

Houghton, Michelle

From: David Rothery <David.Rothery@conservancy.co.uk>
Sent: 19 October 2021 11:20
To: Donophy, Selina; Havant Planning and Development Mailbox New
Subject: APP/21/0093081 - Northney Marina, Northney, Hayling Island, Hampshire
Attachments: reply APP21.00930 HIN DP noobj temp cabins northneymarina D.pdf; rept APP21.00930 HIN DP noobj temp cabins northneymarina.pdf

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Chichester Harbour Area of Outstanding Natural Beauty : SUMMARY OBSERVATION - DELAYED ISSUE -

From: David Rothery – on behalf of Chichester Harbour Conservancy (Area of Outstanding Natural Beauty Unit – planning team)

To: Selina Donophy – Local Planning Authority Planning Case Officer

Location: **Northney Marina, Northney, Hayling Island, Hampshire**

Planning Application: **APP/21/00930**

Proposed **siting and relocation of existing temporary portacabin style units for office and community use together with associated ground works (temporary use for 3 years)**

Chichester Harbour AONB Recommendation: **No Objection** (planning condition controls suggested)

The enclosed consultation comment is a Chichester Harbour Conservancy fully delegated assessment relating to the proposed development that falls within and/or impacts on the Chichester Harbour Area of Outstanding Natural Beauty (AONB) protected national landscape.

This **cover email** and the **Chichester Harbour AONB planning consultation response** are suitable for **general public view**

as part of **open transparency** of the assessment process.

David Rothery
Principal Planning Officer



CHICHESTER
HARBOUR
CONSERVANCY

01243 512301

info@conservancy.co.uk

www.conservancy.co.uk

Chichester Harbour Conservancy The Harbour Office, Itchenor, Chichester, West Sussex PO20 7AW

Celebrating 50 Years of Chichester Harbour Conservancy, 1971 - 2021

Chichester Harbour Conservancy manage and advise on the **Chichester Harbour Area of Outstanding Natural Beauty**

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CHICHESTER HARBOUR CONSERVANCY

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

19 October 2021

LPA planning case officer: Selina Donophy. AONB national landscape consultation recommendation.

Location: **Northney Marina, Northney, Hayling Island, Hampshire**

Planning Application: **APP/21/00930**

Proposed **siting and relocation of existing temporary portacabin style units for office and community use together with associated ground works (temporary use for 3 years)**

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. This duty of purpose, for and within the AONB, *also applies to proposals outside the designated area but impacting on its natural beauty.*

In its role in 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 Havant Borough Council and Chichester District Council.

The Conservancy makes the consultation comment under the Chichester Harbour Conservancy 'Delegated Procedure' route. A copy of **the Chichester Harbour AONB Unit Planning Assessment Report** including **the AONB recommendation** is attached for your guidance and for open transparency public view.

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
Chichester Harbour AONB Unit
Chichester Harbour Conservancy



CHICHESTER
HARBOUR
CONSERVANCY

CHICHESTER HARBOUR AREA of
OUTSTANDING NATURAL BEAUTY
(AONB) Unit
Planning Consultation
Development Assessment Report

Chichester Harbour AONB Unit : Recommendation Report (Delegated Proposals)

Location: Northney Marina, Northney, Hayling Island, Hampshire

Planning Application: **APP/21/00930**

Proposed siting and relocation of existing temporary portacabin style units for office and community use together with associated ground works (temporary use for 3 years)

Chichester Harbour AONB Unit Recommendation – No objection

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site is located within an urban settlement built-up location within the AONB.

Suggested considerations: -

- a temporary period not in excess of 31 October 2024 (or 3 years from determination date) shall apply to the siting and use of the unit as described in the application submission
- removal of the units and reinstatement of land shall take place at the end of the temporary period granted
- within the temporary time period a permanent built solution for the temporary use shall be prepared for formal planning consideration in the future (i.e. no further temporary permission should be considered or issued)
- schedule of materials and finishes to be agreed with LPA and the structures shall be maintained with an external treatment and finish as per the schedule of materials to be as indicated on submitted application forms /or as subsequently agreed with the LPA (the use of a natural, dark coloured / stained timber boarding is preferred by the Conservancy, the use of light or pale / pastel colours should not be used).
- no external lighting shall be provided or operated in conjunction with this temporary use
- the temporary use shall relate to the use of the area and temporary building for storage, office use only and shall not include any other use or activity
- the operation of the temporary use shall only take place between the hours of 08:00 and 18:00 daily from 1 March to 30 September and between the hours of 08:00 and 17:00 daily from 1 October to 28 February annually.
- any and all glazed windows / rooflights / doors should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times in order to minimise and reduce the amount of light illumination of the new window openings to comply with the Dark Skies approach and to limit disturbance to wildlife (AONB PP09/ Management Plan Policy 1 / Policy 2 / Policy 3).
- any and all glazed windows / rooflights / doors should be fitted with dark tinted glass glazing panels during mornings and day-time hours in order to minimise and reduce the amount of sunlight reflection of the new window openings to comply with the navigational safety approach and to limit disturbance to wildlife (AONB PP01 / Management Plan Policy 4 / Policy 5 / Policy 3).

Scope of Assessment Consideration

The submission is a planning application for works that should be considered against the AONB Planning Principles, planning history record, architectural and landscape character and setting of the red-line site. In considering the implications and impacts within, or to, the Area of Outstanding Natural Beauty protected national landscape, the exterior works and land use implications that affect the appearance and character of the of the building within the surrounding setting are assessed in this appraisal.

Planning Approach

The statutory purpose of the Area of Outstanding Natural Beauty (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.

The submission site is located within the Chichester Harbour Area of Outstanding Natural Beauty (AONB). 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. The adopted guidance requires a clear demonstration that no harm is caused to the AONB.

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. The landscape covers both built-up urban environments as well as rural countryside and coastal areas.

This comment and recommendation is made having regard to the applicable AONB Policy -

- Chichester Harbour AONB Landscape Character Assessment (CBA update 2019)
- Chichester Harbour Management Plan (2019-2024) - and the specific Management Plan Policies
- Chichester Harbour AONB Planning Principles (Management Plan version April 2019)
- Chichester Harbour AONB Joint Supplementary Planning Document SPD (2017 - LPA adopted)
- National Planning Policy Framework (Revised 2018)
- National Planning Practice Guidance (2014)

and in particular the following relevant AONB Planning Principles -

- AONB **PP01**: Chichester Harbour as a Protected Area
- AONB **PP02**: Safeguarding Marine Enterprises
- AONB **PP09**: Dark Skies

Relevant Recent Planning History

Listed for the application site(s) planning history on the LPA public access webpage

- but documents are **not available** for comparison purposes with the current proposal.

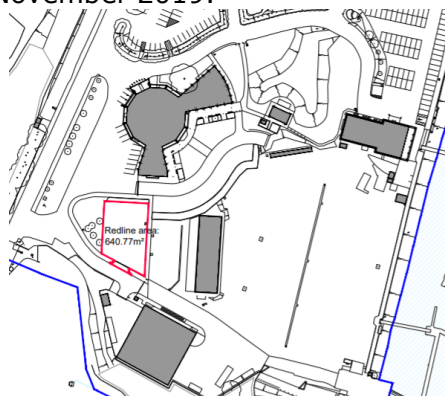
04/51153/043 - Erection of single storey building for boatyard office. Withdrawn 16 Nov 2004

04/51153/044 - Erection of single storey building (re-submission). P/P Temp 09 February 2005

04/51153/045 - Temporary use of land for events functions. P/P Temp 25 January 2005

The location from which three of the units are being moved

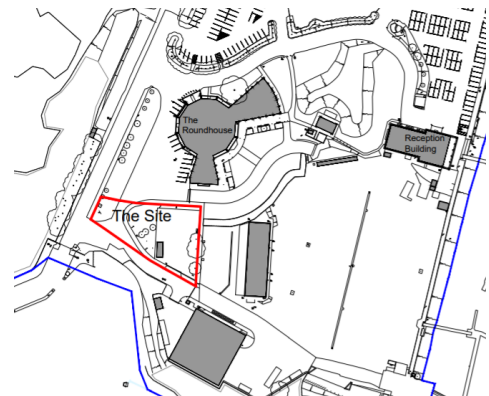
APP/19/00941 - Retrospective application for use of land for siting of temporary brokerage office and 3x storage units for 3-years (revised scheme to Planning Permission APP/18/00423). CHC delegated comment of no objection on 23 October 2019 subject to activity being temporary for 3 years only, restoration after temporary period, a permanent solution being produced in future (i.e. no further temporary consents), control of materials used to be olive green in colour, activity to be within Use Class B1(a) only, and retention / protection of landscape trees. LPA APPROVED on 14 November 2019.



APP/19/00941



DETAILED LAYOUT



APP/18/00423

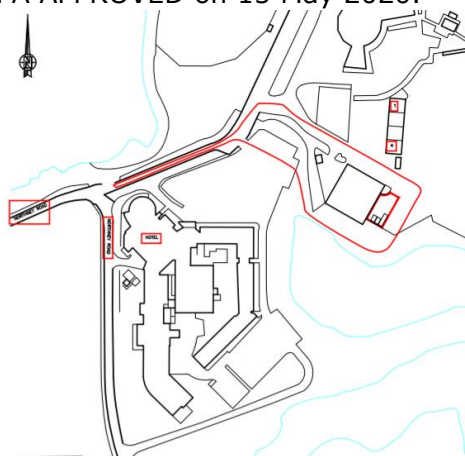
APP/18/00423 - Siting of temporary offices for a period of three years. CHC delegated comment of no objection on 18 July 2018 subject to activity within Use Class B1(a), restoration after temporary period, control of materials used, and retention / protection of landscape trees. LPA APPROVED on 19 July 2018.

Other nearby sites with temporary uses being sought within the marina complex

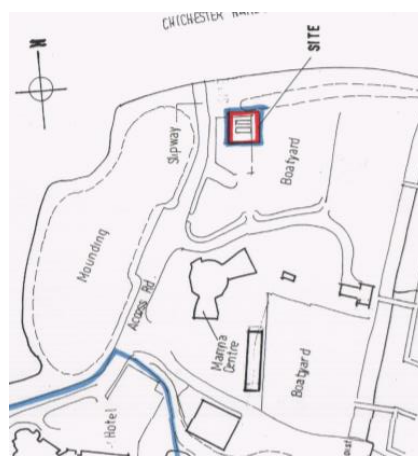
APP/20/00247 - Siting of 3x storage containers (temporary permission until the 1st February 2021) at the Teal Building. CHC delegated comment of no objection on 29 April 2020 subject to activity within Use Class B1(a), restoration after temporary period, and control of materials used. CHC considered that for the sake of consistency with previous temporary permissions granted at the site a condition to comply with the spirit of the original permission for the adjoining building consented under reference **97/51153/025**, to retain marine related industry close to the Harbour was suggested to read –

"Except with the prior written approval of the local planning authority to the contrary and notwithstanding the provisions of any Town and Country Planning (General Permitted Development) or (Use Classes) Order in force at the time, the subject containers, shall only be used for storage ancillary to the warehousing and distribution of marine equipment and/or the construction, repair and servicing of boats and components of boats and for purposes wholly ancillary thereto. The three containers shall not be used for any other purpose during the period of the temporary consent hereby granted."

It was noted that Temporary Permission to vary Condition 22 relating to the adjoining (Teal) service building (annotated Marathon Leisure in submitted aerial photographs), would appear to have been renewed 8 times since being first sought in 1997, the last permission seeming to be **APP/17/01218**. The LPA APPROVED on 15 May 2020.



APP/20/00247



APP/19/00475 and APP/16/00256

APP/19/00475 - Temporary siting of 2x storage containers for a 3 year period (renewal of planning permission reference **APP/16/00256**). CHC delegated comment of no objection on 4 June 2019 subject to permanent solution being produced in future (i.e. no further temporary consents). LPA APPROVED on 19 August 2019.

APP/16/00256 - Temporary siting of 2x storage containers for 3-year period (renewal of planning application **APP/13/00062**). CHC delegated comment of no objection on 13 June 2016 (after LPA decision made) subject to a permanent solution being produced in future (i.e. no further temporary consents). LPA APPROVED on 6 May 2016.

Submitted Proposal and Supporting Documents

The red-line application sites (two locations) are within a marina and boat storage complex to the north of the island within a partially built-up area of the AONB. External view of the proposals would be unlikely to be noticeable given the nature of the works as viewed from outside of the marina complex. The proposal would still have a visual impact the character of the AONB and the coastline in this locality and local surrounding setting.

The submitted proposal seeks a relocation and positioning of portacabin style single-storey portable box accommodation units. The submitted covering letter refers to the proposed activity of these units as -

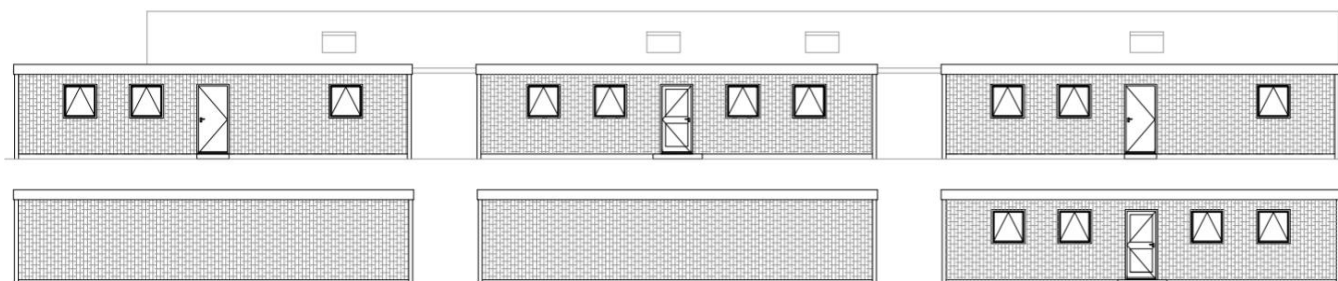
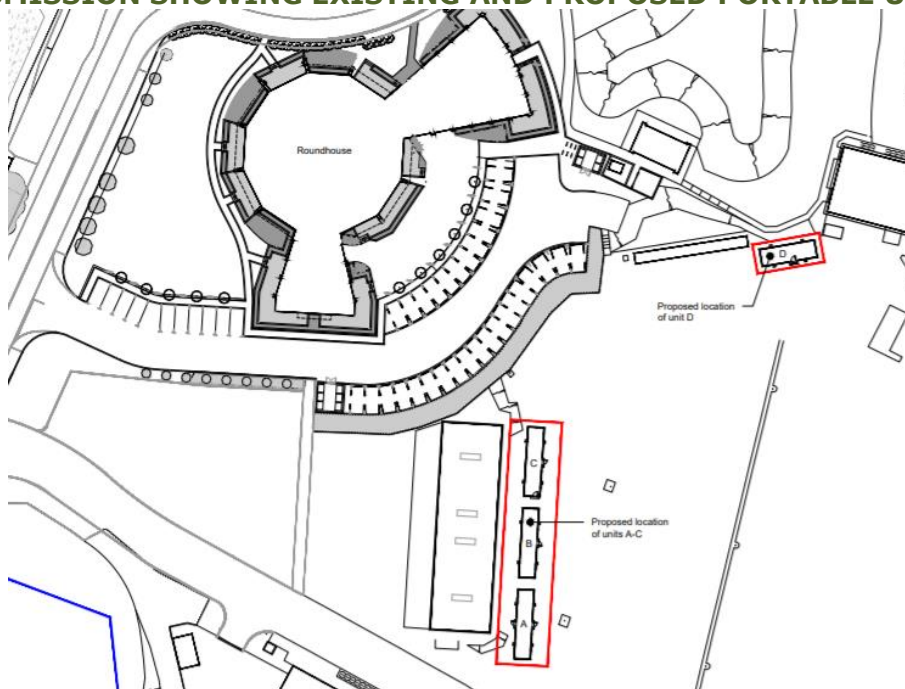
Unit A - this is office space currently used by the on-site Yacht Brokers 'Jaykay'

Units B & C - these have a community use and are currently occupied by local rowing club 'Langstone Pilot Gig Club' who use them as a training room, committee room, changing room and for the storage of equipment and items such as oars, safety equipment, boat parts, etc.

Unit D - this is marina storage currently used for the storage of marine equipment.



CURRENT SUBMISSION SHOWING EXISTING AND PROPOSED PORTABLE UNIT LOCATIONS



Supportive documents include a covering letter which identifies the unit activity uses only. The application makes no acknowledgement of the locational context within the setting of the Area of Outstanding Natural Beauty (AONB) protected national landscape. The submission does not reference

or confirm compliance with the AONB policies affecting the proposal or the Joint CH AONB SDP. The lack of knowledge and any attempted understanding of the status of the AONB in the planning consideration and the implications for the submitted proposal is disappointing.

Planning Assessment

The consideration would require a full and detailed assessment of the potential, possible, and probable impact to the character and appearance of the site and the locality of the AONB protected landscape. The main AONB planning assessment issues to be considered for this site relate to –

1. Relevant and/or recent planning history implications for the proposal
2. AONB Landscape setting and environmental character of the locality
3. Consideration against the relevant AONB Planning Principle guidance / Management Plan Policy
4. Principle of the use and activity of the development to the AONB locality
5. Locational positioning and layout design impact of the site to the AONB
6. Proposed physical scale, structure bulk and perceived massing on the AONB landscape
7. Architectural design, structural character, visual appearance & finished treatment
8. Environmental quality & mitigation of environmental disturbance effects on tranquillity
9. Wildlife, biodiversity, ecology, and measures to mitigate any adverse ecological impact

1- The planning history raises issues of seemingly continuous temporary permissions for accommodation within the marina site with little attempt to provide a long-term solution through permanent structures. The permanent accommodation requirements of the site are not achieved by this further temporary measure.

2- The landscape of the locality is a semi built-up appearance with the predominant character being related to employment and marina activity uses. The prevailing local surrounding environmental character of the area would be unlikely to be harmed by the proposal.

3- AONB Planning Principles PP01, PP02, PP09 are relevant to this proposal. The commercial / recreational proposal provides a ground floor footprint with no increase overall but a clear change in positioning within the larger marina complex. The glazing areas are modest but should require some blinds or shuttering controls to comply with PP09 and Joint SDP guidance. With this caveat the proposed works can be provided in line with AONB PP09 guidance without significant or substantial intrusion to the dark skies policy. Management Plan Policy 1 and Policy 2 are applicable. The glazing aspects also trigger Policy 3, Policy 4 and Policy 5.

4- The mixed planning use of the marina complex (blue-line site) would not be changed by this submission. The principle of the proposed use and activity would not likely be a significant concern. There is no new or additional land use operational aspect sought for the site by the current proposal.

5- The location of the proposal is within a partial built-up setting. Given the setting, the layout generates little noticeable change to the sites spatial character. The works relate to the site and have a satisfactory relationship in distance to nearby buildings with the spatial building-grain of the immediate surroundings being unchanged. The layout design on the site works within the planning unit can be carried out without harm to the general surroundings within the AONB protected national landscape. The visual perceived structures have little massing / bulk and would be unlikely to be noticeable from public vantage points outside the marina complex.

6- The scale of the development would be modest within the setting of the marina complex. The works are minor in coverage and both subservient and proportionate to the other buildings on the site. The perceived massing is considered to be acceptable for AONB impact purposes. The physical works would have a largely unnoticeable visual impact on the wider AONB protected landscape environment.

7- The architectural design and appearance of the proposal is utilitarian in concept, the visualisation is appropriate for a mixed commercial / recreational land use. The glazed areas are limited and not potentially noticeable from the harbour waters to the north, as seen between existing buildings. Within the local setting this appearance would diminish within the wider AONB protected national landscape. The external matching materials to be used are sympathetic to the location.

8- The proposal for relocation / positioning of existing uses is unlikely to have an impact on the tranquillity of the AONB wider area or harm the environmental quality of this location within the AONB. The glazing areas should require dark skies protocol screen blinds to be installed.

9- The proposal would be unlikely to result in any substantial increase in the demands for recreational activity in the locality or add to the associated disturbance of wildlife areas. Assuming that there is no wildlife uses of the areas to be removed, the proposal would not therefore be viewed as harmful to the wildlife or biodiversity of the site. Measures to mitigate the impact of ecological disturbance

should not be necessary. Native wildlife improvements could be considered generally through the installation of bird and bat boxes at the site, hedgehog houses, and similar easy applied wildlife improvements.

Summary Conclusion

The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The site is located within the countryside area environment in the AONB.

The positioning of the proposals would have a localised impact on the character and appearance of the site and the immediate surrounds. The scale, design and appearance with suitable construction materials would enable the proposal to be provided within its setting without serious harm to the wider AONB protected national landscape. The suggested construction materials would be acceptable to those of the surrounding development in this locational situation.

The control of light emission associated with the portable cabin windows should be restrained and proportional to the desire to maintain the character and ambiance of the AONB. The amount of glazing with an outlook towards the harbour waters would require the employment of tinted glass throughout to reduce the possible impact to the wider area from sunlight reflection.

Given its setting, the proposal is considered not to be unduly prominent, intrusive, or be detrimental to the character or the appearance of the wider Area of Outstanding Natural Beauty (AONB) in terms of landscape character.

The development proposal in the AONB would be unlikely to have any identifiable harmful impact on matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection.

CHC has no substantive objection to the submitted proposal. The temporary proposal is '*on-balance*' generally acceptable within the AONB and has a limited external impact to the wider AONB protected landscape.

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 spaces, 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.

This consultation assessment and comment response to the LPA is for open transparency public view.

Assessment 18-10-2021 LPA request reply 06-10-2021 Comment to LPA 19-10-2021
Chichester Harbour AONB Case Assessor: David Rothery LPA Planning Case Officer: Selina Donophy

The comment and recommendation are 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** (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)

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One of the UK's National Landscapes

Visit our webpage – www.conservancy.co.uk/page/planning