



CHICHESTER HARBOUR CONSERVANCY

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

24 November 2021

To the planning case officer: Selina Donophy. AONB national landscape consultation recommendation.
Location: **57 High Street, Emsworth, Hampshire**

Planning Application: **APP/21/01161 & APP/21/1162 (LBC)**

Proposal: **Formation of enclosed roof garden with associated alteration to fenestration**

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

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 planning history record, the architectural design and appearance, and the landscape character and setting of the red-line site, any blue-line area, and the surrounding location. In considering the implications and impacts within, or to, the AONB protected national landscape, the exterior works and land use implications that affect the appearance and character of the of the location, the site and any buildings within the surrounding setting are assessed in the appraisal.

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.

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 urban location within the AONB protected national landscape. The proposed works comprise works / alterations that require detailed approval of the LPA. The planning history for the site indicates various earlier approved proposals to the site. None have any obvious bearing on the current proposal in relation to the AONB. The works lie wholly within the site.

The proposal is for the formation of an enclosed roof garden at the first-floor rear side of the building. There would also be new full height glazed doorways (patio doors or bifold doors) from the rear elevation onto the proposed raised roof garden. No external lighting details are indicated for consideration (this should be clarified and controlled).

The submission includes a Design & Access and Heritage Statement (DAHS). There is no reference to para 172 of the NPPF as the site is within the AONB. The submission does not include an AONB Visual Impact Statement and makes no recognition of the site's location within the AONB protected national landscape. There is no detailed AONB policy approach as would be expected in such a location. This is a fundamental omission by the agents given the status of the AONB within the statutory planning assessment regime.

ASSESSMENT CONSULTATION CONCLUSION

AONB PP03 / Joint SPD considerations have been part of this AONB planning assessment. Given the backdrop and setting of the built-up area, the works to the street scene would be unnoticeable and not unduly imposing to the public realm. The works themselves are proportionate and subservient to the host building. The scale of the proposed works would have a visual impact within the site, but only a minimal visual appearance within the local area. In this setting the 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 AONB environment and surrounding supporting hinterland / buffer area.

The Chichester Harbour Conservancy raises **no objection** to the current submission. Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.

OTHER MATTERS

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as overlooking impact to neighbouring property and spaces, perceived loss of privacy, 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. 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,

D Rothery

David Rothery
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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