

DELEGATED OFFICER REPORT

PROPOSAL	Single storey extension with flue to replace existing extension and garage
LOCATION:	52 Birch Tree Drive, Emsworth, PO10 7RY
REFERENCE NO:	APP/26/00611
APPLICANT:	Mr & Mrs Gardiner
APPLICATION TYPE:	Householder planning permission
CONSULTATION EXPIRY DATE:	17/09/2026
APPLICATION EXPIRY DATE:	19/10/2026
WARD:	Emsworth
CASE OFFICER	Robert Riley
SUMMARY RECOMMENDATION: Approve with Conditions	

1. Site Description

- 1.1 The application site comprises of a semi-detached bungalow located in Emsworth. To the front and side of the dwelling is parking space and gravelled areas and a clad outbuilding and to the rear of the dwelling is the dwelling's rear garden. The property's materials feature beige brickwork and light blue/grey cladding and the roof features brown concrete tiles.
- 1.2 The application site is in an urban and residential area, with the character of the street featuring predominantly traditional styled bungalows in evidence.

2. Planning History

- 2.1 No relevant history.

3. Proposal

- 3.1 Single storey extension to replace existing extension and garage

Officer comment:

- 3.2 The proposed flue requires planning permission due to being located upon the proposed extension. Therefore a description change was agreed with the agent, which has been actioned and the proposal was readvertised to reflect this change of description.

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
P2 - Ground conditions

Havant Borough Local Plan (Core Strategy) March 2011

CS16 High Quality Design
DM13 Car and Cycle Parking on Residential Development
DM10 Pollution

Havant Borough Local Plan (Allocations) July 2014

AL1 Presumption in Favour of Sustainable Development
DM17 Contaminated Land

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: Not applicable

5. Statutory and Non Statutory Consultations

Emsworth Residents Forum	No comments received.
Southern Water	No comments received. Officer comment: There is noted to be a sewer line on site in reasonable proximity. In light of this an informative will be added to the decision notice if permission is forthcoming, alerting the applicants of potential risks to the sewer network and to contact Southern Water. Moreover, it is noted that this would be dealt with under a building regulations application for the extension.

Councillor Charles Robert	No comments received.
Councillor Grainne Rason	No comments received.
Councillor Reuben Mychaleckyi	No comments received.
Environmental Health	<p>From a contamination perspective, no.52 is coincident with the curtilage of Redlands Nursery (<1897->1966), which is a land use considered to be potentially contaminating (generally via heating systems and traditional coatings, but also via soil conditioners/pesticide preparations).</p> <p>The site is associated with at least two chimneys significant enough to have been mapped, so it is expected that a substantial heating system will have been in place at the site when it was operational, and some contamination at the wider site is possible. Given the age of the installation, both oil and coal fuel sources are possible, and the site is substantial enough that local production of town gas cannot be entirely ruled out (this is sometimes a feature of larger estates).</p> <p>However, I also note that the extant property is residential, is located at the periphery of the Redlands site, and is not coincident with any (mapped) built structure. There's no change in (exposure) risk profile at no. 52 as a result of the proposed development, and I don't think it likely that that the development will hamper access to contamination that ought to be addressed (all of the highest risk areas of the Redlands site are outside the curtilage to no.52).</p> <p>Consequently, no objections are raised, and I do not propose any proactive site assessment/remediation requirements. I do however think it prudent to include a condition to impose a duty to monitor & notify in the event that any suspected contamination is encountered</p>

	<p>during groundworks, to cover the small but not-negligible risk</p> <p>Condition [X] - Contamination Watching Brief/Unexpected Contamination</p> <p>“Reasonable vigilance for the presence of contamination and soil hazards shall be maintained during all groundwork. In the event that any significant buried waste material or suspected contamination is encountered (e.g. significant deposit of ‘made’ soil, or any obviously contaminated, stained, discoloured or odourous soil/groundwater); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to- and approved in writing by- the Local Planning Authority. The scheme may take a proportionate approach to the degree of formality adopted and may comprise separate results / reports / statements as appropriate, but unless specifically excluded by agreement shall include;</p> <ol style="list-style-type: none"> 1) Investigation in the vicinity of the suspect material, sufficient to characterise its nature, likely extent & mobility, 2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and; 3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability <p>Any investigation, assessment or other actions required by 1)-3) above (and B, below) shall be undertaken & documented by persons competent for the level of task, and the findings presented in</p>
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	<p>a written format. The scheme shall be implemented as approved. Prior to the occupation of any relevant part of the permitted development, EITHER of the following shall be submitted to the Local Planning Authority;</p> <p>A) A written statement confirming that no suspected contamination was identified during development, OR;</p> <p>B) Documentation in accordance with 1) & 2) above; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives (3)) have been met.</p> <p>Reason: Prior land use is of a type which may be associated with discrete deposits of contaminating material / contaminated soils that could pose a risk to future occupiers of the site and if present, are likely to be readily identifiable by visual and olfactory means. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and National Decision-Making Policy P2 under the 2026 National Planning Policy Framework (NPPF)."</p> <p>Informative - Contamination Watching Brief/Unexpected Contamination</p> <p>"Condition [X] aims to identify and address any significant contamination present at the property.</p> <p>Given the nature of the historic use of land now occupied by the residential property, it will be particularly important to look out for black/grey staining of soils, frequent inclusions of coal, coal dust, ash, or soils with an unusual or organic odour. Similarly, any oil, tarry substances solvent- or</p>
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	<p>sulphurous odours-, any blue/green ashy material or spongy/friable rusty deposits should be considered to be contamination for the purpose of condition [X]. It is recognised that this is a householder development - following any notification, steps required under parts 1)-3) & B may be agreed in consultation the Council. It is not expected that a discovery should automatically trigger a need to commission a professional report. If any doubts arise, Environmental Health should be contacted for advice.“</p> <p>Conclusions No objections on contamination grounds, subject to conditions & informative outlined above.</p> <p>Officer comment: The recommended condition and informative will be added to the decision notice if permission is forthcoming. These will be reworded for clarity.</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.

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

Number consulted: 9

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
- (iii) Impact upon residential amenity
- (iv) Highways/parking provision
- (v) Environmental Matters
- (vi) Biodiversity Net Gain (BNG)
- (vii) Human Rights Act
- (viii) 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

7.3 Is the design and scale in keeping with the dwelling/street/area or otherwise appropriate?

Yes, the extension would be single storey and feature a subservient height to the dwelling and would match the eaves level on the front elevation, providing a level of visual continuity to the extension.

7.4 Would the materials, details and features generally match the existing dwelling and/or be consistent with the general use of materials in the area?

Yes, whilst the timber cladding is not seen on the street scene, the dwelling already features light blue/grey cladding, and the timber cladding is not considered to detract or be considered as incongruous. The proposed materials will be conditioned if permission is forthcoming.

7.5 Is the site within the Chichester Harbour National Landscape (formerly known as AONB)?

No.

7.6 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) 2011 and Policies ENP_D1, ENP_D2 and ENP_D3 of the Emsworth Neighbourhood Plan Post Examination Version 2020. It is considered that the scheme would not result in an adverse impact on the visual amenity of the locality.

(iii) Impact upon residential amenity

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

No, whilst the extension would have some impacts upon Nos 13 and 15 Woodroffe Walk's rear garden, it is noted that due to the single storey nature of the extension that this would be limited and not unacceptable. There are also rear outbuildings at Nos 13 and 15. No.13's would appear to be a shed which would be acceptably impacted, and No.15's outbuilding is amply fenestrated at the front and side whereby impacts would be limited and acceptable.

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

Yes.

- 7.9 Is there sufficient amenity space?

Yes

(iv) Highways/parking provision

- 7.10 It is noted that there would be a reduction in potential parking space due to the works, however, it is noted that there would still be 3 spaces (driveway and gravelled areas) were the proposal to be built 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) Environmental Matters

- 7.11 Due to the proposed flue, which requires planning permission due to being located on the proposed extension, Environmental Health has been consulted during the application process. Environmental Health did not object to the works but have recommended a condition relating to contamination be added owing to the site's previous use as a nursery and have recommended an informative be added to the decision notice. If permission is forthcoming, the recommended condition and informative will be added to the decision notice. In light of this, the proposal is considered to accord with Policy DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy DM17 of Havant Borough Council Local Plan (Allocations) July 2014, and Policy P2 of the NPPF 2026.

(vi) Biodiversity Net Gain (BNG)

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

(vii) Human Rights Act

- 7.13 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

- 7.14 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 NPPF dated August 2026 and the development plan. The proposed development is acceptable in principle and appropriate in terms of its design and impact on the character of the area. The proposal would have a limited and acceptable impact on neighbouring properties, and the impact regarding environmental matters is also considered acceptable. Accordingly, the application is recommended for approval.

9. **RECOMMENDATION:**

That the **Head of Planning and Growth** be authorised to **Approve with Conditions** for application APP/26/00611 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:

Email by Paul Quantrill named Cladding Correspondence 52 Birch Tree Drive:
Uploaded 29/09/2026

Drawing Number: 16/057-006: Location and Block Plan: Uploaded 24/08/2026

Drawing Number: 16/057-002: Proposed Ground Floor Plan: Uploaded 24/08/2026

Drawing Number: 16/057-003: Roof Plans: Uploaded 24/08/2026

Drawing Number: 16/057-005: Proposed Elevations: Uploaded 24/08/2026

Biodiversity Checklist Householders Application: Uploaded 24/08/2026

Reason: To ensure provision of a satisfactory development.

3. The external materials used shall be as indicated on the submitted forms and hereby approved plans, 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. Prior to the occupation of any relevant part of the permitted extension, EITHER of the following shall be submitted to the Local Planning Authority;
A) A written statement confirming that no suspected contamination was identified during development, OR;
B) Documentation in accordance with 1) & 2) below; together with a Verification Report (where appropriate) which demonstrates that the agreed remediation objectives below (3)) have been met.

1) Investigation in the vicinity of the suspect material, sufficient to characterise its nature, likely extent & mobility,
2) An appropriate assessment of the risks to all receptors that may be affected, based upon 1), and;
3) Where potentially unacceptable risks are identified by 2), a Remediation / Risk Management Strategy that includes appropriately considered remedial objectives and clearly defined proposals for achieving these, having due regard to sustainability
Any investigation, assessment or other actions required by 1)-3) above (and B, below) shall be undertaken & documented by persons competent for the level of task, and the findings presented in a written format. The scheme shall be implemented as approved.

Reason: Prior land use is of a type which may be associated with discrete deposits of contaminating material / contaminated soils that could pose a risk to future occupiers of the site and if present, are likely to be readily identifiable by visual and olfactory means. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and National Decision-Making Policy P2 under the 2026 National Planning Policy Framework (NPPF)."

5. In the event that any significant buried waste material or suspected contamination is encountered (e.g. significant deposit of 'made' soil, or any obviously contaminated, stained, discoloured or odourous soil/groundwater); works in affected areas of the site shall cease until the Local Planning Authority has been notified of the discovery and a scheme to deal with the risks associated with the suspected contamination has been submitted to and approved in writing by- the Local Planning Authority.

Reason: Prior land use is of a type which may be associated with discrete deposits of contaminating material / contaminated soils that could pose a risk to future occupiers of the site and if present, are likely to be readily identifiable by visual and olfactory means. This is in line with DM10 of the Havant Borough Local Plan (Core Strategy) 2011, DM17 of the Havant Borough Local Plan (Allocations) [2014], and National Decision-Making Policy P2 under the 2026 National Planning Policy Framework (NPPF)."

Informatives:

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.

2. Please be aware that there would appear to be a sewer line located within the curtilage of the application site, please contact Southern Water, Southern House, Yeoman Road, Worthing, West Sussex, BN13 3NX (Tel: 0330 303 0119).
3. During the application process, Environmental Health has recommended the following Informative be added to the decision notice: Contamination Watching Brief/Unexpected Contamination

“Conditions 4 and 5 aims to identify and address any significant contamination present at the property. Given the nature of the historic use of land now occupied by the residential property, it will be particularly important to look out for black/grey staining of soils, frequent inclusions of coal, coal dust, ash, or soils with an unusual or organic odour. Similarly, any oil, tarry substances solvent- or sulphurous odours-, any blue/green ashy material or spongy/friable rusty deposits should be considered to be contamination for the purpose of condition 4 and 5. It is recognised that this is a householder development - following any notification, steps required under parts 1)-3) & B may be agreed in consultation with the Council. It is not expected that a discovery should automatically trigger a need to commission a professional report. If any doubts arise, Environmental Health should be contacted for advice”.