

Houghton, Michelle

From: David Rothery <David.Rothery@conservancy.co.uk>
Sent: 13 October 2020 11:36
To: Wells, Lesley; Havant Planning and Development Mailbox New
Subject: APP/20/00725 - Wilsons Boatyard, Marine Walk, Selmore, Hayling Island, Hampshire
Attachments: cons-del reply APP20.00725 HIS pontoon noobj marinewk.pdf; cons del report APP20.00725 pontoon extn noobj final.pdf

APOLOGISE – this email now includes the formal consultation response and planning assessment report for your consideration and records

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

Wilsons Boatyard, Marine Walk, Selmore, Hayling Island, Hampshire
Planning Application: **APP/20/00725**
Proposed extension to an existing pontoon

CHC : No objection (planning conditional controls suggested)

Comments from the Chichester Harbour Master and from the AONB Ecologist (both provided in the CHC assessment report) should be fully considered and addressed.

Please find enclosed the consultation comment letter relating to the proposed development that falls within the Chichester Harbour Area of Outstanding Natural Beauty, together with a copy of the final version of the Chichester Harbour AONB Planning Assessment Report for your information and open transparency public view. This cover email, the consultation response and the assessment report are all suitable for open public viewing.

This consultation comment has been made via the Chichester Harbour Conservancy consulted delegation decision route following feedback from Chichester Harbour Conservancy Planning Committee Members, as the LPA processing period would not allow time to enable a consultation consideration by the full Chichester Harbour Conservancy Planning Committee (scheduled for 19 October 2020).

D Rothery

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

Mr D Rothery
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

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Havant Borough Council
Public Service Plaza
Civic Centre Road
Havant
Hampshire
PO9 2AX

Chichester Harbour Conservancy

www.conservancy.co.uk
13 October 2020

To the planning case officer

Dear Lesley Wells,

Wilsons Boatyard, Marine Walk, Selmore, Hayling Island, Hampshire
Planning Application: **APP/20/00725**
Proposed extension to an existing pontoon

Thank you for consulting The Chichester Harbour Conservancy concerning the above planning submission. The Conservancy is 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 the role of 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.

As the time period for comment is unlikely to allow the Conservancy to consider the matter at the next available Planning Committee, the Conservancy makes the following comment under the Chichester Harbour Conservancy Consulted Delegation Procedure route. CHC Planning Committee Members considered the planning assessment report and commented by 18 Sept 2020.

The Local Planning Authority (LPA) is hereby advised that,

Chichester Harbour Conservancy Recommendation : No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction
- prior to the commencement of any site works suitable development compensation measures should be secured by planning condition or legal agreement (the latter is preferable) to benefit and assist the reclamation of intertidal habitat in the surrounding area (such as through the removal of nearby swinging moorings that are currently taking up intertidal habitat)
- the pontoon should not be used for any creating additional berthing locations
- construction of the pontoon hereby permitted shall not commence until details of the depth and type of any submerged foundations to be used for construction of the same have been submitted to and approved in writing by the Local Planning Authority.



Chichester Harbour Conservancy
The Harbour Office,
Itchenor, Chichester, West Sussex PO20 7AW
T: 01243 512301 E: info@conservancy.co.uk

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Additional comment

The site lies within the AONB and adjacent designated areas – RAMSAR, SAC, SINC, SPA, SSSI. The site lies within the AONB, in the built-up area boundary of Emsworth town settlement.

The positioning of the proposal on the site and the physical works to construct a floating pontoon would have a localised impact on the character and appearance of the site and the immediate surrounds within the AONB. The proposals visual impact on the AONB landscape setting would, given the set back and complementary design is considered to be generally acceptable within the character of the AONB.

Given its setting, the proposal is considered to be acceptable to the character or the appearance of the Area of Outstanding Natural Beauty (AONB). The proposal is unlikely to have any significant impact or effect on the AONB in terms of landscape character or in relation to wildlife conservation and protection.

Other comments from the Chichester Harbour Master and from the AONB Ecologist (both provided in the CHC assessment report) should also be fully considered and addressed as part of the CHC AONB recommendation.

It is noted that the submitted **proposal makes no 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 planning scrutiny and 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 proposal has apparently been **made with no level of understanding** in this regard. This is regrettable given the protected status of the AONB.

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

The delay in this consultation assessment and response to the LPA has been brought about due to the level of accumulated case work taking into account the current limitations in the normal operational role and working practice of the CHC resulting from the coronavirus Covid-19 restrictions imposed for a safe workplace environment.

It is noted that as of 13 October 2020 (the date of this dispatch) the LPA web site still shows this proposal as still pending a decision.

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: Consulted Delegated Process Assessment

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Wilsons Boatyard, Marine Walk, Selsmore, Hayling Island, Hampshire

Planning Application: **APP/20/00725**

Proposed extension to an existing pontoon

Chichester Harbour AONB Recommendation – **No Objection**

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction
- prior to the commencement of any site works suitable development compensation measures should be secured by planning condition or legal agreement (the latter is preferable) to benefit and assist the reclamation of intertidal habitat in the surrounding area (such as through the removal of nearby swinging moorings that are currently taking up intertidal habitat)
- the pontoon should not be used for any creating additional berthing locations
- construction of the pontoon hereby permitted shall not commence until details of the depth and type of any submerged foundations to be used for construction of the same have been submitted to and approved in writing by the Local Planning Authority.

Procedure

Consulted delegated decision route from Chichester Harbour Conservancy. The time period for comment on the submission is unlikely to allow the Conservancy to consider the matter at the next available CHC Planning Committee (scheduled for 19 October 2020).

Member input was sought given the scope of the proposal, namely the construction of a pontoon extension within the AONB where it would have a visual impact on the AONB designated area.

Date of Comment to LPA: this is to follow the outcome of the consulted delegation process which was issued to members on 08-10-2020 for reply by noon on Monday 12-10-2020.

Details of the application submission can be obtained from the LPA public access web site link https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_248841

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.



Chichester Harbour Conservancy

The Harbour Office,
Itchenor, Chichester, West Sussex PO20 7AW
T: 01243 512301 E: info@conservancy.co.uk

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 Assessment identifies the Landscape Character Areas by defining 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. A landscape strategy is then established to be followed. The summary and recommendations lay out the special qualities of Chichester Harbour AONB.

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), Policy 3 (Diversity of Habitats), together with Policy 6 (Water Quality), Policy 8 (Thriving Wildlife), Policy 13 (Prosperous Economy), and Policy 15 (Historic Environment and Heritage Assets), together with Policy 9 (Health and Wellbeing) being of particular relevance.

The Conservancy's Management Plan for the AONB records special qualities of the landscape character as including –

- Unique blend of land and sea, especially the combination of large open water areas, narrow inlets and intimate creeks;
- Flatness of the landform accentuates the significance of sea and tide;
- Wealth of flora/fauna;
- Unspoilt and unobtrusive beauty;
- Very special sense of peace and tranquillity.

The Conservancy's Management Plan for the AONB has vision and values that seek:

- The special qualities of the AONB are appreciated and enjoyed by local people and visitors who care for the Harbour, now and in the future;
- Management that is balanced by ongoing mutual respect shown by different user groups
- Diverse habitats and excellent water quality that benefit a rich array of wildlife using the Harbour in harmony with recreational activities

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 proposal.

Planning Principle **PP01: Chichester Harbour as a Protected Area**, sets out the key over-riding 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.

In addition, the following Planning Principles are also appropriate for consideration –

Chichester Harbour Conservancy

Planning Principle **PP11: Intertidal Structures**, will be assessed on their impact on the land / seascape, nature conservation and navigational safety. The Conservancy would be unlikely to be objected to –

- Replacement, like-for-like structures, subject to the replaced structure not being dilapidated or collapsed and being proven to have been in used in the previous 10 years, and no pending or anticipated enforcement action.
- Alterations that would not materially affect the appearance of the structure and do not materially increase the footprint / silhouette, and employ dark / muted / matte colour finishes
- New or enlarged structures if shown to be essential for public use or demonstrated to ensure continued viability of a marine related enterprise, there is no adverse land / seascape or visual amenity impact, any nature conservation impact can be mitigated, and navigational safety is maintained.

Planning Principle **PP12: Limits on Marinas and Moorings**.

The Conservancy is likely to support the redistribution of moorings to established marinas.

The Conservancy is unlikely to object to –

- New marina in the AONB if demonstrated that existing marinas cannot extend, and new berths are matched by reduction in the same number of existing moorings.
- Extension of a marina in the AONB providing that new berths are matched by a reduction in the same number of existing moorings
- The Conservancy is unlikely to support proposals which result in a net increase in the number of moorings or marina berths.

Planning Principle **PP13: Public Access to the water and New Launch-on-demand facilities**, related to –

- storage buildings,
- hard standing areas,
- associated means of enclosure to secure storage and operational launch-on-demand boat services,
- new public access points to the water,

would be more favourably considered by The Conservancy if the re-instatement of abandoned areas offers an enhancement to the AONB overall, subject to such facilities –

- being required to enable the continued viability of an existing marine related enterprise or recreational club with existing public shoreline access,
- facilities representing a consolidation of several separate areas and access points,
- tidying up the site,
- any increase in recreational activity would not harm nature conservation interests,
- any increase in recreational activity would not be detrimental to navigational safety.

The Conservancy will object to any new facilities which will provide a net gain in public access to the water for vessels or will increase the number of vessels using the Harbour.

Chichester Harbour AONB Joint Supplementary Planning Document SPD

The Chichester Harbour Area of Outstanding Beauty Joint Supplementary Planning Document (2017) Section 2 indicates four overarching principles that any development proposed in the AONB should be guided by to protect, conserve and enhance natural beauty and wildlife. The SPD is adopted by both Chichester District Council and by Havant Borough Council as part of their planning policy and development control approach.

The four overarching principles are –



Chichester Harbour Conservancy

The Harbour Office,
Itchenor, Chichester, West Sussex PO20 7AW
T: 01243 512301 E: info@conservancy.co.uk



1. to ensure that all development conserves and enhances the natural beauty of Chichester Harbour
2. to stimulate the highest standards of design, conservation, and development
3. to consider where the development will be seen in the wider landscape and from the water and demonstrate how any adverse impacts are positively mitigated (meet point 1).
4. to ensure that development will effectively mitigate any adverse impacts on the AONB and to secure positive, sustainable, social, economic and environmental benefits to fulfil the purpose of the Supplementary Planning Document (SPD).

The Joint Chichester Harbour AONB Supplementary Planning Document (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. The adopted guidance requires a clear demonstration that no harm is caused to the AONB.

Local Planning Authority (LPA) Policy

Havant Borough Council have a specific policy that applies to the Area of Outstanding Natural Beauty. Core Strategy para 7.13 informs that *"National planning policy, as set out in PPS7 'Sustainable Development in Rural Areas' confirms AONBs as having the highest status of protection in relation to landscape and scenic beauty. Particular reference is made to major development proposals affecting AONBs"*.

Core Strategy Policy CS12: Chichester Harbour Area of Outstanding Natural Beauty, states that *"Development will be permitted where it:*

1. *Carefully assesses the impact of individual proposals, and their cumulative effect, on the Chichester Harbour AONB, and its setting.*
2. *Is appropriate to the economic, social and environmental wellbeing of the area or is desirable for the understanding and enjoyment of the area.*
3. *Conserves and enhances the special qualities of the Chichester Harbour AONB (as defined in the Chichester Harbour AONB Management Plan).*
4. *Meets the policy aims of the Chichester Harbour AONB Management Plan and Havant Borough Core Strategy March 2011 70*
5. *Provides mitigation of any detrimental effects including where appropriate the improvement of existing damaged landscapes relating to the proposal"*.

<https://www.havant.gov.uk/sites/default/files/documents/ADOPTED%20CORE%20STRATEGY%20.pdf>

The LPA identified the AONB as a planning constraint to development that needs to be taken into account for all proposals. Constraint E7 stated: In determining proposals for development within or adjacent to Areas of Outstanding Natural Beauty, the conservation of the natural beauty of the landscape will be a major consideration whilst having regard to the economic and social well-being of the area. Any development which would have a significant adverse effect on the natural beauty, character and quality of the landscape will not be permitted. Major industrial or commercial developments will not be permitted unless: (i) there is proven national interest; (ii) it can be demonstrated that there are no other alternative sites available; and (iii) the bulk of the buildings, siting, layout, design and materials are in sympathy with the local environment.

Other Relevant Authority Consideration

Chichester Harbour Master -

The CHM has clarified that there is no recollection of being consulted about this by Wilson's Boatyard although the CHM has been consulted about another scheme that has not yet been taken forward.

In terms of the proposal extension this can be seen to have a justification for the efficiency of boating in the area. The new pontoon would also however have an impact on the area of mudland available to overwintering birds to feed on. Unfortunately, there appears to be no evidence that the floats will not sit on the mudland as seems to be suggested. The shadowing caused by the pontoon is also likely to impact on the availability of invertebrates. It is curious that the ecological report submitted is focused on non-marine species!

Chichester Harbour Conservancy

Notwithstanding any comments you may have on landscape impact the Chichester Harbour Master recommendation would be to not object, but this is providing suitable compensation is provided to offset the impact of the extra area of pontoon on the intertidal area. In this first instance this should be agreed with the Marine Management Organisation and Natural England, but we would reserve the right to require a proportionate exchange if they do not. This application will also require a Chichester Harbour Conservancy Works Licence and MMO consent.

MMO - <https://www.gov.uk/government/organisations/marine-management-organisation>

NE - <https://www.gov.uk/government/organisations/natural-england>

Relevant Planning History

The relevant planning history available for this site includes the following –

APP/05/51187/005: Construction Erection of a Pontoon adjacent to and east of the existing slipway. Approved by the LPA on 2 August 2005. No details are available on the LPA public access webpage.

APP/10/00953: Construction of Sea Defence Works. (Retrospective). There is no record of CHC commenting. Approved by the LPA on 7 March 2010.

https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_56992

Contextual Consideration

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

In addition, the application site is located within various statutory designated sites that are all associated with coastal and estuarine habitat. The application site is located within Chichester and Langstone Harbours Special Protection Area (SPA), the Chichester and Langstone Harbours Wetland of International Importance under the Ramsar Convention (Ramsar site), the Solent Maritime Special Area of Conservation (SAC) and the Chichester Harbour Site of Special Scientific Interest (SSSI).

The site is located within the Harbour waters. The proposal would, due to its location therefore have a visual impact to the character of the AONB Harbour waters and the surrounding coastal land environment and countryside in this locality. The site is not believed to lie within a Conservation Area. The property is not indicated to be part of 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 3: High Probability of flooding.

Applicants Approach

The applicant has made **no** reference the application proposal within its context and setting of the Area of Outstanding Natural Beauty (AONB) in the submitted documents for the proposal.

The proposal has apparently therefore been made without acknowledgement of the status of the AONB and AONB Management Plan. There is no recognition made to the AONB planning policy documents relevant to the consideration of the proposal (see above in Planning Approach section). Furthermore, the applicant has failed to make any reference to, or to



consider the LPA Local Plan Policy specifically addressing the AONB (HBC Core Strategy Policy CS12), or to the Joint AONB SPD.

The proposal has apparently therefore been made with a level of understanding that would be considered **negligible** in this regard. The submission lacks acknowledgement of the status of the AONB and Management Plan, and is bereft of the expected due professional understanding, care or oversight that would be considered appropriate in this regard. This is regrettable given the protected status of the AONB.

Site Location and Existing Development

The application site is located in 'My Lord's Pond' at the Northern point of Wilson's Boatyard, north of Marine Walk. The existing pontoon is stated as being above the 'Mean Low Water' mark and therefore outside of Crown Land. The existing pontoon projects out from the sea defences allowing dry access to the pontoon. The pontoon is located outside the ownership boundary of the Applicant, and the necessary planning notifications have evidently therefore been served on third parties applicable under Planning processing requirements.

Submitted Proposal and Supporting Documents

The current proposals comprise the installation of a new pontoon unit with float cages at the eastern end of the existing pontoon, extending the existing pontoon to the north-east. The new pontoon unit will measure 10m by 2.5m and will be constructed from cast aluminium with a wooden slat surface. There will be cast aluminium deck cleats at intervals along the edges of the pontoon. The floating pontoon will be attached to the existing pile with an internal pile guide which is to be built into the new pontoon frame. The proposed extension is indicated as not requiring any new permanent contact between the pontoon base and the underlying substrate. There will be no new piles driven, the pontoon will rise and fall with the tide. There will be no direct contact between the pontoon and the seabed.

The proposal is sought to take into account that boating is a major leisure activity, and an important part of the local tourist economy, with increasing pressure on all marine facilities along the south coast. The existing landing pontoon at Wilson's Boatyard is limited in size, particularly at the deeper channel location. This results in congested and dangerous berthing activities as boats compete to moor to the restricted pontoon. It is submitted that the extended pontoon proposed would considerably improve the berthing times of arriving and departing boats. The proposal is indicated to improve the safety and more orderly berthing, boarding and alighting of boat crews at peak times, with Sunday evening as a particular peak of activity. It is claimed that this in turn will reduce the queue of boats, at peak times, idling in the channel, waiting for a vacant berth to land. Therefore, an improved 'turn over' of boats at the new pontoon will reduce diesel residues in the waters of My Lord's Pond.

It is noted that there is a Design and Access Statement submitted with the application, an Ecology Report, and Technical Specification pamphlet sheet. The supporting documents have been duly considered alongside the planning application submission documents.

Planning Assessment

- 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 the principle of the proposal would be unlikely to raise a significant concern to the character of the locality, however this is subject to a full and detailed consideration and assessment of potential, possible, and probable impact of the use of the site and of the physical works design and external treatment finish to the character and appearance of the site and locality.

- Visual Impact within the AONB Landscape

The proposed works would have a visual impact on the site and the surrounding immediate locality. The proposal is for a seemingly modest structure, the design of the pontoon would

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reflect that of the existing floating jetty it is to be attached to. The proposal would reflect the character and appearance of the location.

- Visual Scale / Bulk / Massing

The visual impact of the proposal within the AONB is also a factor of scale. Scale is a matter considered by provisions of Chichester Harbour AONB Planning Principles (version 1.1 July 2017) Planning Principle PP03 (replacement dwellings and domestic householder extensions); and Part 12 of the Chichester Harbour AONB Joint Supplementary Planning Document (16 May 2017) as adopted by the Council. From the ground footprint and outline silhouette assessment tool, the figures have then to be judged alongside the acceptability of the building design and on the impact on the setting of the site within the landscape.

Paras. 14.2 (design of extensions) and 12.1 to 12.4 (guidance on size increases), require that the scale of the proposed extension, when compared to the original represents a structure with a silhouette not in excess of the 25% maximum when viewed from both the front/rear and the side/side elevations and a footprint not greater than 50% of that of the original. Planning Principal **PP11: Intertidal Structures** requires a consideration of footprint and silhouette where considering changes to existing structures within the Harbour waters.

The proposal footprint is approx. 25sqm (10m by 2.5m). The existing pontoon is approx. 40m by 2.5m, giving a footprint of approx. 100sqm. The proposal therefore represents an increase of 25%. This is within the guidance standards.

The proposal silhouette would only been noticeable along the east-west perspective. Here the 10m long extension would read alongside the existing pontoon dog-leg arm which is itself approx. 10m long. The silhouette would therefore be a 100% increase. This is in excess of the guidance standards. The silhouette along the north-south aspect would be largely lost in the backdrop of the existing pontoon projection running out from the shore. This is within the guidance standards.

The proposal is therefore taken not to comply with the adopted guidance on size increase set down in part 12 of the Chichester Harbour AONB Joint SPD (2017) in terms of footprint coverage or silhouette area of the structure.

- Visual Impact of Design and Appearance within the AONB

The scale must be assessed alongside the impact in design and character. In this case, the proposal would be largely similar in appearance, visual bulk, and scale to the existing pontoon it is to be attached to. The operation of the pontoon will enable it to rise and fall with the action and movement of the tide. There would be no fixed standing structure in the Harbour waters that would be potentially visually imposing at low tides.

The proposed pontoon, being 10m in length, would be considered not to be visually out-of-place in this location.

- Wildlife and Biodiversity

The proposal seeks to provide additional alighting and departing facilities within a floating access way. There would be no grounding onto the underwater ground surface and therefore no disturbance of the marine underwater environment beneath the pontoons positioning.



The proposal would potentially lead to increased recreational activity in the locality. However, the reasoning offered for the development is to improve safety, pollution control, and to address current high usage rates, particularly on certain times (Sundays being specifically mentioned in the supporting documentation). Appropriate contributions towards wildlife mitigation through the Bird Aware initiative is therefore unlikely to be justified.

CHC Ecologist Specific Comment -

I'm not entirely clear from the plans that the pontoon extension sits on the intertidal mud at low tide – if it does, I would object (as I think would Natural England) unless suitable compensation measures can be made such as the removal of nearby swinging moorings that are currently taking up intertidal habitat. The ecological report seems to be focused on non-marine species when considering this water located proposal !

- Summary Conclusion

The positioning of the proposal on the site and the physical works to construct a floating pontoon would have a localised impact on the character and appearance of the site and the immediate surrounds within the AONB. The proposals visual impact on the AONB landscape setting would, given the set back and complementary design is considered to be generally acceptable within the character of the AONB.

Given its setting, the proposal is considered to be acceptable to the character or the appearance of the Area of Outstanding Natural Beauty (AONB). The proposal is unlikely to have any significant impact or effect on the AONB in terms of landscape character or in relation to wildlife conservation and protection.

Other comments from the Chichester Harbour Master and from the AONB Ecologist (both provided in the assessment report above) should also be fully considered and addressed as part of the CHC AONB recommendation.

Additional Comment –

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.

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

The delay in this consultation assessment and response to the LPA has been brought about due to the current limitations in the normal operational role and working practice of the CHC resulting from the coronavirus Covid-19 restrictions imposed for a safe workplace environment.

Chichester Harbour Conservancy manage and advise on the
Chichester Harbour Area of Outstanding Natural Beauty
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Final report following CHC Consulted Delegated Decision Process with Members

Site viewed 07-10-2020 LPA request reply 25 September 2020 Comment to LPA 13.10.2020

LPA Planning Case Officer : Lesley Wells

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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