



CHICHESTER HARBOUR CONSERVANCY

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

4th May 2022

To the planning case officer: Ms L Wells
AONB national landscape consultation recommendation.

Location: Land between Dolphin House and no.2 Dolphin Quay, Queen Street, Emsworth

Planning Application: APP/22/00232

Proposal: Development of a mobile catering unit to be erected on the hardstanding between Dolphin House and No.2 Dolphin Quay

Chichester Harbour Area of Outstanding Natural Beauty (AONB) recommendation – (Consulted delegated procedure): **no objection, subject to:-**

- Suitable condition to require agreement of details of materials and finishes;
- Restriction on opening hours to prevent light pollution adjacent to the Harbour and to protect the tranquillity of the area;
- Consideration be given to a shared toilet facility with the berth holders adjacent to the site.

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

CHICHESTER HARBOUR CONSERVANCY

The Conservancy was established by the Chichester Harbour Conservancy Act of 1971 with 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.

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 AREA OF OUTSTANDING NATURAL BEAUTY (AONB)

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 statutory purpose of the AONB is to conserve and enhance the area's natural beauty.

Proposals impacting on the AONB are subject to more stringent planning guidance to ensure that development respects and enhances the inherent qualities of such a sensitive location. Proposed development must be assessed carefully to consider if it would have a significant impact on or harm that statutory purpose.

PLANNING ASSESSMENT SCOPE

Adopted guidance requires a clear demonstration that no harm is caused to the AONB. The AONB is not just applicable to the harbour waters and immediate coastline which gives the AONB its identifiable

name, but includes large areas of inland rural countryside, small hamlet enclaves, built-up villages, and urban town areas spreading out and around the harbour area and further inland. The immediate supporting visual hinterland outside the AONB is also subject to consideration should it have a visual or other impact upon the AONB designated area (e.g., traffic impact reducing tranquillity), or its setting.

In its role in managing the Chichester Harbour Area of Outstanding Natural Beauty (AONB), The Conservancy considers proposals against the most relevant planning policies and guidance - including The National Planning Policy Framework (updated 2021), National Planning Practice Guidance, The Havant Core Strategy (2011), 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.

The status of the AONB within the statutory planning assessment regime needs to be fully assessed as a fundamental part of the comprehensive approach to the proposal.

THE SITE AND ITS SURROUNDINGS

The application site location lies within the AONB at a prominent position within Queen Street, at the head of the former Dolphin Quay boatyard inlet. It sits within the urban area and Emsworth Conservation Area, close to the centre of Emsworth village, amongst a mix of residential and commercial buildings, including The Old Flour Mill and other nearby Listed Buildings.

The site itself sits in the gap between the recent housing development to the east and the elegant white-painted Georgian Listed building to the west ('Dolphin House'). A public footpath runs past Dolphin House and alongside the inlet for a brief distance until it diverts away from the waters edge. There is also a public footpath along the western edge of the adjacent Slipper Mill Pond. There are views back to the site from both footpaths, although the site is relatively tucked away at the head of the narrow inlet from this perspective, and is more prominent from Queen Street itself.

SUBMITTED PLANNING PROPOSAL

The application proposes a 'mobile' catering unit and adjacent outside seating area on the existing area of hardsurfacing at the head of the inlet, which is bounded by a timber sleeper wall. The proposed building would be single-storey, and of a modern design partly glazed, incorporating timber louvres, and partly clad in vertical timber cladding, with a metal frame and a zinc clad roof. The design would reflect that of the recently built houses in the southern part of the Dolphin Quay development.

The proposed building would sit on the eastern side of the site, leaving space for external seating on the western side. The supporting statement claims that the design allows for structure to be moved and argues that the proposed building is partly transparent to allow views through the building to the historic and natural features surrounding the site.

The proposed use will be for the sale and serving of drinks and food to be consumed on the premises or taken away. The food will be prepared off-site, therefore a commercial kitchen is not proposed.

RELEVANT PLANNING HISTORY

Permission was granted in 2016 (APP/16/00921) for the redevelopment of the former boatyard with 6 houses, including 2 detached houses of striking modern design within the rear of the site fronting onto the Slipper Mill Pond.

The Conservancy had objected to the application, as it considered that the scale mass and appearance of the rear, detached houses is out of keeping with its surroundings and detrimental to the historic views of adjoining Listed Buildings, particularly the 'Old Flour Mill'. Furthermore, the rear jettied roof balcony/terraces to the front block of town houses were considered to be an alien feature detracting from the character and appearance of the Emsworth Conservation Area. The Conservancy also stated it was disappointed that no amenity facilities for those berthing boats at the south of the site had been considered by the developer, and that the granting of planning permission would further marginalize the viability of the remaining private boat berths and thus boating infrastructure in the Harbour.

PLANNING POLICY FRAMEWORK

In particular, AONB Planning Principles PP01 (Chichester Harbour as a Protected Area) and PP03 (Replacement Dwellings and Domestic Householder Extensions) and the Joint Chichester Harbour AONB SPD have helped to inform this AONB planning assessment.

OFFICER COMMENTS AND REASONED JUSTIFICATION

The site is currently laid to hard-surfacing and is used for parking by various vehicles. Whilst the proposed building would infill part of the gap and would therefore block some views southwards over the inlet, these views are limited by the timber sleeper wall and parked vehicles and were previously blocked to a greater degree by the former boatyard buildings and structures. The proposed building would be single-storey only and would leave a significant gap remaining to the west (including the proposed external seating area) and also to the east (the driveway entrance to the housing development) and therefore it is not considered that there would be significant harm to views within the Conservation Area or towards the water in this location.

The proposed design would be striking and modern but the appearance and materials closely reflects the two recently built detached dwellings at the rear of the Dolphin Quay development, and there is already a mix of traditional, historic buildings and more striking, contemporary designs within the immediate area (including houses to the south of Dolphin House, to the west of the site). As such, it is not considered that the proposed building would be out of keeping with surrounding buildings.

The proposed use for serving food and drinks would be appropriate in the context of the mixed-use character of Queen Street and the location close to the centre of Emsworth village which is a vibrant, working village; however, a restriction on opening hours is recommended to avoid light pollution adjacent to the Harbour and to protect the tranquillity of this part of the AONB. It is also suggested that the café considers a shared toilet facility with the adjacent berth holders, which could partially compensate for the loss of facilities caused by the adjacent housing development.

The proposed building would be visible in views from the public footpaths to the south; but given the single-storey nature of the building, its location tucked away at the head of the narrow inlet and its similarity to the much larger, much more prominent detached dwellings to the southeast, it is not considered that the proposals would be unduly intrusive in the wider AONB landscape or out of keeping within this part of the Emsworth Conservation Area, subject to the use of appropriate materials and finishes.

The Chichester Harbour Conservancy therefore raises **no objection** to the current application, subject to the suggested conditions/considerations set out above.

If you require any further clarification with regards to this recommendation, please contact the CHC AONB Planning Advisory Case Assessment Team.

Yours Sincerely,

Linda Park

Conservancy Principal Planner (Job-share Mon & Wed)
Chichester Harbour AONB Unit (Planning Team)
Chichester Harbour Conservancy

Chichester Harbour Conservancy manage and advise on the
Chichester Harbour Area of Outstanding Natural Beauty
One of the UK's Nationally Protected Landscapes