

Houghton, Michelle

From: David Rothery <David.Rothery@conservancy.co.uk>
Sent: 15 July 2020 11:09
To: Crawford, Bee; Havant Planning and Development Mailbox New
Subject: APP/20/00256 - Oyster Mews, Spring Gardens, Emsworth, Hampshire
Attachments: reply APP20.00256 EMS electric gate noobj.pdf; report APP20.00256 EMS elec gates noobj.pdf

From: David Rothery – on behalf of Chichester Harbour Conservancy (Chichester Harbour Area of Outstanding Natural Beauty unit)

To: Bee Crawford – Local Planning Authority Planning Case Officer

Oyster Mews, Spring Gardens, Emsworth, Hampshire

Planning Application: **APP/20/00256**

Proposal for installation of electric gates

No objection (planning condition controls suggested)

Please find enclosed the consultation comment letter relating to the proposed development that falls within / lies adjacent to, 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 has been made via the Chichester Harbour Conservancy fully delegated decision route. This **cover email**, the **consultation response** and the **assessment report** are all **suitable for open public viewing**.

The delay in making this consultation comment results from the current limitations in the normal operational role and working practice of the CHC due to the coronavirus Covid-19 restrictions imposed for a safe workplace environment.

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) Unit

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

Chichester Harbour Conservancy Area of Outstanding Natural Beauty – one of the UK's National Landscapes

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

Chichester Harbour Conservancy

www.conservancy.co.uk
15 July 2020

To the planning case officer,

Dear Bee Crawford,

Oyster Mews, Spring Gardens, Emsworth, Hampshire
Planning Application: **APP/20/00256**
Proposal for installation of electric gates

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 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

The Conservancy recommends the following suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / including final colour treatment

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 on the AONB, but this is minimal.

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 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.

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.



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



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

Yours Sincerely,

D Rothery

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

Oyster Mews, Spring Gardens, Emsworth, Hampshire
Planning Application: **APP/20/00256**
Proposal for installation of electric gates

Chichester Harbour AONB Unit Recommendation – No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / including final colour treatment

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.

- 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.

- 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.

Relevant Planning History

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

Contextual Consideration

The site lies within the AONB. The site occupies a built-up location to the town centre part of Emsworth. The red-line application does not have a boundary with a coastal frontage. The proposal would therefore have a visual impact the character of the AONB in this town locality. The site lies within the Emsworth Conservation Area. The building is not indicated to be on the scheduled list of buildings of historic or architectural importance.

Location and Existing Development

The application site is located to the central area of Emsworth. The site is situated to the north side of Spring Gardens, which runs north-eastwards from High Street. The building occupies a corner plot with these two roads, the gate facing onto Spring Gardens. The area is a mix-use location with retail, business and residential uses.

Submitted Proposal and Supporting Documents

The application proposal is for the installation of an electric security gate to the vehicular entrance to a parking courtyard from Spring gardens.

It is noted that a Heritage Statement has been submitted in support of the proposal. The supporting documents have been considered alongside the planning application submission form and plans/drawings

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. www.conservancy.co.uk

The proposal has apparently therefore been made without acknowledgement of the status of the AONB and 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).

Given the small-scale nature of the proposal, this is regrettably not unusual or unexpected, and is unfortunate given the protected status of the AONB.

The proposal has apparently therefore been made without acknowledgement of the status of the AONB and Management Plan, and without the expected due professional understanding, care or oversight that would be considered appropriate in this regard.

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 –

1. the proposed use and activity resulting from the development
2. the proposed physical works and finished treatment and appearance

would require a full and detailed consideration and assessment of potential, possible, and probable impact of both (1) the use and activity and (2) the physical works, to the character and appearance of the site and locality within the AONB.

The principle of the proposed use and activity would not be a significant concern due to the proposal being ancillary / complementary to the site, and the mixed-use character of the area. The principle of the proposed physical works and appearance should be generally acceptable to the character and appearance of the surrounding environment.

- Visual Impact within the AONB Landscape

Visually there would be only a limited change to the appearance of the property. The installation of an electric security gate would not be considered to be out of keeping with the mixed-use character of the setting.

- Visual Scale / Bulk Changes

The visual impact of the proposal within the AONB is also a factor of scale. In this proposal there is only a minimal external physical appearance to the proposed works to the site. There are therefore no changes that would contribute to the bulk of the building.

- Visual Impact of Design and Appearance within the AONB

The scale must be assessed alongside the impact in building design and character. In this case, the proposal would be a minor, but visible changes to the boundary treatment of the site with the enclosure of the vehicular opening with a metallic bar gate.

- Wildlife and Biodiversity



The proposal would be unlikely to increase recreational activity in the locality or add to disturbance of wildlife areas. The proposal would involve no significant alteration to the buildings existing external structure. 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.

- 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 on the AONB, but this is minimal.

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 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 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 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.

Site viewed 14-07-2020 LPA request reply 17 July 2020 Comment to LPA 15 July 2020
LPA Planning Case Officer: Bee Crawford
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** (adopted 17.10.16 and 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)
- Havant Borough Design Guide (2011)
- Emsworth Conservation Area CACA & Management Plan
- Emsworth Design Statement
- Draft Emsworth Neighbourhood Plan (2018)

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