 and the Havant Parking SPD and is considered as acceptable in this regard.

(v) Impact on trees/ecology

- 7.19 Due to the arboriculture on site, the Council's Arboriculturist was consulted during the application process. The Council's Arboriculturist did not object but recommended a condition be added to the decision notice if permission is forthcoming. The recommended condition will be added, and in light of this, the proposal is considered acceptable regarding arboricultural concerns, and Policy DM8 of the Havant Borough Local Plan (Core Strategy) 2011.

(vi) Flood risk

- 7.20 Due to part of the application site being located in Flood Zone 2, 2122 Future Tidal, a Flood Risk Assessment form was requested during the application. The Flood Risk Assessment is considered as acceptable and the proposal is considered to accord with Policy CS15 of the Havant Borough Local Plan (Core Strategy) 2011. It is noted that the extension itself is located in Flood Zone 1 (low flood risk).

(vii) Ecology and Biodiversity Net Gain (BNG)

- 7.21 It is noted that this householder application is exempt from the requirements relating to Biodiversity Net Gain.
- 7.22 The application site is noted to be within 50 metres of notable and protected species: Many Bird species at Emsworth Harbour. However, the works are noted to be relatively minor in scale, and impacts towards protected bird species are considered as unlikely. In light of this, the proposal is considered to accord with Policy CS11 of the Havant Borough Local Plan (Core Strategy) 2011 and is considered as acceptable in this regard.

(viii) Human Rights Act

- 7.23 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.

(ix) Equalities and Diversities

- 7.24 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 Conclusion

- 8.1 This proposal has been assessed against the recently updated NPPF, August 2026 and the development plan. The proposed development is acceptable in principle, is appropriate in terms of design and its impact on the character of the area, heritage assets and the Chichester Harbour National Landscape 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 **Head of Planning and Growth** be authorised to **Approve with Conditions** for application APP/26/00296 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:

Flood Risk Assessment: Uploaded 29/09/2026

19 Tower Street - Material Samples: Uploaded 24/09/2026

Arboricultural Report: Uploaded 14/09/2026

Design, Access & Heritage Statement Redacted: Uploaded 18/05/2026

Drawing Number: 25088 004: Proposed Floor & Roof Plans: Uploaded 01/05/2026

Drawing Number: 25088 003: Existing Elevations & Section: Uploaded 01/05/2026

Drawing Number: 25088 001: Block & Location Plan: Uploaded 01/05/2026

Drawing Number: 25088: 005: Proposed Elevations & Section: Uploaded 01/05/2026

Drawing Number: 25088 002: Existing Floor & Site Plan: Uploaded 01/05/2026

Reason: - To ensure provision of a satisfactory development.

3. The external materials used shall be as indicated on the submitted forms, hereby approved plans and the document named: 19 Tower Street - Material Samples uploaded on 24/09/2026, 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.

4. The development hereby permitted shall only be carried out in accordance with the Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan by Mark Welby uploaded on 14/09/2026.

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 2026.

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:

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