

Planning  
Havant Borough Council  
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Havant  
Hampshire  
PO9 2AX

# Chichester Harbour Conservancy

[www.conservancy.co.uk](http://www.conservancy.co.uk)  
18 September 2020

To the planning case officer

Dear Lesley Wells,

Land south of Saxted House, 5 Tower Street, Emsworth

Planning Application: **APP/20/00241 - second amendment (AMENDED PLANS 23-07-2020)**

Proposed construction of a 5-bedroom detached dwelling with a separate free-standing domestic garage

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 : OBJECTION**

The proposal is opposed on the following grounds -

### **1. AONB Size and Scale Assessment Criteria**

The amended proposal would amount to a development which would be contrary to the provisions of Chichester Harbour AONB Planning Principles (version 1.1 July 2017) Planning Principle PP03 (replacement dwellings and domestic householder extensions); **Planning Principle PP04** (Creation of new dwellings and residential institutions); and the Chichester Harbour AONB Joint Supplementary Planning Document (16 May 2017) as adopted by the Council, in that the scale of the proposed development when compared to the fallback dwelling option represents a building with a large and imposing scale when considered against the surrounding dwellings (some of which are Listed Buildings) within the Conservation Area and AONB designation.



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## 2. Siting and Location

The amended proposal introducing a structure with little sympathetic treatment to the prevailing local character of the harbour waterside settlement in this location would compromise the Special Qualities of the AONB (particularly the character of the picturesque harbourside settlements and the unspoilt character and unobtrusive beauty of the AONB) that exists along this part of the harbour coastal edge. The uniform and regimented aspects of the design are considered uninspiring for this historic area within the AONB and result in an overall unsympathetic building design which therefore fails to conserve or enhance the special qualities of the AONB, contrary to AONB Chichester Harbour Management Plan (2019-2024) Policy LS1: Conserving and Enhancing the Landscape

## 3. Design Impact – Lighting within the Dark Skies Policy Area

The amended proposed structures visual design, with a double storey glazed atrium window over both the ground and first floor areas, within this imposing building structure would be a source of significant light intrusion on and close to the harbour coastline. Notwithstanding the suggestion of automated internal blinds over the windows, the scale of the atrium window would be difficult to screen at all appropriate times and therefore such glazing would add to the visual intrusion into the generally open landscape character of this part of the harbour coastal edge, thereby failing to actively conserve or enhance the natural environment, given that the application site is close to the internationally important Ramsar site, Special Protection Area (SPA) and Special Area of Conservation (SAC), as well as the nationally important Site of Special Scientific Interest (SSSI) and is within the SSSI Impact Risk Zone, contrary to AONB Chichester Harbour Management Plan (2019-2024) Policy 2: Development Management

## 4. Lighting Impact to Wildlife Habitats

The amended proposal would generate internal and external lighting illumination from the large double storey glazed atrium window at night all year round, therefore it fails to conserve or enhance the habitats and species which are favourable to the special qualities of the AONB, and in particular, the application does not conserve and enhance the landscape or wildlife of the AONB, contrary to AONB Chichester Harbour Management Plan (2019-2024) Policy 3: Diversity of Habitats

## 5. Additional Recreational Disturbance

The amended proposal for an additional dwelling to that existing on the site would generate additional traffic journeys and create additional disturbance along the Chichester Harbour coastal edge within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), consequential disturbance and human intrusion into this natural environment, therefore it fails to conserve or enhance the habitats and species which are favourable to the special qualities of the AONB, and in particular, the application does not conserve and enhance the landscape or wildlife of the AONB, contrary to AONB Chichester Harbour Management Plan (2019-2024) Policy 3: Diversity of Habitats

## 6. Wildlife Mitigation Contribution

The site is located within the specified 5.6km 'zone of influence' of the Chichester and Langstone Harbours Special Protection Area where it is identified that the net increase in independent residential development results in significant harm to those areas of nature conservation due to increased recreational disturbance. The absence to enter into a legal agreement or obligation to control and to secure sufficient mitigation against such an impact or provide for any contribution towards the Solent Recreation Mitigation Partnership Strategy with regards to development and disturbance of wild birds in Chichester and Langstone harbours Special Protection Areas is contrary to AONB Chichester Harbour Management Plan (2019-2024) Policy 3: Diversity of Habitats and contravenes the Conservation of Habitats and Species Regulations 2010.

Reasoning and policy justification - The proposal would amount to a development which would be contrary to the provisions of The Chichester Harbour AONB Landscape Character Assessment (CBA update 2019); The Chichester Harbour Management Plan 2019-2024 (April 2019 Third Review) particularly Policy 1: Conserving and Enhancing the landscape, Policy 2: Development Management; The Chichester Harbour AONB Planning Principles (Management Plan version April 2019) particularly Planning Principle PP01: Chichester Harbour as a Protected Area; Planning

# Chichester Harbour Conservancy

Principle PP04: Creation of New Dwellings; Planning Principle PP03: Replacement Dwellings; Planning Principle PP09: Dark Skies; and the Chichester Harbour AONB Joint Supplementary Planning Document (16 May 2017) as adopted by the Council, particularly Part 2: Overarching Principle, Part 8: Landscape, Part 11: Scale and Massing, Part 18: Windows and glazing, Part 19: Reducing the impact of windows, Part 30: Dark Skies, and Part 35: Lower Coastal Plain – Emsworth Historic Core with reference to infill development, conserving the historic character of the town, responding to settlement pattern landscape setting and locally distinctive building style within the town, and to reflect the historic character typical of the area.

## Additional comment

The site lies within the rural countryside area 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 use of the site for a dwelling house has already been established through the 2003 implemented permission. That permission, having been partly implemented, can still be enacted for the dwelling that formed that permission for plot 2.

The positioning on site and physical works to construct a dwelling, as currently proposed under the second amended set of plans, would still retain and have a localised impact on the character and appearance of the site and the immediate surrounds within the AONB. The amended proposals visual impact on the AONB landscape setting would therefore still be unacceptable, given the character of the area, itself a Conservation Area with nearby Listed Buildings, and overall be detrimental to the appearance of the AONB.

Given its setting, the amended proposal is considered to be unduly prominent and 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.

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 following annual leave arrangements being taken 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 18 September 2020 (the date of this dispatch) the LPA web site still shows this proposal as still pending a decision.

Yours Sincerely,

*D Rothery*

David Rothery  
Principal Planning Officer  
Chichester Harbour Conservancy AONB Unit

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