

CHICHESTER HARBOUR
AREA OF OUTSTANDING NATURAL BEAUTY
PLANNING ASSESSMENT REPORT

CHC AONB Unit Report: Fully Delegated Decision Process

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68 King Street, Emsworth, Hampshire

Planning Application: **APP/20/00406**

Proposal for Change of Use and conversion of domestic garage into habitable accommodation with the installation of 2x roof-lights and change of north wing exterior facing south window

Chichester Harbour AONB Unit Recommendation – No objection

Suggested considerations –

- schedule/samples of materials to be agreed prior to construction / as indicated on application forms / to match the existing on site.
- the glazed fenestration should employ tinted glass panels, and these should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (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.
- any and all roof lights / skylights / ridge-lights / roof lantern should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times (dark skies policies) 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.

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.



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- 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 **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.

Planning Principle **PP03**, requires the size and scale of any extensions to the original dwelling to fall within guideline criteria relating to footprint increase and the increase from the original building silhouette profile. The guide specifies a 50% upper limit footprint increase and a 25% upper limit silhouette profile increase. These requirements are also required under section-12 (page 23) of the adopted Chichester Harbour AONB Joint SPD (2017).

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.

Relevant Planning History

The site was a former timber yard on the Emsworth Channel. Historically there was a large warehouse on the majority of the site and back into Marina Close providing ship building at

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Emsworth. The commercial building was removed in the 1960's and was replaced with a residential dwelling which has been present on the site since.

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APP/11/01064: Construction of new replacement dwelling, garage and associated landscaping following demolition of existing building and garage (revised application). The LPA approved the proposal on 5 October 2011. Planning condition 17 required the garage to be retained and kept available for parking and not converted to living accommodation without the written approval of the LPA. Planning condition 11 removed permitted development rights for the property and condition 10 removed additional windows and other openings rights.

Following the approval of APP/11/01064 submissions have been made to seek the discharge of planning conditions under refs: APP/11/01783 (conditions 3, 5, 6, 13, 15 and 16) decided 9 February 2012, and APP/12/00278 (conditions 2 and 4) decided 11 April 2012 and to vary planning conditions (condition 9 solar panels) APP/12/00611 on 7 August 2012.

Contextual Consideration

The site lies within the AONB. The site occupies a built-up promontory into the harbour location to the south of Emsworth. The proposal would therefore have a potential visual impact the coastal 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. The site is indicated as being within Flood Zone 1: Low Probability of flooding in the submitted supporting documents.

Location and Existing Development

The application site is located south of the central area of Emsworth. The area is a predominantly a residential location. The site is located at the southern end of King Street on a peninsular that extends into the harbour. It comprises a low level, contemporary residential detached property of a unique design. The property also includes the walled harbour to the east of the site within the red-line area. Overall the site is highly visible in the context of the Chichester harbour setting.

Submitted Proposal and Supporting Documents

The proposed works relate to the conversion of part of the garage to habitable accommodation, including the insertion of 2no roof lights. An outer facing window also appears to be changed to a full-length window opening (not in description but shown changed on submitted revised drawings). No other structural changes are proposed.

It is noted that a photograph sheet and a Flood Risk Assessment, have 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.

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).



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The proposal has apparently therefore been made without the expected due professional understanding, care or oversight that would be considered appropriate in this regard. Given the domestic small-scale householder nature of the proposal, this is regrettably not unusual or unexpected, and is unfortunate given the protected status of the AONB.

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
3. the proposals appearance and impact within the AONB Landscape

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 landscape.

The principle of the proposed use and activity would not be a significant concern due to the use being ancillary to the domestic activity and use of the host property. The principle of the proposed physical works and appearance should be generally acceptable to the character and appearance of the surrounding environment. Visually within the wider AONB landscape there would be only a limited change to the appearance of the property.

- Visual Impact of Structural Scale / Bulk / Mass Changes

The visual impact of the proposal within the AONB landscape is also a factor of scale. The change in size and scale of the building is minimal within this built-up area of the town, and would not breach 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 building.

The installation of two roof lights to the single storey roof area would not result in an enlargement of the physical structure.

- 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 have a minimal change to the external appearance of the sprawling building. The eastern south facing window of the northern single storey garage block wing of the building is shown to be changed to a full-length window. The two proposed roof lights, one to the outer roof slope of the northern single storey wing and one to the outer roof slope of the eastern harbour side single story spine link would be noticed, but are small compared to the roof areas involved. Changes to reduce the garage area to provide habitable accommodation (specific use not identified on the plans) would affect only the internal courtyard elevation and therefore not be open to general public views.

Overall, the impact on the designated AONB would be negligible. The proposed works would be mainly internal, other than the two roof lights which are considered to be in keeping with the main property. Overall is considered that the proposal will meet the test to preserve and enhance the character and appearance of the conservation area. The proposed alterations would not significantly affect the appearance of the building and not harm the AONB landscape.

- Wildlife and Biodiversity

The proposal seeks the internal alteration of a garaged area of the sprawling building and its replacement with habitable accommodation. There is no indication of potential impact to wildlife habitat. The proposed use and activity would be within the existing use of the property and

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therefore be unlikely to increase recreational activity in the locality or add to disturbance of wildlife areas. 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. www.conservancy.co.uk

- Possible Alternative Use

The proposal provides for accommodation as part of the existing use of the site. There is little scope for other conflicting uses from this extension.

- 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 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.

Site viewed 20-07-2020 LPA request reply 23 July 2020 Comment to LPA 21 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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