



CHICHESTER HARBOUR CONSERVANCY

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

4 October 2021

To the planning case officer: Maria Stewart. AONB national landscape consultation recommendation.

Location: **28 Bath Road, Emsworth, Hampshire**
Planning Application: **APP/21/00937**
Proposal: **Tree works to fell apple tree**

Thank you for consulting The Chichester Harbour Conservancy concerning the above planning submission. The Conservancy is a non-statutory consultee.

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

Planning 'Permitted Development' allowances do not apply within an AONB. 'Permitted Development' works therefore require a planning application to be submitted to the Local Planning Authority for formal consideration.

Consultations on development proposals within, or outside but impacting on, the AONB would be considered against the AONB Planning Guidance and Principles (see below), the appearance and character of the tree(s) within the surrounding AONB landscape character and setting of the red-line site.

In its role in managing the Chichester Harbour Area of Outstanding Natural Beauty (AONB), The Conservancy considers proposals 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 Havant Borough Council and Chichester District Council.

SUBMITTED PLANNING PROPOSAL

The current proposal lies inside the AONB. The proposal is located within a built-up settlement within the AONB. The proposed works to fruit trees (apple trees) do not usually need formal approval, the status of the application is therefore questioned.

The proposal is for tree works to the rear private domestic garden area of the property. The works seek to fell a fruit tree. The submitted information is of a adequate standard to make an informed assessment.

ASSESSMENT CONSULTATION CONCLUSION

Given the urban backdrop of the location, the separation distance from any public viewpoint, and the modest scale of the proposed works to the tree identified, the current submitted proposal is considered to have little significant visual impact on the AONB protected national landscape or be demonstrably harmful to the natural beauty of the wider AONB environment and surrounding supporting hinterland / buffer area.

The Chichester Harbour Conservancy raises **no objection** to the current submission.

Appropriate planning conditions to ensure that no works should be carried out during the bird nesting season (April to September) or if there is evidence of bat roosting (hibernation or maternity roosts) should be considered by the LPA.

OTHER MATTERS

It is noted that the LPA Landscape Architect advisor has raised no objection to the proposal.

The consideration of the proposal also affects the setting and appearance of the Conservation Area / Listed Buildings, but this is for the LPA to assess and make a judgement on.

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as equated loss of light and cause of shadowing. Such matters are not normally commented on by Chichester Harbour Conservancy.

It is noted that as of the date of this consultation comment dispatch, the LPA web site still shows this proposal as still pending a decision. If you require any further clarification with regards to this recommendation, please contact the CHC AONB Planning Advisory Case Assessment Team.

Yours Sincerely,



David Rothery
Conservancy Principal Planner / Planning Advisor
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 National Landscapes
Visit our webpage – www.conservancy.co.uk/page/planning