



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

BY EMAIL ONLY

1st July 2024

Dear Tina,

Application: **APP/24/00345** | Proposed extension to existing outbuilding/annex to form additional living accommodation.

Location: **Langstone Lodge, 1 Langstone High Street, Havant, PO9 1RY**

Thank you for consulting Chichester Harbour Conservancy on the above planning application. Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for an Area of Outstanding Natural Beauty (AONB). Further details are explained in the Appendix to this response.

Please note that the above case has been considered after consultation with the Planning Committee at Chichester Harbour Conservancy.

Chichester Harbour Conservancy's Response

OBJECTION, on the following grounds:-

The proposed extensions would create a large, detached building beyond the size and character of an ancillary domestic building which would appear as a separate dwelling, remote from the main house. This would make the building more prominent as viewed from Langstone Meadows, which would be harmful to the natural beauty of the Chichester Harbour AONB / National Landscape, as well as the character and appearance of the Langstone Conservation Area. The proposal would effectively involve the creation of a separate dwelling within the countryside, which would be contrary to established countryside policies including Planning Principle PP06 and Local Plan Policies CS11, CS12 and CS17.

Reasoned Justification

1.0 Site description

- 1.1 Langstone Lodge is a distinctive period building set in a large plot just outside the settlement boundary, on the edge of open countryside (Langstone Meadows) and within the Langstone Conservation Area. The main house is identified as a 'Positive Building' in the 2011 Conservation Area Character Appraisal.
- 1.2 The plot has a high brick wall to its west and south boundaries and there are views from the High Street through the driveway entrance. There are mature trees within the frontage and to the north of the plot that are covered by Tree Preservation Orders (TPOs).
- 1.3 To the south of the plot, backing onto 'The Mews' is a brick garage with accommodation at first floor level (an annex studio flat) contained within a pitched roof and dormer windows. This is a later addition to the main house, of modern construction.
- 1.4 The rear elevation, eastern gable end and dormer windows of the garage are visible from the public footpath to the southeast within Langstone Meadows.
- 1.5 Part of the southern roof slope is visible from within Langstone High Street.

2.0 Relevant recent planning history

- 2.1 There is a current application under consideration (APP/24/00121) for demolition of the main house and erection of a replacement dwelling, designed to match the extended form of the dwelling approved in 2022 (APP/21/01322). The Conservancy did not object to these applications, subject to suitable conditions to safeguard soft landscaping, biodiversity and dark skies, but deferred to the Council with regard to whether there is sufficient justification to demolish the main house, given its historic character.
- 2.2 The garage and first floor above were used as office in the 1990s, and temporary permission was granted for this continued use in 2000 (00/51864/009) and renewed in 2003 (03/51864/011). There is no record of permission for the annex 'flat' use of the first floor which is shown on the current plans.
- 2.3 An application for an additional triple garage adjacent to the existing one was withdrawn in 2006 (06/51864/013), as was an application for the conversion, extension and change of use of the existing garage building into a 3-bedroom detached house (07/51864/015). The Conservancy objected to both applications on the grounds of the increased size of the building and the creation of a new dwelling within the countryside, creating an over-intensification of the site, contrary to the rural character of the village and its setting within the AONB. We were also concerned about the precedent for creating further 'garage' buildings within this large plot and their potential to also be converted into separate dwellings.
- 2.4 A further application was submitted in 2020 for a 9-car detached garage, which was amended to a 6-car detached garage, sited to the north of the main house (APP/20/00794). The Conservancy objected to this application on the grounds of the

visual impact of the stand alone, remote building and hard-surfaced area within the open plot, eroding the visual landscape gap and being harmful to the natural beauty of the AONB.

3.0 Proposed development

- 3.1 The application proposes to significantly extend the building to form additional living accommodation, from 103m² to 371m². The main roof ridge would be increased in height and the building would be extended with a pitched roof extension to the west, and a flat roofed extension to the south.
- 3.2 The applicants propose to use the extended building to live in while the main house is being re-built (they estimate this to take around 4 years); it is then proposed to convert the space so that the ground floor is ancillary accommodation to the main house, and the first floor reverts to being an annex apartment.
- 3.3 Two versions of the floor plans have been submitted which show the same external design, with differing uses internally, showing the temporary dwelling to house the family, and the ancillary accommodation for use after the family can move back into the main house.

4.0 Related Planning Policy framework

National Planning Policy Framework (NPPF) (Revised Dec 2023), paragraphs 11, 182.

National Planning Practice Guidance (NPPG) (2014 onwards).

Havant Borough Core Strategy (2011) Policies CS11, CS12, CS16, CS17

Havant Allocations Plan (2014) Policy DM24

Langstone Conservation Area Character Appraisal

Chichester Harbour Management Plan 2019-2024 – Policies 1 (Conserving and Enhancing the Landscape), 2 (Development Management), 3 (Diversity of Habitats), 8 (Thriving Wildlife), Policy 9 (Health and Wellbeing).

Chichester Harbour Landscape Character Assessment (CBA update 2019).

CHC Planning Principles (adopted by CHC 17.10.16 onwards), PP01 (Chichester Harbour as a Protected Area), PP06 (Conversion of Building Inside and Outside of Defined Settlements), PP09 (Dark Skies).

Joint CH AONB Supplementary Planning Document (SPD) (2017).

5.0 Key issues: Impact on Chichester Harbour AONB

- 5.1 Planning Principle PP06 states that an alternative employment use should be considered for buildings within the countryside before residential use. This building is within the plot of Langstone Lodge and therefore whilst an employment use may not be appropriate in this instance, PP06 does state that where a dwelling is the most viable use, occupation should be restricted to those needing a countryside location owing to their employment and/or on the basis of a rural exception site to provide affordable housing. Clearly neither of these apply in this case.

- 5.2 The proposed extensions would more than triple the internal floor space and would substantially increase the size of the existing building, which would make it more prominent as viewed from the public footpath around Langstone Meadows to the east. This would take the building beyond the size and character of an ancillary domestic building and would appear as a separate dwelling, remote from the main house. It is also sited hard up against the boundary with the houses within 'The Mews' and would appear cramped in relation to these neighbouring properties. This would have a clear harmful impact on the natural beauty of the Chichester Harbour AONB / National Landscape, as well as the character and appearance of the Langstone Conservation Area.
- 5.3 Of further concern is the effective creation of a separate dwelling within the countryside and rural gap separating Emsworth and Havant, which would be contrary to established policies including Planning Principle PP06 and Local Plan Policies CS11, CS12 and CS17, as well as the NPPF. It would be very difficult to enforce any restrictive conditions which aim to prevent use as a separate dwelling.
- 5.4 As previously commented on the similar applications in 2006, further detached buildings could be proposed within such a large site for 'ancillary' purposes, leading to the intensification of development outside of the urban area, contrary to the purposes of countryside policy and eroding the rural character of the AONB / National Landscape, and the setting of Langstone Village and Conservation Area.
- 5.5 As such, the Conservancy has no option but to object to the proposals, due to the size, scale, and proposed use of the building and resulting conflict with established policies as well as the harmful visual impact within this rural part of the AONB and Conservation Area.

Yours sincerely,

Linda Park

**Principal Planning Officer
Chichester Harbour Conservancy**

Appendix

Chichester Harbour AONB

Chichester Harbour was designated as an Area of Outstanding Natural Beauty (AONB) in 1964. It is the smallest mainland AONB in England, and in terms of moorings, it is largest recreational sailing and boating harbour in Europe. Chichester Harbour is quite rightly regarded as a nationally important protected landscape.

Local Planning Authorities must give great weight to the primary purpose of the AONB designation.

The primary purpose of the AONB designation is to **conserve and enhance the natural beauty of the area**. In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of local communities. Regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. Recreation is not an objective of designation, but the demand for recreation should be met insofar as it is consistent with the conservation of natural beauty and the needs of agriculture, forestry, and other uses.

The management of the AONB was formalised through the Countryside and Rights of Way Act of 2000 with Chichester Harbour Conservancy appointed as the Joint Advisory Committee (JAC) for the AONB.

Chichester Harbour Conservancy

Chichester Harbour Conservancy was established in 1971. It is a unique organisation in that it is the only Statutory Harbour Authority with responsibility for an AONB. Its purposes extend beyond that of other AONBs, to include leisure, recreation, and the conservation of nature.

Section IV, part 21, of the 1971 Act states:

21.– (1) It shall be the function of the Conservancy, subject to the provisions of this Act, to take such steps from time to time as to them seem meet for the conservancy, maintenance and improvement of–

a) The harbour, for the use of pleasure craft and such other vessels as may seek to use the same;

b) The amenity area, for the occupation of leisure and recreation and the conservation of nature:

and the facilities (including, in relation to the harbour, navigational facilities) afforded respectively therein or in connection therewith.

(2) In the fulfilment of the function with which they are charged by subsection (1) of this section, the Conservancy shall have regard to the desirability of conserving the natural beauty and amenity of the countryside and of avoiding interference with fisheries.

The full text of the Chichester Harbour Conservancy Act of 1971 is published on the Conservancy's website.

<https://www.conservancy.co.uk/page/279-the-conservancy>

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Chichester Harbour Conservancy's Planning Committee

Chichester Harbour Conservancy utilises a member-led Planning Committee to act on behalf of the Conservancy Board in responding to planning applications and consultations. Membership is derived from the Conservancy Board and the Statutory Advisory Committee. The Planning Committee meet every 4-6 weeks. The Conservancy's Case Officer reports, agendas, and minutes of past meetings are on the Conservancy's website.

<https://www.conservancy.co.uk/page/committees-and-meetings>

Chichester Harbour Statutory Management Plan

The Chichester Harbour Management Plan (2019-2024) details the 10 Special Qualities of the AONB and features 15 policies to guide the management of the protected landscape. Chichester Harbour Conservancy prepared the Management Plan on behalf of the Local Planning Authorities: Chichester District Council, Havant Borough Council, West Sussex County Council, and Hampshire County Council. Prior to adoption, the Plan was subject to a public consultation over 8 weeks. The Plan is a material planning consideration under Policy 43 of the Chichester Local Plan: Key Policies (2014-2029). This means it is relevant to making planning decisions in and around Chichester Harbour (whether to grant or refuse an application for planning permission).

<https://www.conservancy.co.uk/page/management-plan>

<https://www.chichester.gov.uk/newlocalplan>

Chichester Harbour Planning Principles

Chichester Harbour Conservancy has developed 19 Planning Principles to guide development in and around the AONB. These Planning Principles can be read in Section 3 of the Management Plan. The Planning Principles directly inform whether a planning application is likely to be supported by the Conservancy.

<https://www.conservancy.co.uk/page/planning>

Chichester Harbour AONB Landscape Character Assessment

The purpose of the Landscape Character Assessment is to provide an understanding of the unique landscape character and special qualities of the Chichester Harbour AONB to inform the development of AONB Management Plans and wider planning policy. The Chichester Harbour AONB Landscape Character Assessment was first published in 2005, and subsequently reviewed in 2018. The Landscape Character Assessment is a material planning consideration.

<https://www.conservancy.co.uk/page/management-plan>

The Joint Supplementary Planning Document for the AONB

Chichester Harbour Conservancy supported two Local Planning Authorities (Chichester District Council and Havant Borough Council) to jointly publish guidance on development proposals in Chichester Harbour AONB, which was adopted in 2017. It expands upon the relevant policies in the Local Plans, particularly relating to the design of replacement dwellings and extensions and provides photographic examples showing the impacts of developments and suggested techniques for limiting those impacts. The Joint SPD is a material planning consideration.

In addition to the guidance within the main part of the SPD, there are several further issues to consider if you are proposing to undertake development or works within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). Applicants may need at least one of several consents, including: Planning Permission; other Local Authority Consents; a Marine Licence from the Marine Management Organisation; Consent from Natural England; Consent from the

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Environment Agency; and/or a Works Licence from the Chichester Harbour Conservancy (see below).

<https://www.conservancy.co.uk/page/planning>

AONB Impact Statement

All planning applications inside the AONB are required to submit an AONB Impact Statement to the Local Planning Authority as a requirement of the Local List. This Statement will detail how the application: a) will conserve and enhances natural beauty; b) complement the special qualities of the AONB; b) will deliver the adopted policies in the Statutory Management Plan. The level of detail provided in the AONB Impact Statement is expected to reflect the relative complexity of the planning application. An AONB Impact Statement is also required for planning applications outside of the boundary, but close enough to affect the character and setting of the protected landscape (within 500m).

<https://www.conservancy.co.uk/page/management-plan>

<https://www.chichester.gov.uk/planningpermission#LocalList>

Recreational Disturbance

Tens of thousands of coastal birds fly from as far as Arctic Siberia to spend the winter on the Solent. They need to be able to feed and rest undisturbed if they are to survive the winter and fly back to their summer habitats. Three Special Protection Areas (SPAs) have been designated to safeguard the birds. Over 60,000 new homes are planned around the Solent up to 2034. Research has shown that these will lead to more people visiting the coast for recreation, potentially causing additional disturbance to these birds. Developers of all new homes built within 5.6 kilometres of the SPAs are legally required to pay a levy to Bird Aware Solent. Some developments may require additional mitigation due to their size or proximity to a SPA.

<https://birdaware.org/>

Conservancy's Works Licence

The Chichester Harbour Conservancy Act 1971 (Sections 45, 47 and 48) makes it an offence for any person to construct, alter, renew, or extend any works on, under or over tidal waters or tidal lands below the level of Mean High-Water Springs in Chichester Harbour unless licensed to do so by the Conservancy. The only exceptions are works specifically authorised by an Act of Parliament or the renewal of works which were in place on 1st August 1970. Most projects below Mean-High Water Springs are required to apply for a Works License. Approval must be gained before any works commence.

<https://www.conservancy.co.uk/page/planning>

Addendum

Natural England

Natural England is a non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs. It is responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology, and soils, are protected and improved. It also has a responsibility to help people enjoy, understand, and access the natural environment. Natural England advise that Chichester Harbour Conservancy's "knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's Statutory Management Plan, will be a valuable contribution to the planning decision."

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Summary of Environmental Designations at Chichester Harbour

Worldwide Designation	Ramsar Site	Wetlands are among the most diverse and productive ecosystems. Chichester and Langstone Harbours were recognised as a wetland of international importance when they were designated as a Ramsar Site in 1987, under the Ramsar Convention.
Nationally Important Designations	Area of Outstanding Natural Beauty	An Area of Outstanding Natural Beauty is a landscape which is considered so precious that it is protected for the nation. The criteria for designating an AONB include valuable wildlife, habitats, geology, and heritage, as well as scenic views. Chichester Harbour was designated as an AONB in 1964.
	Bass Nursery Area	A Bass Nursery Area is a place that is recognised as a haven for small school bass. Fishing for bass, or fishing for any fish using sand-eels as bait, by any fishing boat within any part of the Harbour as defined, is prohibited between 30th April and 1st November each year. Chichester Harbour was designated a Bass Nursery Area in 1990.
	Site of Special Scientific Interest (SSSI)	Chichester Harbour was designated a Site of Special Scientific Interest in 1970 because it was of special interest by virtue of its fauna, flora, geological or physiographical / geomorphological features.
	Special Area of Conservation (SAC)	A Special Area of Conservation is a site designated under the Habitats Directive. These sites, together with Special Protection Areas, are called Natura sites and they are internationally important for threatened habitats and species. Solent Maritime SAC was designated in 1994.
	Special Protection Area (SPA)	A Special Protection Area is a site designated under the Birds Directive. Chichester and Langstone Harbours SPA was designated in 1979.
	Water Framework Directive	This aims for good water quality and covers groundwater, surface water (rivers, canals, lakes, reservoirs, estuaries, other brackish waters, and coastal waters) out to one nautical mile from shore as well as wetlands. The Directive, which came into effect in 2000, gives shellfish harvesting waters and bathing waters special protection.
Locally Important Designations	Conservation Area	Conservation Areas protect special architectural and historical places of interest. There are ten Conservation Areas in and around Chichester Harbour.
	Dark Sky Discovery Site	Three Dark Sky Discovery Sites were defined in Chichester Harbour in 2017. They are particularly good sites for stargazing.
	Local Nature Reserve	Local Nature Reserves are particularly appropriate for educational, research or public information purposes. There are five Local Nature Reserves in Chichester Harbour.
	Local Wildlife Site	Local Wildlife Sites in West Sussex feature important habitats that complement Local Nature Reserves and the Site of Special Scientific Interest. They are the equivalent of a Sites of Importance for Nature Conservation in Hampshire. There are 16 Local Wildlife Sites in Chichester Harbour.
	Site of Importance for Nature Conservation (SINC)	Sites of Importance for Nature Conservation in Hampshire feature important habitats that complement Local Nature Reserves and the Site of Special Scientific Interest. They are the equivalent of Local Wildlife Sites in West Sussex. There are 25 SINCs in Chichester Harbour.