

Houghton, Michelle

From: David Rothery <David.Rothery@conservancy.co.uk>
Sent: 20 January 2021 11:39
To: Donophy, Selina; Havant Planning and Development Mailbox New
Subject: APP/20/01129 (Listed Building) - 17 Queen Street, Emsworth, Hampshire
Attachments: reply APP20.01129 EMS LDC roof alts noobj queenst.pdf; report APP20.01129 EMS roof to LB noobj queenst.pdf

SUMMARY OBSERVATION

From: David Rothery – on behalf of Chichester Harbour Conservancy (Area of Outstanding Natural Beauty unit)
To: Selina Donophy – Local Planning Authority Planning Case Officer

17 Queen Street, Emsworth, Hampshire

Planning Application: **APP/20/01129 (Listed Building)**

Proposal for Listed Building Consent for reroofing of rear single storey extensions with replacement plain clay tiles to pitched roof and sedum roof to flat roofed area, new flue, and internal works

Chichester Harbour AONB Recommendation: **No objection** (planning condition controls suggested)

Please find enclosed the consultation comment letter relating to the proposed development that impacts on the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and a public copy of the Chichester Harbour AONB Planning Assessment Report for your information and open transparency public view.

This consultation comment is a Chichester Harbour Conservancy fully delegated assessment.

This **summary observation cover email**, the **consultation response** and the **assessment report** are all **suitable for open public viewing**.

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D Rothery

Visit our webpage – www.conservancy.co.uk/page/planning

Mr D Rothery

Please note that I work part-time / job-share for two-days a week

Principal Planning Officer

Chichester Harbour Area of Outstanding Natural Beauty (AONB) Team

Chichester Harbour Conservancy - Harbour Office - The Street - West Itchenor - West Sussex - PO20 7AW

Chichester Harbour Conservancy manage and advise on the Chichester Harbour Area of Outstanding Natural Beauty

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Chichester Harbour Conservancy

www.conservancy.co.uk
20 January 2021

To the planning case officer,

Dear Selina Donophy,

17 Queen Street, Emsworth, Hampshire

Planning Application: **APP/20/01129 (Listed Building)**

Proposal for Listed Building Consent for reroofing of rear single storey extensions with replacement plain clay tiles to pitched roof and sedum roof to flat roofed area, new flue, and internal works

Thank you for consulting The Chichester Harbour Conservancy concerning the above tree works planning submission. The Conservancy is a presently a non-statutory consultee.

The landscape of Chichester Harbour was recognised as nationally important when it was designated as an Area of Outstanding Natural Beauty (AONB) in 1964, through the National Parks and Access to the Countryside Act of 1949. The Conservancy was established by the Chichester Harbour Conservancy Act of 1971. The purposes of the Conservancy are the responsibility for navigation and the conservation of nature. The Countryside and Rights of Way Act of 2000 formally established the Conservancy as the Joint Advisory Committee for the AONB, with the purpose to conserve and enhance the natural beauty of the landscape.

In its role in managing the Chichester Harbour Area of Outstanding Natural Beauty (AONB), The Conservancy has considered the submitted proposal against the Conservancy's planning guidance and principles - including The Chichester Harbour Management Plan (2019-2024), The Chichester Harbour Planning Principles (Management Plan version April 2019), The Chichester Harbour AONB Landscape Character Assessment (CBA update 2019), and The Chichester Harbour AONB Joint SPD (May 2017), adopted by both Chichester District Council and Havant Borough Council.

Under the Chichester Harbour Conservancy officer fully delegated decision process, the Local Planning Authority (LPA) is hereby advised that the Conservancy makes the following comment in relation to the above application.

Chichester Harbour Conservancy Recommendation – No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction as per submission / application forms and drawings
- for all glazed surfaces (windows, doors, balustrades), the use of coated surface glass that is non-reflective to mitigate external reflective glare and which for rooms served by the glazed windows might also assist with keeping heat in and radiation out for the respective seasonal changes in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the vertical, skyward, aspect of the new window openings
- the glazed fenestration (windows, rooflights, skylights, etc.) should employ tinted glass panels, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (complying with dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the visual horizontal aspect of the new window openings



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The proposal would have a localised impact on the character and appearance of the building and the immediate surrounds. The proposal would have a visual impact but this minimal and is acceptable to the area and the wider AONB protected landscape environment setting.

Given its setting, the proposal is considered not to be unduly prominent to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

The control of lighting associated with the new fenestration would need to be restrained and proportional to the desire to maintain the character and ambiance of the AONB.

The proposal is therefore considered to have a generally tolerable impact and effect on the AONB in terms of landscape character and in relation to wildlife conservation and protection.

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It is noted that the submitted proposal makes little acknowledgement of the sites location within the Area of Outstanding Natural Beauty (AONB). The AONB landscape includes open countryside, rural hamlets and villages, urban built-up market towns as well as the harbour waters, all of which are subject to a higher level of relevant scrutiny and where proposals are subject to more stringent planning guidance to ensure that the end result respects and enhances the inherent qualities of such a sensitive location. The proposal has apparently been made with a level of understanding that would be considered minimal in this regard. This is regrettable and unfortunate given the protected status of the AONB.

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A copy of the Chichester Harbour Conservancy AONB Unit Planning Assessment Report is attached to this consultation response for your information and for open transparency public view.

Should you require any further clarification with regards to this recommendation please contact the CHC AONB Planning Unit.

Yours Sincerely,



David Rothery
Principal Planning Officer
Chichester Harbour Conservancy AONB Unit

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CHICHESTER HARBOUR AREA OF OUTSTANDING NATURAL BEAUTY PLANNING ASSESSMENT REPORT

CHC AONB Unit Report: Fully Delegated Decision Process

www.conservancy.co.uk

17 Queen Street, Emsworth, Hampshire

Planning Application: **APP/20/01129 (Listed Building)**

Proposal for Listed Building Consent for reroofing of rear single storey extensions with replacement plain clay tiles to pitched roof and sedum roof to flat roofed area, new flue, and internal works

Chichester Harbour AONB Unit Recommendation – No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction as per submission / application forms and drawings
- the glazed fenestration (windows, rooflights, skylights, etc.) should employ tinted glass panels, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (complying with dark skies policies) in order to minimise and reduce the amount of light illumination emitted both to the surrounding skyline and to the visual horizontal aspect of the new window openings

Scope of Assessment Consideration

The submission is for Listed Building Consent. There is no associated planning application submitted. The proposal relates to works that should be considered against the architectural and/or historic character of the building. In considering the implications and impact within or to the Area of Outstanding Natural Beauty protected landscape, only exterior works that affect the appearance and character of the building within the surrounding setting would be assessed.

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 Chichester Harbour AONB Landscape Character Assessment (CBA update 2019) prepared for the Conservancy, identifies 10 Landscape Character Types - areas of broad tracts of land with common landform, and 19 specific Landscape Character Areas - unique areas with a recognisable pattern of landscape characteristics that combine to create a distinct sense of place, and which represent discrete geographical areas of a particular landscape character type.

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 warrant a favourable consideration in terms of likely impact within and on the AONB. Planning Principle PP01: Chichester Harbour as a Protected Area, is applicable to this and all proposals within or affecting the AONB.

Planning Principles **PP01: Chichester Harbour as a Protected Area**, sets out the key overarching 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.

Planning Principle **PP09: Dark Skies**, 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). 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 SPD provides detailed guidance on the level of acceptable development within the AONB. All development within the AONB should follow the guidance as closely as possible. Section 8 (page 17) 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. A Landscape Visual Impact Assessment may be necessary in sensitive areas of exposed wide landscape character. The adopted guidance requires a clear demonstration that no harm is caused to the AONB.

- Local Planning Authority - Local Plan Document Policy

The LPA have an adopted Local Plan which is made up of the Core Strategy 2011 and the site Allocation Plan 2014. These policy documents will remain in place until the Havant Local Plan 2036 has completed its adoption process. There are many relevant policies for the LPA to consider against planning application submissions. Particular ones within the AONB include Strategic Core Strategy Policies CS12:Chichester Harbour Area of Outstanding Natural Beauty (AONB), CS16:High Quality Design; and Development Management Policies DM8:Conservation, Protection and Enhancement of Existing Natural Features, DM9:Development in the Coastal Zone, amongst others. The Draft Local Plan continued with similar policies including E11: Chichester Harbour Area of Outstanding Natural Beauty, E6:High Quality Design, and E15: Ecological Conservation, E18:Protected Species, amongst others.

Relevant Planning History

There is no recent or relevant planning history available for this site on the LPA public access website. Other applications relate solely to Listed Building Consent submissions for works to the fabric of the building. There are no corresponding planning application records listed.

Contextual Consideration

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 location is within a built-up urban location of the AONB protected landscape. The red-line application does not have a visual boundary with a coastal frontage. The proposal would therefore have a visual landscape impact to the character of the AONB in this built-up locality.

The site lies within a Conservation Area. The proposal would affect any building indicated 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.

Site Location and Existing Development

The red-line application site indicates the whole residential property forms the planning unit. The application site is located in the central part of the town, to the south side of Queen Street. The property is a mid-terraced two-storey dwelling house orientated north (front)-south (rear).

Submitted Proposal and Supporting Documents

The proposal is for works to the Listed Building. The external works relate to the addition of a rooflight to the ground floor rear extension (to mirror an existing rooflight alongside the proposal positioning) and to re-roof the rear extension with a sedum roof finish. In addition, there are smaller works such as a boiler extract flue and the installation of a solar panel photovoltaic cell to the rear extension.

The submission includes a Heritage Statement as a supporting document. This has been considered alongside the planning application submission form and plans/drawings.

Applicants Approach to the AONB protected landscape designation

There is little recognition of the application proposal within its context and setting of the Area of Outstanding Natural Beauty (AONB) in the submitted documents for the proposal. There is no reference made to the Chichester Harbour AONB planning policy documents relevant to the consideration of the proposal or the Joint AONB SPD (see above in Planning Approach section).

The LPA Local Plan Policy specifically addressing the AONB (HDC Core Strategy Policy CS12) is not mentioned. The proposal has therefore apparently been made with little acknowledgement of the status of the AONB and AONB Management Plan, or with a level of understanding that would be considered necessary and appropriate given the nationally recognised protected status of the AONB. This minimal approach to the AONB protected landscape is regrettable and unfortunate.

Planning Assessment

- Location Considerations

The red-line site is located to the south of the street as part of a terraced run of dwellings.



- Policy Considerations

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.

In general planning terms within the AONB, the principle of –

1. the use and activity resulting from the development,
2. the noise and disturbance aspects to the tranquillity and ambiance from the use,
3. the scale and massing of the structure's physical works as part of the visual impact,
4. the design, form and proportionality, of the built character as part of the visual impact,
5. the finished treatment and construction materials appearance as part of the visual impact,

would require a full and detailed consideration and assessment of potential, possible, and probable impact within the AONB protected landscape.

The principle of the proposed use and activity (1) would not be a significant concern due to the use being ancillary / complementary to the activity of the existing building.

The principle of the potential noise and disturbance as posed to the tranquillity and closeness of nature of the AONB protected landscape environment (2) would be unlikely to result in a significant concern due to the use being ancillary / complementary to the activity of the existing building.

The principle of the proposed physical works and building bulk and scale (3) would not be a substantial issue as there is no significant change to the building profile or overall physical size.

The principle of the proposed design and form of the physical works and the resulting character (4) would not be a substantial issue as there is no significant change to the building design or form. The addition of a solar panel to the rear single-storey extension roof slope is not contentious as it faces the rear private garden amenity space of the building.

The principle of the external materials and finished treatment (5) to the character and appearance of the structure would not be a substantial issue as there is no significant change to the building appearance.

- Wildlife, Biodiversity and Ecological Disturbance Issues

Natural England provide guidance on the protection of protected wildlife species. Protected Species of wildlife are legally protected under The Wildlife and Countryside Act 1981 (as amended) (Section 5) and The Conservation of Habitats and Species Regulations 2010, making it an offence to intentionally or recklessly (1) deliberately kill, injure or capture bats; (2) deliberately disturb bats, including in particular any disturbance which is likely to impair their ability to survive, to reproduce or to rear or nurture their young, or their ability to hibernate or migrate, or which is likely to significantly affect their local distribution or abundance; (3) damage or destroy a breeding site or resting place of a bat; (4) damage or destroy, or obstruct access to, any structure or place which any bat uses for shelter or protection; or (5) disturb bats while occupying a structure or place used for that purpose.

The proposal seeks minor changes to the external roof areas. The proposed use as part of the host dwelling would be unlikely to increase habitation beyond the existing family occupancy and therefore would not substantially increase recreational activity in the locality or add to the associated disturbance of wildlife areas.

The existing accommodation areas are in regular daily use and activity which would preclude the prospect of existing noticeable wildlife habitation.

Assuming that there is no wildlife uses of the structure, the proposal should not obviously impact on existing wildlife habitats. The proposal would not therefore be viewed as harmful to the wildlife or biodiversity of the site.

Chichester Harbour Conservancy

The visual impact of the structure and its use, under internal and external lighting, during the darker hours of its operation would have a potential impact on local wildlife. It is strongly advised that suitable and effective planning conditions are necessary to control and limit the lighting impact from the internal and external areas of the building. Subject to these controls, the proposal would not obviously impact on existing wildlife habitats and would not therefore be viewed as harmful to the wildlife or biodiversity of the site.

- Possible Alternative Use

The proposal would be unlikely to have an alternative use or activity outside the domestic activity of the dwelling.

- Summary Conclusion

The proposal would have a localised impact on the character and appearance of the building and the immediate surrounds. The proposal would have a visual impact but this minimal and is acceptable to the area and the wider AONB protected landscape environment setting.

Given its setting, the proposal is considered not to be unduly prominent to be detrimental to the character or the appearance of the Area of Outstanding Natural Beauty (AONB).

The control of lighting associated with the new fenestration would need to be restrained and proportional to the desire to maintain the character and ambiance of the AONB.

The proposal is therefore considered to have a generally tolerable impact and effect on the AONB in terms of landscape character and in relation to wildlife conservation and protection.

Other Comment

The planning Listed Building application will be considered by the LPA in terms of other aspects applicable to the merits of the proposal in terms of overall good building design.

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.

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Site assessment 18-01-2021 LPA request reply 22-01-2021 Comment to LPA 20-01-2012
LPA Planning Case Officer: Selina Donophy
Chichester Harbour AONB: David Rothery – Principal Planning Officer

This comment and recommendation is 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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