



CHICHESTER
HARBOUR
CONSERVANCY

CHICHESTER HARBOUR AREA of
OUTSTANDING NATURAL BEAUTY
(AONB) Unit
Planning Consultation
Development Assessment Report

Chichester Harbour AONB Unit : Delegated Decision Process Report

Location: 52 Bath Road, Emsworth, Hampshire

Planning Application: **APP/21/00066**

Proposed conversion of garage to habitable accommodation together with erection of rear garden open sided shelter / gazebo

Chichester Harbour AONB Unit Recommendation – No objection

Suggested considerations: -

- schedule of materials to be as indicated on submitted application forms to match the house.
- any and all external lighting (including to the open sided gazebo) shall be fitted with a suitable and effective cowl to focus the light-beam and illumination downwards and prevent light spillage above the horizontal and into the night sky, so as to comply with the Dark Skies approach within the AONB protected landscape and to limit disturbance to wildlife.

Planning Approach

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. The LPA should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (Section 85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Chichester Harbour Conservancy, administer and safeguard the Chichester Harbour Area of Outstanding Natural Beauty (AONB). The aim of conserving and enhancing the areas natural beauty requires the Conservancy to consider the proposal on its landscape character aspects. Landscape covers both urban environments as well as countryside and coastal areas.

- Landscape Character

The Landscape Character Areas define relevant key characteristics, ecological features, important views across land and water areas, historical features, settlement character, as well as key issues to landscape condition and landscape sensitivity, together with a landscape strategy to be followed. The summary and recommendations lay out the special qualities of Chichester Harbour AONB protected landscape.

- Management Plan

The Chichester Harbour AONB Management Plan (2019-2024 Third Review April 2019) identifies 10 special qualities (page 10) that represent the exceptional features that contribute to the AONB designation. On this basis the Chichester Harbour Management Plan provides an integrated coastal zone management strategy for the Trust Port and Area of Outstanding Natural Beauty. Relevant policies would include Policy 1 (Conserving and Enhancing the landscape), Policy 2 (Development Management), and Policy 3 (Diversity of Habitats).

- Planning Principles

The Chichester Harbour Area of Outstanding Beauty Planning Principles (Management Plan version April 2019) provides guidance on development. These principles set a range of criteria to be addressed to achieve a favourable consideration in terms of likely impact within the AONB.

AONB Planning Principles **PP01: Chichester Harbour as a Protected Area**, is applicable to this and all proposals within or affecting the AONB protected landscape. This sets out the key over-arching approach for the AONB, in that the statutory primary purpose is to conserve and enhance the natural beauty of the area. Great weight shall be given to the protection of the landscape, the conservation of nature, and the special qualities of Chichester Harbour and its surrounding supporting hinterland.

AONB Planning Principle **PP03: Replacement Dwellings and Domestic Householder Extensions**, guidance states that the acceptability of development will be dependent on whether the site can accommodate the proposal while still respecting local character by reflecting the surrounding pattern of development and spaces between buildings (the grain). Acceptability will also depend on the setting of the site within the landscape, and the design, materials and finishes employed. The size and scale of any extensions to the original dwelling are required to fall within guideline criteria relating to footprint increase (50% upper limit) and the increase from the original building silhouette profile 25% upper limit). These requirements are also stipulated under section-12 of the adopted Chichester Harbour AONB Joint SPD (2017).

AONB Planning Principle **PP09: Dark Skies**, lighting proposals that are adjacent to or impact on areas of nature conservation will only be supported in exceptional circumstances.

- Joint Chichester Harbour AONB SPD

The Chichester Harbour Area of Outstanding Beauty Joint Supplementary Planning Document (2017) requires that any development proposed in the AONB should be guided by to protect, conserve, and enhance natural beauty and wildlife (Section 2 overarching principles). Section 8 requires that in designing new development, consideration of the setting of the development in the AONB landscape must be shown as to how the proposal would contribute to the character of the area. All development within the AONB should follow the guidance as closely as possible. The SPD is adopted by both Havant Borough Council and by Chichester District Council as part of their planning policy and development control approach. The adopted guidance requires a clear demonstration that no harm is caused to the AONB.

Planning History Relevant to current proposal

There is no relevant and recent planning history for this site on the LPA public access website.

Contextual Consideration - Site Location and Existing Development

The site is located within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), where development is subject to more stringent planning guidance to ensure that development respects and enhances the inherent qualities of such a sensitive location.

The red-line application site indicates the residential planning unit.

The red-line site lies within a built-up location.

The site is within a LPA designated Conservation Area.

The site is not indicated to be on or close to a building on the scheduled list of buildings of historic or architectural importance.

The site is assumed as being within Flood Zone 1: Low Probability of flooding.

The site is located along the west side of Bath Road, to the west of the town centre area of Emsworth. The site comprises a detached two-storey house orientated east-west on the site and accessed off Bath Road.

Submitted Proposal and Supporting Documents

The current proposal seeks the conversion of the part single-storey wraparound domestic garage to habitable accommodation, internal rearrangement of rooms, and the erection of an open front and side rear pitched roof garden shelter / gazebo. The loss of the double garage is not indicated to be replaced, the front parking, turning area remaining for that purpose.

Applicants Approach to the AONB protected landscape designation

The submission makes no reference to the sites location within the context and setting of the Area of Outstanding Natural Beauty protected national landscape. There is no reference made to the AONB Management Plan or the Chichester Harbour AONB planning policy documents relevant to the consideration of the proposal. The proposal has therefore apparently been made with no acknowledgement, knowledge, or understanding of the status of the AONB that would be considered necessary and appropriate given the AONB protected national landscape status.

Planning Assessment

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. The adopted guidance requires a clear demonstration that no harm is caused to the AONB.

The consideration would require a full and detailed assessment of the potential, possible, and probable impact to the character and appearance of the site and locality of the AONB protected landscape. The main AONB protected landscape Planning-Principle policy assessment issues to be considered for this site relate to –

1. The principle of the use and activity of the development to the AONB locality
2. The positioning layout design and visual character and impact of the site to the AONB
3. The proposed physical works, scale, massing, and bulk on the AONB landscape
4. The building design, character, appearance, and finished treatment to the AONB
5. The impact on the tranquillity and natural environment to the AONB
6. The wildlife, biodiversity, and environmental effects within the AONB
7. Any measures to mitigate the impact of ecological and environmental disturbance
8. Consideration against the relevant AONB Planning-Principle guidance

Consideration 1: The principle of the proposed use and activity would not be a significant concern due to the use being unchanged as part of the associated use within the existing planning unit.

Consideration 2: The principle of the positioning, layout design and visual character and impact of the site to the AONB would not be a major due to the works relating specifically to the existing structure of the house and the addition of a domestic scale garden outbuilding.

Consideration 3: The principle of the proposed physical works and building bulk and scale would not be a substantial concern due to the works reducing the building ground floor foot print overall and resulting in modest, and reduced changes to the building envelope.

The scale, however, must also be assessed alongside the impact in building design and character.

Consideration 4: The principle of the building design and character, together with the appearance of the construction materials and finished treatment to the site and surrounds would not be a serious concern due to the design reflecting that of the host building. The alterations reflect the current footprint of the building.

Consideration 5. The principle of the impact on the tranquillity and natural environment of the proposal would be unlikely to be a concern due to the existing use and activity associated with the site remaining unchanged.

Consideration 6. The principle of any harm to wildlife, biodiversity, and environmental character within the AONB is unlikely given the proposal lies in an open environment. The proposal would not increase the number of residential units or significantly increase occupation potential of the premises

on the site. This should not result in any substantial increase recreational activity in the locality or add to the associated disturbance of wildlife areas.

The proposal would not involve the removal of any substantial parts of the existing structure that could play host to existing wildlife habitation. The proposal therefore would not obviously impact on existing wildlife habitats. The change in the building profile would be unlikely to harm wildlife habitats / foraging routes. Assuming that there is no wildlife uses of the structure, the proposal would not therefore be viewed as harmful to the wildlife or biodiversity of the site.

Consideration 7. The principle of measures to mitigate the impact of ecological and environmental disturbance should not be necessary. Improvements could be considered generally through the installation of bird and bat boxes at the site.

Consideration 8. The relevant AONB Planning Principle guidance is PP01, and PP03 (see Consideration 3 above). The alterations can be provided without harm to the local character of the surroundings or pattern of development and the spaces between buildings. The sites setting within the landscape and the design, materials and finishes employed are all acceptable. The guidance requirements are addressed in the proposed development. The proposal would be unlikely to have an alternative use outside the domestic associated activity of the site.

Summary Conclusion

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The sites location within open countryside within the AONB is a key consideration.

The positioning of the proposal would have a localised impact on the character and appearance of the site and the immediate surrounds. The structures scale, design and appearance with suitable construction materials would enable the building to sit unobtrusively within its setting. The proposal would have a limited visual impact on the AONB protected national landscape character.

The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection.

Other Comment

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as any overlooking impact to neighbouring property and gardens, any perceived loss of privacy, any equated loss of light and cause of shadowing, noise generation and disturbance, traffic generation and on-site parking provision, and in terms of overall good building design and land-use neighbourliness.

A copy of this planning assessment report is attached to the consultation comment response to the LPA for information and for open transparency public view.

Chichester Harbour Conservancy manage and advise on the
Chichester Harbour Area of Outstanding Natural Beauty
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Assessment 15-03-2021 LPA request reply 26-02-2021 Comment to LPA 16-03-2021
Chichester Harbour AONB Case Assessor: David Rothery LPA Planning Case Officer: Selina Donophy
The comment and recommendation are made having regard to the Policy framework:

- Chichester Harbour AONB **Landscape Character Assessment** (CBA update 2019)
- Chichester Harbour **Management Plan** (2019-2024)
- Chichester Harbour **AONB Planning Principles** (Management Plan version April 2019)
- Chichester Harbour **AONB Joint Supplementary Planning Document** SPD (2017)
- National Planning Policy Framework (Revised 2018)
- National Planning Practice Guidance (2014)
- Havant Borough Local Plan (2011/2014)

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