

# Chichester Harbour Conservancy

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23<sup>rd</sup> June 2010

## **CHICHESTER HARBOUR CONSERVANCY - PLANNING COMMITTEE**

A meeting of the Conservancy's Planning Committee will be held at **11.15am** on **Monday 28<sup>th</sup> June 2010** at **County Hall, Chichester**.

### **JOHN DAVIS**

Manager & Harbour Master

### **AGENDA**

- 1. Apologies**
- 2. Declaration of Interest**

Members and officers are invited to make declarations of personal or prejudicial interests that they may have in relation to items on the agenda and are reminded to make declarations at any stage during the meeting if it then becomes apparent that this may be required when a particular item or issue is considered.

- 3. Minutes** of the Committee meeting held on 17<sup>th</sup> May 2010 (page 3).

- 4. Urgent Matters**

Items not on the agenda which the Chairman of the meeting agrees should be considered as a matter of urgency due to special circumstances (if members have any urgent matters they are asked to consult the Chairman before the meeting).

- 5. Development Control Applications**

To consider planning applications upon which the Conservancy has been consulted, which members have been notified of previously, and to make recommendations to the appropriate local planning authority (page 13).

- 6. West Itchenor Conservation Area: Character Appraisal And Management Proposals**

To consider the report of the Manager & Harbour Master (page 23).

## 7. SDF Applications

To consider two applications for SDF assistance, enclosed as a separate document on blue paper:

- (i) Fishbourne Past Environments Stage 1
- (ii) Eames Farm Exhibition Centre

## 8. Development Control - Delegated Action

To note action taken by the Manager & Harbour Master, with the agreement of the Chairman, in submitting observations on planning applications upon which the Conservancy has been consulted by the local planning authorities, comments on which were required before the date of this meeting (page 32).

## 9. Appeal Ref: APP/L3815/A/10/2119625: Weston House, Farm Lane, Nutbourne, Chichester, PO18 8SA

To note the Inspector's decision on this Appeal (page 49).

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**Date of Next Meeting:** The next meeting of the Committee will be held at **2.15pm on Monday the 19<sup>th</sup> July 2010**, at County Hall, Chichester.

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### Committee Members

#### *From the Conservancy:*

Chichester DC: Mr Adrian Moss and Mr David Myers  
Deputy: Mr John Connor

Hampshire CC: Mr Tim Knight (ex officio as Vice-Chairman of the Conservancy),  
Mr Frank Pearce and Mr Alan Rice  
Deputies: Mrs Ann Buckley and Dr Ray Ellis

Havant BC: Mrs Jackie Branson and Mrs Virginia Wilson-Smith  
Deputies: Mr Terry Hart and Mr John Smith

West Sussex CC: Mr Bill Acraman, Mrs Louise Goldsmith (ex officio as Chairman of  
the Conservancy) and Mr Pieter Montyn  
Deputy: Mrs Deborah Urquhart

#### *From the Advisory Committee:*

AC Cons' Members: Mr Steven Schrier and Mr Peter Taylor  
Deputy: Mr Nick Fox

Local residents: Mr Richard Meynell

Farming/landowning: Mr Simon Sprackling

Environmental: Mr Steve Gilbert

Additional two reps: Mr Peter Henshaw and Mr Peter Wills

## CHICHESTER HARBOUR CONSERVANCY

### PLANNING COMMITTEE

Minutes of a meeting of the Planning Committee held at County Hall, Chichester on 17<sup>th</sup> May 2010.

Present:

Mr Steven Schrier (Chairman)

Mr Peter Henshaw

Mr Richard Meynell

Mr Pieter Montyn

Mr Adrian Moss

Mr David Myers

Mr Frank Pearce

Mr Alan Rice

Mr Peter Taylor

Mrs Virginia Wilson-Smith

Officers: John Davis (Manager & Harbour Master), Nicky Horter (AONB Officer), Linda Park (Planning Officer) and Chris Punnett (Administrative Officer)

### APOLOGIES

361. Apologies were received from Mr Steve Gilbert, Mrs Louise Goldsmith and Mr Tim Knight.

### MINUTES

362. **Resolved** that the minutes of the meeting of the Committee held on 19<sup>th</sup> April 2010 be approved as a correct record and signed by the Chairman.

### MATTERS ARISING – MINUTE NO. 347

363. The Planning Officer advised the Committee that since the last meeting the District Council's case officer had advised that the proposed development at Chidham (CH/10/01013/FUL) would discharge to Thornham Waste Water Works, and not Apuldram as originally understood.

### DEVELOPMENT CONTROL APPLICATIONS

364. The Committee considered a report detailing the Manager & Harbour Master's recommendations to the local planning authorities on Development Control applications, a copy of which is attached to the signed minutes. The Planning Officer presented the applications utilising a PowerPoint presentation to identify and describe the applications and sites.

#### **BO/10/01691/FUL - The Wheelhouse, Bosham Hoe, Bosham, Chichester, West Sussex, PO18 8ES - proposed replacement dwelling**

365. The Committee considered the information contained in the Manager & Harbour Master's report, as detailed below:

"The 'Wheelhouse' is a detached house on the northeast corner of the Bosham Hoe estate, fronting onto Furze field Creek. A small woodland is situated directly to the west, which precludes views of the dwelling from the main Harbour channel. The property is surrounded by a mature hedge and trees on all boundaries.

"It is one of the smallest properties in the immediate area and was built in the post-war era, having white-painted elevations and a clay tiled roof, and a detached flat roofed garage sited to the eastern side, close to the foreshore, although not visible from the Harbour due to its low form being hidden behind the existing hedge. There are views of the main property above the hedge marking the shoreside boundary as one approaches the head of the Creek by boat.

"Following pre-application discussions with Conservancy officers, an application was submitted in 2009 (BO/09/03383/FUL refers) for a larger dwelling to replace the existing house and garage. The new dwelling showed a traditional design, with a footprint of 251 square metres (an increase of 86% over the existing footprint), and would extend about 8.6 metres further towards the edge of the Harbour. The house was to comprise 4 distinct elements, including a garage with studio above constructed from brick elevations under a clay tiled roof just over 6 metres high with dormer windows and rooflights; the main part of the house with a hipped slate tiled roof just under 9 metres high with dormer windows above rendered painted elevations (with traditional sash windows with Georgian glazing bars and a balcony facing the Harbour); a projecting two-storey element towards the Harbour with a lower hipped roof 7.9 metres high, and a single-storey conservatory to the southwest side with a flat roof and roof lantern.

"Conservancy officers had raised several concerns prior to submission of the application about the impact of the proposed increase in bulk and footprint, in combination with the increased proximity of the new dwelling to the Harbour's edge, and had asked that if possible the house be reoriented and resited so that it is set further into the western/southern part of the plot and therefore not extending so close to the Harbour. We had pointed out the vulnerability of the hedge screening to removal or reduction by future occupiers to gain better views onto the Harbour and therefore felt that the siting and bulk of the proposed building needed to be acceptable in their own right. We also commented that we would prefer to see the dormer windows on the northwest elevation facing the Creek replaced with rooflights which would be less visually prominent, and that the extent of glazing on this elevation could also be reduced.

"The application was submitted with only minor changes made to the garage element of the proposal (the element projecting closest to the Harbour's edge) since the pre-application discussion, which failed to address the concerns of Conservancy officers regarding the landscape impact of the forward projection and increased bulk of the proposal in combination. We asked that the dwelling is reoriented and moved further west/south into the wider part of the plot and that the garage element is relocated away from the Harbour.

"Amended plans were subsequently submitted which fully hipped the garage roof and removed the dormers from this element. The overall footprint, position and design in all other respects remained the same, and therefore the Conservancy considered that it did not address the issue we previously raised of the close proximity to the Harbour of this proposed more substantial replacement dwelling, in particular, the garage element and two-storey projection, which both would extend very close to the edge of the Creek. We remained concerned about the visual impact and undesirable precedent that this could set and therefore still asked that these elements are repositioned so that the building does not extend so close to the edge of the Creek. The application was eventually withdrawn.

"Amended plans were then submitted for further comment, which showed significant changes to the scheme. These included that the footprint of the dwelling had been moved further southwest within the plot (away from the Harbour frontage); the main roof pitch had been reduced by 1 metre; the second floor accommodation and dormers had been omitted; the garage wing had been shortened by 0.8 metres and 2 rooflights omitted; and the west wing of the dwelling had been slightly shortened to mitigate its impact. However, a large detached garage/boathouse had been introduced to the scheme to replace the existing garage, with a substantial roof incorporating a studio above. Conservancy officers

advised that we considered the changes were a welcome move to overcoming previous concerns; but that the new garage with a substantial roof above, in such close proximity to the waters edge, would create similar concerns to those raised in relation to the previous application. We suggested that a single-storey building of a low form would be more acceptable.

"This new application seeks formal permission for the latest amended plans, and incorporates Conservancy officers suggested changes to the proposed replacement garage by substantially reducing its height and bulk and removing the second floor element. The traditional overall design and materials have not significantly changed since the original application, which were considered acceptable by the Conservancy. However, the concerns relating to the prominence of the new dwelling owing to its amended position and reduced height have been satisfactorily addressed by this application, as per the pre-application drawings.

"The application confirms that all boundary hedges and trees will be retained, and that the boundary hedge onto the Harbour will be strengthened by inter-planting with a mix of native hedgrow plants, including 50% evergreens. We support this and would therefore would ask for a suitable condition to be imposed on any permission to agree details and ensure the implementation and management of this planting. We would also ask for suitable conditions to agree the final materials, finishes and colours, including window frames, fascias/soffits and guttering, to ensure that appropriately muted tones are selected for this highly sensitive wooded setting within the AONB, particularly given the substantial increase in size in comparison with the existing dwelling."

366. The Committee noted that the latest design proposed a lower roof, no dormers and a smaller west wing than had previously been sought, and that the Conservancy's concerns about the previous application had thus been addressed. In addition it was understood that all existing hedges and trees were to be retained, and supplemented by additional planting. The increase in size over the existing dwelling was considerable, but the plot was of a substantial size and the building was screened from the harbour by the surrounding vegetation.
367. A member suggested that a condition should be sought to prevent the garage/studio becoming a separate dwelling, and this was supported by the Committee. It was also suggested that the revised design of the north-west corner of the proposed dwelling was inferior to that in the previous application, in that the latest design increased the mass of the north-west elevation, and that the previous set-back proposed on this elevation offered a more attractive and balanced appearance. The Committee concurred with this opinion, and agreed that it should be drawn to the District Council's attention.
368. **Resolved** that Chichester District Council be advised that the Conservancy proposes no objection but asks that the following matters be negotiated if possible:
- Boundary trees and hedgerows to be retained and managed by condition and supplementary planting be agreed and implemented;
  - Materials, finishes and colours to be agreed by condition, including window frames, fascias/soffits and gutters.
  - A condition to prevent the garage/studio becoming a separate dwelling.
  - Redesign of the north-west elevation to that previously proposed, incorporating a set-back at the north-west corner of the dwelling.

**BO/10/01699/DOM - Pheasant Lodge Old Park Lane Bosham Chichester  
West Sussex PO18 8EX - single-storey extension**

369. The Committee considered the information contained in the Manager & Harbour Master's report, as detailed below:

"Pheasant Lodge' is a dwelling on the south side of Old Park Lane, located in between Church Farm and Dovecote House. It was formerly a barn associated with Church Farm but permission was granted for its conversion in 1996. It lies within the rural area, and there are views of the existing buildings from Old Park Lane to the north and northeast, particularly in the winter. However, the site is fairly well enclosed by trees which in the summer limit views into the site except across the frontage of Church Farm. There are no public footpaths to the south with views of the site.

"Permission for a large extension to the south side of the barn was refused permission and subsequently dismissed on appeal in 1998, on the grounds of it resulting in consolidation of the developed area and being an unduly prominent feature in the landscape and harmful to the character, appearance and openness of the AONB, closing in the openness of views from Old Park Lane out into the surrounding countryside. In 2004 permission was refused again for an extension to the south side of the barn, on similar grounds, although the Conservancy had raised no objection given the limited views from the road or wider landscape. In 2005 permission was granted for a smaller extension on the north side of the barn, to mirror the former granary and linked to the existing building with an interconnecting single-storey glazed link. Again, the Conservancy raised no objection due to its appropriate scale, height and materials and limited public views. This extension has been constructed. A further application was submitted in 2009 (BO/09/03093/DOM) for a large extension of a similar size to the original barn, attached to the west side of the granary extension via a small glazed link, with its length running east to west across the northern part of the site. The Conservancy raised an objection on the grounds that the extension would have been unnecessarily obtrusive in the landscape as viewed from Old Park Lane due to its scale, position and orientation. We acknowledged the applicants' need to stay in close proximity to their business at Church Farm for security reasons and their wish to expand the property to accommodate their family, and therefore stated we would be supportive in principle of a smaller extension. The application was withdrawn.

"The current application seeks to address previous concerns by relocating the extension to the south of the original barn building; the width has been reduced by 1 metre to approximately 7.3 metres, to result in a narrower building footprint, a reduced mass and bulk, and a slightly lower ridge height (approximately 5.5 metres); the glazing on the southern elevation has been reduced by the introduction of sliding timber shutters; and the roof of the extension is finished in clay tiles rather than slate, to create a distinction between the original barn building and the new extension. The elevational treatment has been broken up with facing brick and flint panels on the west and north elevations, and stained timber boarding on the east elevation.

"The relocation of the extension to the south of the existing building, its reduction in size and changes to design all help to overcome the Conservancy's previous concerns relating to the visual impact as viewed from Old Park Lane. The extension would now be sited partially 'behind' the existing building from this perspective, and its greater distance from the road would make its impact significantly less noticeable. Overall, it is not considered that this current proposal would be unduly intrusive in the landscape, given the limited views from the wider landscape and its removal from Old Park Lane. However, we would not wish to see any further extensions to this property, which was originally a modest agricultural barn; given its rural position within the AONB. We would therefore ask that a suitable condition be imposed to restrict permitted development rights. We would also ask for a suitable condition to require window frames, fascias/soffits and gutters to match the existing building."

370. The Committee agreed that the revised location of the proposed extension to the south of this property, coupled with its reduced size, width and height, met its previous concerns, and that the latest application could be supported.
371. **Resolved** that Chichester District Council be advised that the Conservancy proposes no objection but asks that the following matters be negotiated if possible:
- Permitted development rights for further extensions or alterations be restricted;
  - Window frames, fascias/soffits and gutters to match the existing building.

**WW/10/01685/FUL - Merry Harbour, Roman Landing, West Wittering, Chichester, West Sussex, PO20 8AS - replacement dwelling and associated works**

372. Mr Meynell declared a personal interest in this application by virtue of being a sometime associate of the architect for the scheme.
373. The Committee considered the information contained in the Manager & Harbour Master's report, as detailed below, and were able to view a model of the proposed dwelling:

"Merry Harbour' is a detached, thatched roof dwelling with pale pink painted elevations, situated on the north side of the Roman Landing private estate. The properties on this side of the road back onto open countryside to the north, and are visible in a treed setting across the open fields from the foreshore footpath to the northwest. The buildings themselves fall within the defined settlement policy area of West Wittering, and comprise an eclectic mix of styles ranging from the 1920s to the present day. There are glimpses of some of the properties from Ellanore Lane to the northeast, however, 'Merry Harbour' is screened by trees from this perspective. The main public view is therefore from the foreshore to the northeast; however, this view is from some distance, and only parts of the roof of the existing building are visible amongst the trees. The site is bounded by mature evergreen hedging on the south, east and west boundaries.

"The application seeks permission for the demolition of the existing dwelling and the erection of a replacement dwelling of a contemporary design. Conservancy and Council officers were contacted at the pre-application stage for advice. Comments were made about the need for a reduction in the amount of glazing not only on the windows but also relating to the proposed balcony balustrade. Comments were also made about the need for a greater variation in the use of materials, and for more easily interpretable plans. Further plans were produced in response to this which showed more variation in the elevational treatment to break up the overall mass of the building and add interest to the elevations. Cedar screens were placed in front of the 3 full length windows at first floor level on the northern elevation and 1 full length window on the western elevation. Coloured elevations, a roof plan, a street scene plan and comparative silhouettes were also provided to help with interpretation of the plans.

"The proposed dwelling would have a series of shallow pitched roofs covered in cedar shingles, above elevations of heather grey bricks, untreated cedar boarding and flintwork with brick quoins. Windows would be vertically subdivided in grey aluminium frames, with first floor balconies on the north elevation which would be surrounded by hardwood railings. The new dwelling would be sited over the existing footprint but extending some 8.7 metres further north, creating a larger, more square footprint, which would come roughly in line with the adjacent property to the west. The creation of shallow pitches to the roof has enabled the height to be minimised (0.4 metres lower than the existing roof, at approximately 7 metres high).

"The site is not a prominent one in wider AONB landscape terms, and while the proposed new dwelling would extend further north and would have a significantly greater footprint than the existing building, the design and use of materials in combination with the surrounding trees and hedges would ensure that the new dwelling would not be an intrusive feature in the wider landscape. Furthermore, the proposed footprint would be comparable to several nearby properties, and the property benefits from a substantial plot.

"Overall, the proposed dwelling has been designed to minimise its visual impact as viewed from the wider landscape. The series of smaller, interconnected roof elements helps to break up the massing of the building while minimising its overall height. The use of muted colour materials including natural cedar for the roof and elevations, incorporating elements of brick and flint, would also help to prevent the new dwelling appearing overly conspicuous from the foreshore or Harbour. The comments of Conservancy officers have been taken on board through the introduction of timber louvred screens over first floor windows, and the provision of a timber instead of a glass balcony balustrade, which have helped to soften the overall impact of the house as viewed from the foreshore or Harbour.

"The application confirms that all existing planting around the boundaries will be retained and that additional planting will be provided at the front of the house. We would ask for a suitable condition to require a detailed landscaping scheme. We would also ask for suitable conditions to require samples of materials to be agreed, and to ensure that the timber louvres are either fixed or moveable only across the glass panels. Subject to these conditions, it is not considered that the proposed new dwelling would be an intrusive feature in the wider AONB landscape."

374. Members noted that the proposed dwelling was of modern contemporary design, and considerably larger than the existing thatched cottage it was to replace, but that the properties either side were also large. They expressed concern regarding the amount of glazing proposed, particularly at first-floor level, and suggested that the timber louvered screens should only be moveable where it would be necessary to open the windows they covered; otherwise they should be required to be fixed at all times.

375. The Committee also expressed concern regarding the number of applications within the AONB where the footprint of proposed dwellings was considerably larger than the properties they were intended to replace, and asked that this concern be brought to the District Council's attention.

376. **Resolved:**

(i) that Chichester District Council be advised that the Conservancy proposes no objection but asks that the following matters be negotiated if possible:

- Detailed landscaping scheme to be agreed, to include retention of all existing planting around the boundaries as shown on drawing no. B.0963/3;
- Schedule and samples of materials to be agreed, including window frames, fascias/soffits and guttering;
- Timber louvres to be fixed unless required to be moveable to allow for opening glass panels.

(ii) that Chichester District Council be advised of the Conservancy's concern regarding the number of applications within the AONB where the footprint of proposed replacement dwellings is considerably larger than that of the existing property.

**BI/10/01041/DOM - Harbour House, 22 Greenacres, Birdham, Chichester, West Sussex, PO20 7HL - two storey front extension. single storey rear extension. new and replacement garage/workshop. associated works and landscaping**

377. Mr Moss declared a personal interest in this application by virtue of living at Bosham Hoe, on the other side of the Itchenor Reach, opposite Harbour House.
378. The Committee considered the information contained in the Manager & Harbour Master's report, as detailed below, and were able to view an architects' model of the proposed dwelling:

"Harbour House' is a 1960s house of a 'modern' design, with white painted elevations and white UPVC windows, located on the northern side of the 'Greenacres' private estate, fronting onto the Harbour. The stark design and white colours and a large UPVC swimming pool extension on the Harbour-side make this house a prominent feature as viewed from the Harbour. The site lies outside the Birdham settlement policy area. A public footpath runs along the private road in front of the house, and also along the east side of the house and eastwards along the shore from this point onwards. The house is clearly visible through the driveway entrance from the footpath along the private road, although mature shrubs mark the remainder of the front boundary and the footpath then leads onto lower ground adjacent to the side boundary wall; however, views of the side of the existing gable are still visible from this perspective above the boundary wall. The house is most prominent when viewed from the Harbour.

"The application seeks permission for extensions, which would effectively 'remodel' the existing building into a more traditional design with a steeper pitched roof with hipped elements and pitched roof dormers. The new roof would rise to 9.3 metres high (the existing is 7 metres high). A large two-storey front extension would square-off the existing unusual shaped footprint by bringing a large catslide tiled roof forwards with two pitched roof dormers, alongside a hipped-roofed two-storey projecting element. This new south elevation (facing away from the Harbour) would incorporate a covered porch element with oak posts underneath the catslide roof.

"On the north (Harbour-facing) elevation, a two-storey extension would in-fill the existing footprint, extending over 6 metres towards the Harbour (to meet the extent of the existing swimming pool extension which would be re-roofed with grey zinc sheeting). The elevations would be re-faced with brickwork, grey weatherboarding, clay tile-hanging and colourwashed brickwork to match the facing brick, all under the new pitched roof of handmade clay tiles. Window frames would be grey aluminium, with lead surrounds to the dormers. It is also proposed to replace an existing flat roofed annex and garage block with a new two-storey detached annex building with a barn hipped roof and dormer windows, and a new detached single-storey triple garage and workshop, both within the frontage onto Greenacres.

"The changes to a more traditional design with the use of more varied and darker materials than the existing building are welcomed and would both help to improve the appearance of the existing house and reduce its impact when viewed from the wider landscape or Harbour. However, we are concerned about the proposed increase in height, coupled with the forward projection of the proposed extension on the north elevation, which would bring a two-storey element significantly closer to the Harbour. While the proposed pitched roof would be of a more traditional design than the existing angular shallow pitch, the proposed increase in height of 2.3 metres seems excessive and would result in a top-heavy appearance to the building.

"Unfortunately no Harbour or 'street-scene' plans have been submitted so it is impossible to fully assess how this new design would fit in with neighbouring properties; however, we are concerned that this increase in height in combination with the proposed north extension would make the dwelling a dominant feature amongst neighbouring dwellings due to its increased bulk and mass. We would like to see the roof height significantly reduced, and the depth of the north extension also reduced. We would also be anxious to see boundary planting retained as stated, and suitable conditions imposed to ensure that the proposed new outbuildings remain ancillary to the main house. However, in its current form and due to the lack of information submitted with the application, we are concerned that the proposals would detract from the openness and rural character of the landscape adjacent to the Harbour due to the proposed increase in height, bulk and mass, contrary to policy C1 of the Local Plan and Policy B2 of the AONB Management Plan planning guidelines."

379. The Committee agreed that proposed changes would give the existing dwelling a more traditional design with more appropriate materials than at present, but considered that other changes proposed, which increased its height, bulk and mass, would negate any potential improvements and make the dwelling unacceptable in a harbour-side location.
380. **Resolved** that Chichester District Council be advised that the Conservancy recommends that the application be refused.

#### **SDF APPLICATION: EMSWORTH SLIPPER MILL POND PRESERVATION ASSOCIATION**

381. The Committee considered a report by the Manager & Harbour Master on an application for SDF assistance towards the cost of works to stabilise Emsworth Slipper Mill Pond, a copy of which is attached to the signed minutes.
382. The Committee agreed that the stability of the sea wall was very important to protect the Mill Pond and also preserve the adjoining creek which gave access to Dolphin Quay. They noted however that the works proposed required a Works Licence from the Conservancy, which could only be issued once certain technical information had been supplied by the Association, and that any grant awarded would not be paid until the Works Licence had been issued.
383. **Resolved** that an SDF grant of £10,000 be made to the Emsworth Slipper Mill Pond Preservation Association for Phase 2 of the repair of the Mill Pond, subject to the prior issue of a Works Licence.

#### **HAVANT BOROUGH COUNCIL PRE-SUBMISSION CORE STRATEGY MAY 2010**

384. The Committee considered a report by the Manager & Harbour Master, a copy of which is attached to the signed minutes.
385. The Committee was advised that the Havant Borough Core Strategy sets out the planning framework for the Havant Borough until 2026. It outlines the vision for the area, sets broad policies for guiding growth, and identifies broad locations and 'strategic sites' for new housing, employment, other development and infrastructure. The Borough Council had indicated that this was the final version, and that it did not intend to amend the draft Core Strategy any further.

386. This Pre-submission Core Strategy consultation follows three major public consultations – ‘issues and options’ in 2006; ‘preferred options’ in April 2008, and consultation on the draft Core Strategy document in July 2009. The Conservancy made detailed comments at all three stages, assessing the potential implications for Chichester Harbour AONB in the light of the previous comments made by the Conservancy, and recommending further comments to be made thereon.
387. The Borough Council intended this ‘Pre-submission’ version of the Core Strategy to be the final version submitted to the Secretary of State for Communities and Local Government for consideration, and this publication period is to allow for any comments or representations relating to the ‘soundness’ or ‘legal compliance’ of the document, which will be forwarded to the Planning Inspector considering the submission, in the lead up to the Examination in Public (EIP) which is expected to take place in autumn 2010.
388. The report before the Committee identified in detail numerous examples of ways in which the Planning Officer considered that the draft Core Strategy was defective, and had not incorporated particular representations made by the Conservancy on earlier drafts under the following headings:
- (i) Not consistent with national or regional policy (relates to being both ‘legally compliant’ and ‘sound’):
  - (ii) Low proportion of housing on previously developed land
  - (iii) Lack of detail and reference to the AONB – lack of AONB specific policy
  - (iv) Not legally compliant
  - (v) Incorrect status given to the Chichester Harbour AONB Management Plan
  - (vi) Failure to acknowledge to the ‘duty of regard’
  - (vii) Inadequate wording in Policy DM9: ‘Development in the Coastal Zone’
  - (viii) Incorrect glossary definition of AONB
  - (ix) Not effective - Unsatisfactory plan presentation and structure
  - (x) Shortcomings of Policy CS1: ‘Health and Wellbeing’
  - (xi) Lack of reference to the Solent Disturbance and Mitigation Project
  - (xii) Ambiguity of wording in paragraph 2.26
  - (xiii) Shortcomings of Policy CS19: ‘Developer Requirements’
  - (xiv) Lack of flexibility relating to current uncertainty surrounding impacts of recreational disturbance
  - (xv) Lack of evidence supporting effectiveness of mitigation measures for recreational disturbance
  - (xvi) Recommendations from Habitats Regulations Assessment not incorporated regarding Waste Water and Wader and Brent Goose Strategy:
  - (xvii) Confusion over the ‘Coastal Zone’
389. The Committee noted that there are various improvements to the wording of policies or paragraphs throughout the Core Strategy which address some of the previous comments of the Conservancy. However, it was agreed that the most fundamental points relating to Chichester Harbour AONB, which have been consistently put forward by the Conservancy, have not been addressed. Unless these points are addressed members considered that the Core Strategy will be found ‘unsound’ at examination. They accordingly concurred with the officers’ view that the Conservancy had no option but to object in the strongest possible terms.

390. **Resolved** that the comments contained in the officers' report, as set out in paragraphs 2.1 to 4.12, form the basis for the Conservancy's response to be sent to Havant Borough Council as a formal objection to its Pre-Submission Core Strategy.

#### **DEVELOPMENT CONTROL - DELEGATED ACTION**

391. The Committee considered a report on action taken by the Manager & Harbour Master, with the agreement of the Chairman, in making recommendations on behalf of the Conservancy on planning applications to Chichester District Council, a copy of which is attached to the signed minutes.
392. **Resolved** that the action taken under delegated powers be noted.

#### **COMMITTEE TIMETABLE FOR 2011**

393. The Committee considered a proposed timetable for Planning Committee meetings during 2011, as set out below:

Monday, 10<sup>th</sup> January  
Monday, 14<sup>th</sup> February  
Monday, 28<sup>th</sup> March  
Monday, 23<sup>rd</sup> May  
Monday, 27<sup>th</sup> June  
Monday, 25<sup>th</sup> July  
Monday, 19<sup>th</sup> September  
Monday, 24<sup>th</sup> October  
Monday, 21<sup>st</sup> November  
Monday, 19<sup>th</sup> December

394. Members were advised that in an attempt to avoid the major school holiday periods at Easter and summer, which impacted on staff and members, meetings of the Committee were not scheduled for April and August 2011. The Manager & Harbour Master advised members that during those months greater officer delegation might be required. However, if important and urgent matters arose during those months which could not be dealt with by delegation, special meetings would be called.
395. The Committee agreed with the proposed schedule and noted that the timetable for all CHC meetings will be submitted to the 8<sup>th</sup> July meeting of the Conservancy for approval.

The meeting started at 2.15pm and ended at 3.55pm.

Chairman

**Next Meeting:** The next meeting of the Committee will commence at **11.15am** on Monday the 28<sup>th</sup> June 2010 at County Hall, Chichester.

**CHICHESTER HARBOUR CONSERVANCY****PLANNING COMMITTEE****28<sup>th</sup> JUNE 2010****REPORT BY THE MANAGER & HARBOUR MASTER****DEVELOPMENT CONTROL APPLICATIONS****SB/10/01881/FUL - THORNHAM MARINA, THORNHAM LANE, SOUTHBOURNE, EMSWORTH, HAMPSHIRE, PO10 8DD - REPLACEMENT PONTOONS. NEW LAUNCHING RAMP.****Planning Policy Framework**

PPS 7 paragraph 21; RE1, RE4, RE7, C1, C2, C6, BE11: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1, BD2: Appendix 3: Policies E1, E3, J4, J5

**Manager & Harbour Masters Comments**

Thornham Marina is located at the northwest part of the head of the Thorney Channel of Chichester Harbour. This application relates to the area of approximately 0.6 hectares of intertidal mud upon which there are five existing pontoons providing 77 berths for vessels. The Marina lies within the heart of the AONB and in the rural area as defined in the Chichester District Local Plan, and the tidal areas it extends into are the subject of various European nature conservation designations including a Site of Special Scientific Interest (SSSI), a Special Protection Area (SPA) for wild birds, a Ramsar wetland of international importance, and a Special Area of Conservation (SAC).

The Marina also manages 26 swinging moorings, and provides further services to the marine community including the landbased storage of yachts and power boats and the launching and retrieval of vessels. The shoreline public footpath passes through the Marina, and there are views of the site and pontoon berths in an arc to the north and northeast, as well as from the south and from the water itself.

The application seeks to replace the existing five pontoons with four larger pontoons with a layout that would allow for larger boats, in accordance with today's standards as advised by the Yacht Harbour Association and the British Marine Federation. The application states that the existing pontoons were installed in the 1990s and were intended for small craft (7 to 9 metres long) which was acceptable at that time, but that they are no longer economical to repair and also they no longer comply with modern standards. The new pontoons would cater for boats between 9 and 12 metres long, and would be of a similar design to the existing pontoons (consisting of floats supporting walkways and fingers, finished in hardwood allowed to weather naturally, held in place with steel driven piles).

The total number of pontoon berths, including mud berths, would be reduced by one, to 76. The new pontoons would extend approximately 80 metres into the Harbour (some 8 metres further east than existing), with additional berths on the end (taking up a further area approximately 5 metres beyond this).

It is also proposed to install a new concrete ramp to allow the launching and retrieval of multihull vessels which currently can only be lifted by mobile crane over the public footpath due to the narrow nature of the existing basin entrance, thereby removing the need to hire a mobile crane. This would be sited in between the two southernmost pontoons and would measure approximately 36.5 metres long and 8 metres wide.

In order to compensate for the additional area taken up by the longer pontoons, the larger pontoon berths and the new ramp, the total number of swinging moorings managed by the Marina would be reduced from 26 to 10 (however, seven existing swinging moorings would be permanently allocated to the Sea Scouts and therefore the actual reduction would only be nine swinging moorings). However, the location of these swinging moorings is not shown in the application. The supporting statement calculates that there would be a net reduction in mud occupied by Thornham Marina vessels of 8,460 square metres. However, this does not appear to take into account the area covered by the proposed ramp, and appears to exaggerate the amount of mudland disturbed by the existing swinging moorings, therefore making the net reduction appear greater. However, overall, given the total reduction in the number of vessels by 10 and the wasting of swinging moorings which potentially disturb a greater area of mud, it seems to follow that there would be an overall reduction in the amount of mudland 'disturbed' as a result of the proposals.

In principle, the Conservancy is supportive of the proposed redistribution of moorings in accordance with Policy J5 of the Management Plan Planning Guidelines, and Saved Policy C6 of the Local Plan. However, no detailed surveys or further information has been submitted to demonstrate that the proposals would not result in harm to the designated nature conservation sites (the intertidal area) and Natural England's request for a Method Statement has not been included in the application. Natural England has objected on the grounds that the application would have a significant effect upon the SAC, SPA and Ramsar and no Appropriate Assessment has been undertaken.

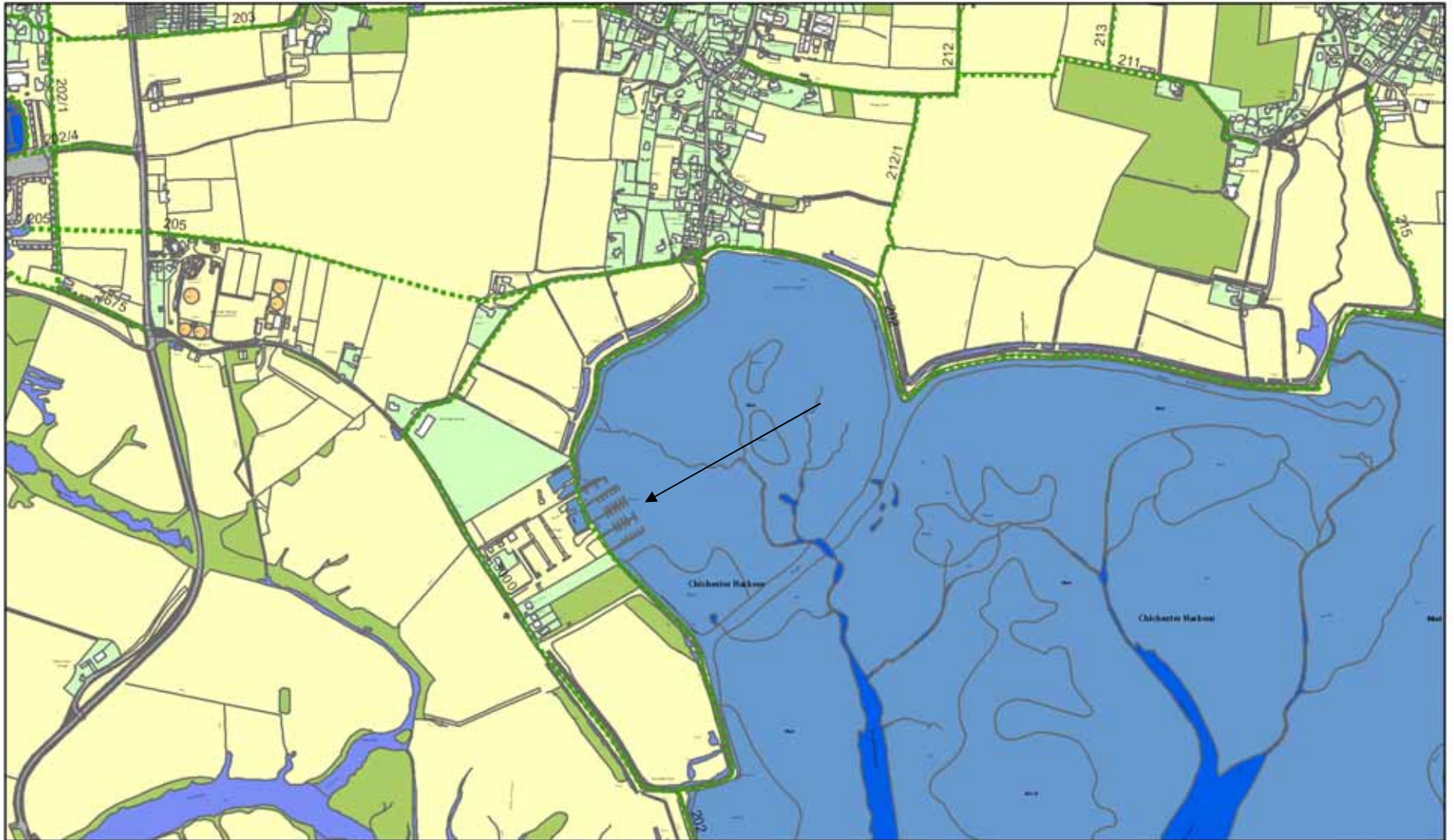
The proposed pontoons are similar in design to the existing pontoons, and the increased length would be perceivable from the public footpaths and water; however, would not be to an extent that would be harmful to the AONB landscape. The Conservancy supports the principle of improvements to the functioning of the Marina as an important source of employment and a vital part of the marine infrastructure of the Harbour. This however is conditional upon the results of any Appropriate Assessment demonstrating no adverse effect upon the designated sites, and this is likely to require further information from the applicant. We would also ask for suitable conditions to require a method statement for the proposed works (to be agreed in consultation with Natural England and the Conservancy), and a suitable condition to ensure that the nine swinging moorings are 'wasted' as soon as the new pontoons are in use.

### **Manager & Harbour Masters Recommendations**

Propose no objection but ask that the following matters be negotiated if possible: -

- The results of any Appropriate Assessment demonstrate no adverse effect upon the designated sites;
- A method statement be submitted and agreed for the proposed works (to be agreed in consultation with Natural England and the Conservancy prior to the works); and
- A suitable condition to ensure that the nine swinging moorings are 'wasted' as soon as the new pontoons are in use.

# Thornham Marina



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**AP/10/02442/FUL - APULDRAM COTTAGE, APULDRAM MANOR FARM, APPLIEDRAM LANE SOUTH, APPLIEDRAM, CHICHESTER, WEST SUSSEX, PO20 7EF - CHANGE OF USE OF AGRICULTURAL BARN TO FORM PART OF AN EXISTING HOLIDAY LET UNIT AND ASSOCIATED WORKS.**

**Planning Policy Framework**

PPS 7 paragraph 21; RE1, RE4, RE14, BE11, BE14: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy A4.

**Manager & Harbour Masters Comments**

Apuldrum Manor Farm is located between Appledram Lane South and the shoreline, to the northeast of Dell Quay. It consists of flint and brick stable buildings used for both self-catering holiday let accommodation ('Quay Quarters') and agricultural storage, with the Manor House (a Listed building) close-by. The farm operates as a traditional mixed farm growing a variety of crops and grazing 150 dairy cows, alongside the holiday let business.

The farm is not clearly visible from public vantage points, being surrounded by mature trees. A public footpath runs past the east and north sides of the site, and along the foreshore to the west, however, only glimpses of the farm buildings are possible through the trees, while the house itself and nearby cottages are more clearly visible due to their positions further south within the site.

Permission was granted in 2001 for the conversion of the existing stable block into four holiday let units (reference AP/00/03112/FUL). The Conservancy did not object to the application, subject to a suitable condition to restrict the units to holiday let accommodation, which was imposed by the District Council.

This application seeks permission for a change of use from a storage barn, which is currently let on an annual licence to the Conservancy for storage; into part of an existing two-bedroom holiday let unit ('Apuldrum Cottage'), providing a further three bedrooms and living space, to create a five-bedroom holiday let cottage. External changes would comprise replacement windows, the insertion of two small windows to serve the en-suites, and four rooflights to serve the proposed first floor children's bedroom and playroom. The existing double doors would be replaced with a glazed opening and external timber doors, and a single glazed door would be provided adjacent to this in place of the existing single door. The end gable would be clad in weatherboarding and the existing corrugated roof would be tiled to match the existing holiday let units. The existing flint and brick elevations would be retained and repaired, with a new panel of flintwork installed above the single door to match the existing flintwork. Parking would be provided to the south adjacent to the existing outdoor terrace area, which would be extended across the living area of the proposed conversion.

The supporting statement explains that the self-catering holiday lets have been operating successfully since 2003 and provide needed supplementary revenue in addition to the farm income - the proposals intend to offer a wider range of accommodation to attract varying clientele to cater for larger families that have had to be turned away in the past, by converting a barn which is currently surplus to the functions of the farm.

The Conservancy supports in principle the conversion of agricultural buildings to business or tourism uses as part of farm diversification, as a means of extending the economic viability of the farm business, provided proposals are sympathetic to their landscape context particularly with regard to the use of materials, the insertion of additional openings and the introduction of any residential curtilage. This is also subject to the imposition of suitable conditions to restrict the use to holiday occupancy. Local Plan Policies RE12 and RE14 are particularly relevant, which seek to minimise external changes and ensure that proposed uses are appropriate to their countryside location.

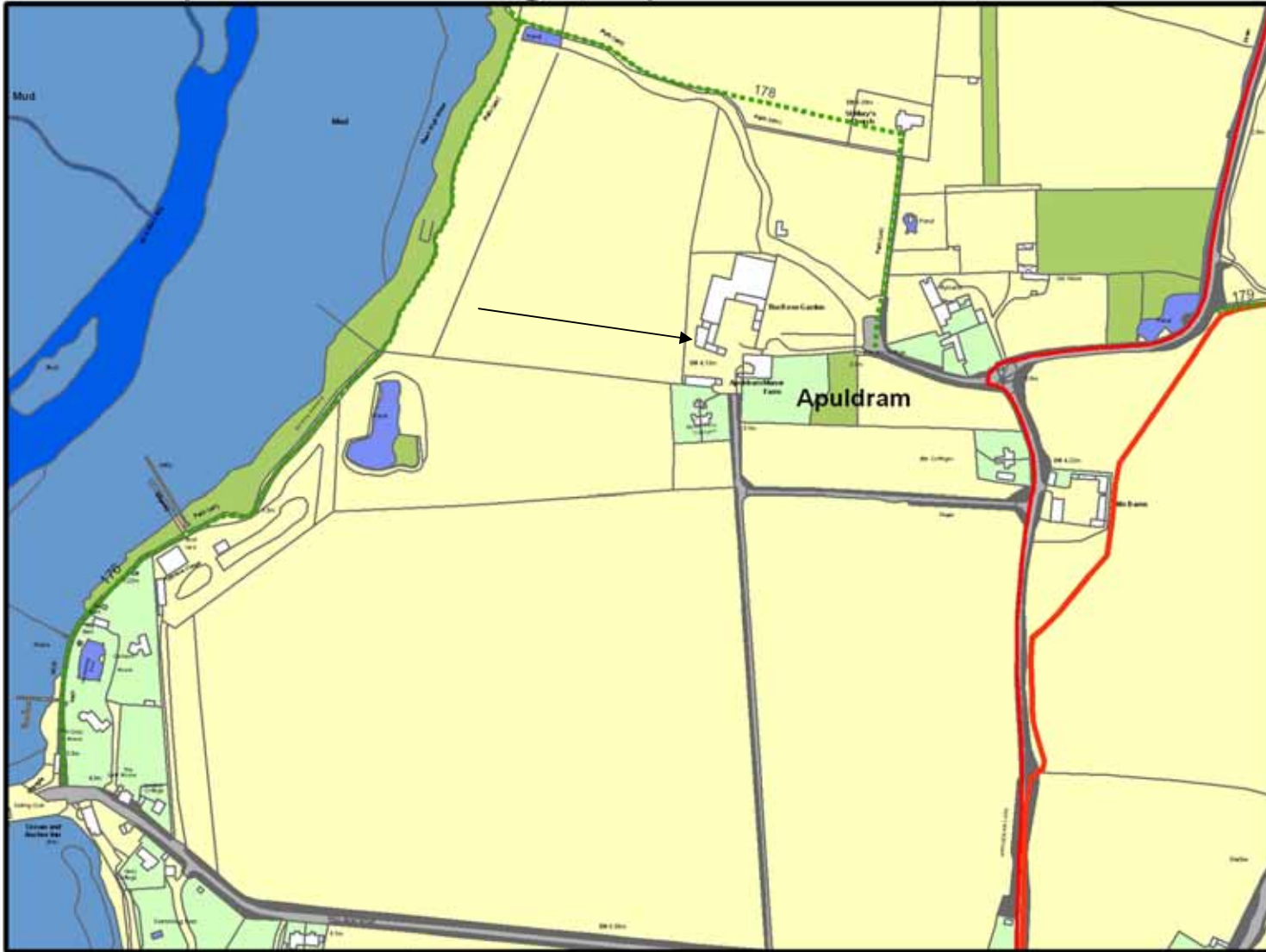
The proposed conversion incorporates a minimal number of new openings, and the proposed materials would be sympathetic to the existing building and surrounding farm buildings. The small extension of the external terrace would remain within the curtilage of the existing farmyard and would therefore not encroach into the adjoining countryside. The impact on the wider AONB landscape would be very limited, although the buildings may become more visible during the winter months. We would therefore ask for suitable conditions to be imposed to control the proposed materials, to require the retention of the western boundary planting, and to restrict the converted barn to holiday occupancy use.

### **Manager & Harbour Masters Recommendations**

Propose no objection but ask that the following matters be negotiated if possible: -

- Suitable condition to require a schedule/samples of proposed materials;
- Retention of the western boundary planting;
- Suitable condition to restrict the use of the building to holiday let accommodation only.

# Apuldram Cottage, Apuldram Manor Farm



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**WI/10/02594/DOM - FAIRFIELD, THE STREET, ITCHENOR, CHICHESTER, WEST SUSSEX. PO20 7AE - ERECTION OF SAIL STORE WITH PLAYROOM OVER (ALTERNATIVE TO WI/04/03887/DOM).**

**Planning Policy Framework**

PPS 7 paragraph 21; RE1, RE4, BE11, BE12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

**Manager & Harbour Masters Comments**

These were the Conservancy's comments on the original application for the demolition of existing garage and erection of a new building to provide sail store with playroom over (WI/04/03887/DOM refers):-

*"Fairfield is a Stearns style dwelling adjacent to Itchenor car park. The dwelling and its garden are not visible from the wider landscape due to mature trees to the boundaries of the car park. Fairfield is within the built up area of the village although not in a Settlement Policy Area or Conservation Area.*

*It is proposed to demolish the existing garage and replace with a large garage/boat store with accommodation over. The proposed garage would be quite large at 18m<sup>2</sup> and a height of 6.9m. The roof would be barn hipped with a stearns style window to the west elevation which would be visible from the car park. The north elevation of the garage would be visible from the road from the proposed new access.*

*There are other large outbuildings in the vicinity of this dwelling and we would prefer to see the overall height reduced if possible but recognise that it is not visible from the wider landscape. We would also wish to see this garage to have a condition or Section 106 Agreement ensuring that this is used for ancillary purposes only and does not become a separate dwelling contrary to the Councils and Conservancy's countryside policies. Propose no objection but ask that the ridge height be reduced if possible."*

The application was granted permission, but without a reduction in the ridge height of the building. This permission is subject to a condition that the building shall be used 'solely for purposes incidental to the enjoyment of the dwellinghouse'. The approval includes the provision of a new driveway to the main house sited away from the proposed building, while it would have its own vehicular access directly from the road. The building was constructed in 2009 and the new driveway to the main house is currently under construction.

In January 2010 permission was sought for amendments to the approval to incorporate annex accommodation, including retrospective permission for a gable element on the west elevation (as built, rather than the approved eyebrow dormer), a garden room extension, a bay window with balcony above, and a new porch. The applicant had advised Conservancy officers that the proposed annex accommodation would be for the use of visiting family members, as the applicants have four children and now have thirteen grandchildren. The Conservancy commented that the proposed changes would not be visible in the wider landscape but stressed that it would be very important that any permission was subject to a condition or Section 106 agreement restricting the use

of the building to ancillary accommodation so that the building is not sold, let or lived in as a separate dwelling, as this would be contrary to the Council's and Conservancy's policies designed to protect the countryside from inappropriate development. This was felt to be particularly crucial in this instance due to the resemblance of the proposed building to a small dwelling, and therefore any restriction would need to be obvious to any future occupiers or prospective purchasers.

The applicant subsequently submitted a letter to the Council to state that it now seemed preferable for the annex accommodation to be used by himself and his wife, while their son and his family have the use of 'Fairfield' on their frequent visits to Itchenor.

The Council refused permission in April 2010 on the grounds that the proposed building, by virtue of its proposed use, domestic form, features and design would result in a building which would be tantamount to the creation of a separate dwellinghouse within the designated rural area and would be detrimental to the rural character of the area.

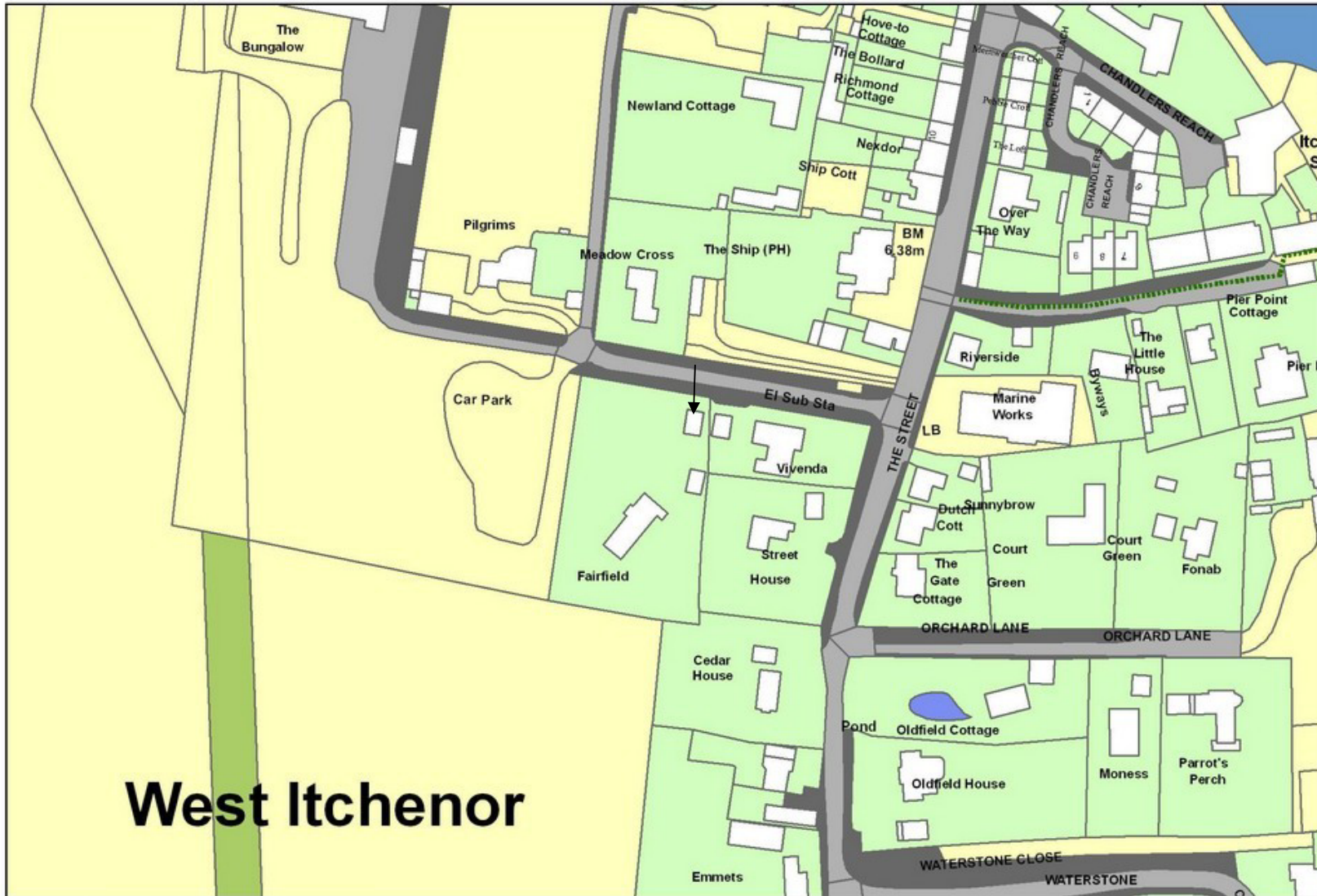
The current application seeks permission again to establish the use of the building as habitable accommodation, including alterations to the layout such as the repositioning of the internal stairs, the introduction of a bathroom on the first floor with two additional roof windows, and again, for retrospective permission for the western gable element (as built). No extensions to the building are now proposed.

As with the previous applications, the proposals would have no impact on the wider landscape and in this instance, there would be no noticeable external changes compared with the approved plans apart from the western gable (already constructed). The Council will need to decide whether the deletion of the proposed extensions addresses the previous refusal by reducing the visual resemblance (and likely use) of the proposed building to a separate dwelling. If permission is granted, we would stress again that it will be very important that this is subject to a clearly worded condition, or preferably a Section 106 agreement, to ensure that the proposed building is restricted to ancillary use only and is not sold, let or lived in as a separate dwelling.

### **Manager & Harbour Masters Recommendations**

Propose no objection, subject to a clearly worded condition or preferably a Section 106 Agreement to ensure that the building is not sold, let or lived in as a separate dwelling.

## Fairfield, The Street, Itchenor



# West Itchenor

Map produced by Chichester Harbour Conservancy



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**CHICHESTER HARBOUR CONSERVANCY****PLANNING COMMITTEE****28<sup>th</sup> JUNE 2010****REPORT BY THE MANAGER & HARBOUR MASTER****WEST ITCHENOR CONSERVATION AREA:  
CHARACTER APPRAISAL AND MANAGEMENT PROPOSALS****1 Introduction**

- 1.1 West Itchenor was designated as a Conservation Area in 1976 due to its interesting and important social history, buildings of high architectural quality and its attractive layout with its strong marine character. Conservation Areas are defined as 'Areas of special architectural or historic interest, the character of which it is desirable to preserve or enhance.' Designation as a Conservation Area allows the District Council to formulate specific policies to preserve or enhance the special character of its Conservation Areas.
- 1.2 Chichester District Council has recently carried out a Character Appraisal of the Conservation Area with accompanying Management Proposals, in order to improve the community's understanding of the historical context of the area, clearly define what it is about the character or appearance of the area which should be preserved or enhanced, make a clear assessment of the area's negative features, and identify opportunities for improvement (including a structured programme for those improvements), helping to guide future development and planning policies, and finally, to carry out a comprehensive review of the boundary to the Conservation Area and confirm any necessary changes to the boundary. The West Itchenor Village Design Statement (2004) provided a useful background to the work.
- 1.3 This report sets out a summary of the District Council's Character Appraisal and Management Proposals for West Itchenor, followed by the brief comments of the Manager and Harbour Master.

**2 The Character Appraisal**

- 2.1 The Character Appraisal sets out a summary of the key characteristics of the area. It describes West Itchenor as a small village with a population of around 500, located in a rural setting on the Manhood peninsula overlooking Chichester Harbour. It has a strong marine character, and falls within the Chichester Harbour Area of Outstanding Natural Beauty (AONB), which was designated in 1964. The Harbour area is covered by various European and National nature conservation designations. The village lies along a north-south country lane (The Street) which terminates at the Hard, an area of beach which is used for boat storage and launching. There are outstanding views from the Hard over the water towards Bosham Hoe. The village has a long standing relationship with the sea and estuary – boat building and the sailing club both provide an important constituent to the local economy.

- 2.2 The character of the coastal area is constantly changing as the tides ebb and flow exposing areas of mudflats and salt marshes, and the sounds of the water, seabirds and wind passing through the rigging on boats can be heard. Many small jetties and piers project into the Harbour, with a high concentration of moored yachts and sailing activity, giving a bustling character; the offices of Chichester Harbour Conservancy are located close to the Hard – this mixed economy means the village is active during the day, although many of the residential properties are used as second homes. There is a pleasing but untidy mixture of boats, cars and more modern buildings.
- 2.3 Buildings closer to the Hard lie close to the pavement and are mainly arranged in groups, whilst further south there is more dispersed development with detached houses set in larger plots with boundaries to the road. The majority of the older buildings (many of which are listed) lie close to the Hard, with a mixture of 20<sup>th</sup> century houses and bungalows between the historic core and St. Nicholas' Church. Itchenor Sailing Club was originally two separate cottages dating to the 17<sup>th</sup> century and two notable groups of listed houses lie close to the Hard, forming two short terraces of varied details dating to the 18<sup>th</sup> and 19<sup>th</sup> centuries. The use of red and blue brick or painted stucco is characteristic of these properties, with handmade clay tiled roofs. Some of the 1920s and 1930s properties were constructed by local builders 'Stearns' with picturesque thatched roofs and eyebrow dormers. Flint or brick walls of varying heights, or hedges, are the traditional boundaries.
- 2.4 The following features of importance to the whole of West Itchenor are currently outside the Conservation Area:
- St Nicholas' Church is grade I listed and retains a 12<sup>th</sup> century core with mainly 13<sup>th</sup> century walls;
  - The Old Rectory is grade II listed and dated to the 15<sup>th</sup> century – it is timber framed with brick infill and a steeply pitched tiled roof;
  - A number of 1920s or 1930s houses with attractive details; and
  - The village pond, the River Haven, and associated trees and green spaces.
- 2.5 The Character Appraisal goes on to describe in some detail the unique characteristics of the area, including its location and activities, topography and geology, landscape setting and biodiversity; historical development including archaeology and early history, and medieval and later history; spatial analysis including layout and street pattern, open spaces and trees, focal points, buildings, views and vistas, boundaries and public realm; the buildings of the Conservation Area including building types, Listed buildings, 'positive' buildings, building styles, materials and colours; and negative features and issues affecting the village.
- 2.6 Negative features identified by the Council include some poor quality modern development, including the visually obtrusive 'River House' in Spinney Lane with its dominant glazed elevation facing the Harbour; a 'gated' development of the mid 1990s ('Chandlers Reach'); the double garage doors to 'The Loft'; a certain amount of street clutter including the Southern Water box next to the Hard (opposite the Harbour Office); and general pressures such as high visitor numbers at peak times causing conflict and congestion; busy and fast traffic in the summer months; and the lack of pavements along Itchenor Road.

### **3 Additional restrictions applying to Conservation Areas**

- 3.1 Designation as a Conservation Area brings a number of specific statutory provisions aimed at assisting the 'preservation or enhancement' of the area. These include that publicity must be given to planning applications affecting Conservation Areas (this is usually through advertising in the local newspaper); Conservation Area Consent is required for the demolition of any unlisted building in a Conservation Area; and written notice must be given to the Council before any works are carried out to any tree in the area (subject to minor exceptions). The display of advertisements may be more restricted than elsewhere; and the Council or Secretary of State may be able to take steps to ensure that a building in a Conservation Area is kept in good repair through the use of Urgent Works Notices and Amenity Notices.
- 3.2 Additionally, certain works to dwellings within a Conservation Area, which are normally 'permitted development', will require planning approval from the District Council. These additional controls mean that the amount of building work which can be carried out to a family house or within its grounds without planning approval is substantially less in a Conservation Area than elsewhere. For example, permission is likely to be required for an extension, for external cladding to a dwelling, for alterations to the roof, or for the erection of a structure within the garden. It is always advisable to check with the Council before commencing any work.
- 3.3 Where a building is statutorily listed, different legislation applies which requires Listed Building Consent for any internal or external alterations which affect the special architectural or historic interest of the building. Commercial properties or flats have far fewer permitted development rights and therefore planning permission is already required for many alterations to these buildings.

### **4 The Management Proposals**

- 4.1 The Management Proposals make recommended actions including a Conservation Area boundary review, the protection of views into and out of the Conservation Area; the protection and enhancement of the maritime and rural qualities of the area; the threat of further development including infilling between existing properties and the intensification of existing sites through overdevelopment; the need to control traffic through the Conservation Area (including improved pedestrian and bicycle provision); the control of minor alterations on the unlisted houses and cottages; and the rolling out of a list of 'locally listed' buildings within the Conservation Area or potentially further statutorily listed buildings.
- 4.2 Government policy set out in PPS5 'Planning for the Historic Environment' makes it clear that Conservation Areas are not just 'preservation' areas. Change is inevitable and the challenge is to manage change in a manner that does not lose sight of the special historic qualities of a place. Both the Conservation Area Character Appraisal and the Management Proposals will be subject to monitoring and reviews on a five yearly basis.

## 1) Conservation Area Boundary Review

- 4.3 It has become common practice to expand existing Conservation Areas to include areas beyond the core of historic buildings, to include more dispersed historic development or landscape and archaeological features.
- 4.4 The Management Proposals therefore propose extending the West Itchenor Conservation Area boundary to include 'Pilgrims' and the whole of its garden (a well built and attractively detailed house located opposite the public car park, which retains its well detailed frontage and thatched roofs, and includes a contemporary outbuilding with an eyebrow dormer window). The Council considers that both buildings are 'positive' and 'Pilgrims' also forms a group with two other buildings of similar age, 'Fairfield' and 'Meadow Cross'.
- 4.5 It is also proposed to add the continuation of The Street (Itchenor Road) and the eastern side of West Itchenor as far as Spinney Lane, which will include the grade II listed 'Old Rectory', the grade I listed 'St Nicholas' Church', and a number of 1920s and 1930s houses which are considered to be positive, including 'Lower Field', 'Grapnel', 'Rathane Cottage', 'Pink Cottage', 'Wayside Cottage', 'Fosse Cottage', 'Church Farm Cottage', 'Limpet', 'Rosiane', 'Old Farm Cottage', and 'The Studio'. The proposed extension will also include the village pond and wooded Nature Reserve. The Council considers this extension justified given the attractive streetscape, with mainly 1920s or 1930s houses set back from the road with large plots and a variety of mature trees, where changes have not adversely affected the character of the area. The Council considers the inclusion of St Nicholas' Church as extremely important given its grade I listed status and obvious contribution to the streetscape in this part of West Itchenor. Views over the gardens of the properties are attractive and the green open spaces, including the village pond and the River Haven all contribute to the special interest of the area.
- 4.6 The Council proposes to designate these two additional parts of West Itchenor as part of the Conservation Area.

## 2) The protection of views into and out of the Conservation Area

- 4.7 The Council has shown 'important views' within the existing and proposed Conservation Area on the Townscape Appraisal Map. The siting of West Itchenor on the shore of the Harbour provides the village with a unique location with particularly notable views across this area of water – there are also important views of West Itchenor from the Bosham peninsula and Bosham Hoe. In addition, there are views from within the village which take in the various areas of fields and woodland which surround the village. The Council argues that these 'gaps' need to be protected from future development and the openness of the landscape maintained.
- 4.8 The District Council proposes to ensure that all proposals for new development in or around the West Itchenor Conservation Area protect or enhance existing views.

- 3) The protection and enhancement of the maritime and rural qualities of the Conservation Area
- 4.9 The Council point out that West Itchenor benefits from its waterside location and the attractive surrounding landscape, but that the impact of leisure related activities needs to be controlled so that they do not detract from the tranquillity and general ambience of the area. Visitors, residents and businesses need to respect the special qualities of the village and work together to ensure that these are not adversely affected.
- 4.10 The District Council therefore proposes to work with Parish Councils and the local community to preserve and enhance the special maritime and rural qualities of the Conservation Area.
- 4) The threat of further development including infilling between existing properties and the intensification of existing sites through overdevelopment
- 4.11 The attractive location and pressure for sailing-related activities means there is pressure for new houses, or most commonly, the replacement of an existing house with a much larger and more imposing building. Examples can already be seen in Spinney Lane. The District Council aims to be constantly vigilant to ensure that new development is of an appropriate scale, height and materials, and considers that while in some locations a modernist approach might be acceptable, in most of the Conservation Area development should be two stories, using traditional materials such as brick and clay roof tiles. Extensions should be sympathetically detailed and should not overwhelm the garden in which the building sits. Existing plot ratios should be maintained or at least only slightly increased, and any applications to demolish buildings which are considered to be 'positive' are unlikely to be approved.
- 4.12 The District Council aims to ensure that all new development within or on the edges of the Conservation Area is carefully designed and sympathetic to its surroundings.
- 5) The need to control traffic through the Conservation Area, including improved pedestrian and bicycle provision
- 4.13 A traffic count in August 2001 recorded over 250 traffic movements a day in each direction along Shipton Green Lane – this will increase at peak times. The provision of the public car park has helped to reduce on-street parking although it does inevitably draw more visitors in. There is general agreement that the existing pavement provision is inadequate in places (particularly around St Nicholas' Church), and that bicycling is not encouraged. The 30mph speed limit helps although further limits might be advisable, especially during the summer and at weekends. However, the local community is keen to protect the informal nature and 'country lane' character of the lane leading into the village, which does not have street lighting, or in places, pavements. All future traffic measures must be carefully designed, using traditional materials and low key details with the minimum of signage, so the character of the Conservation Area is not adversely affected.

4.14 The District Council proposes that, as opportunities arise and subject to funding, West Sussex County Council, the District Council, the Parish Council and the Itchenor Society will work together to improve safety for all road users in West Itchenor, while maintaining the rural qualities of the Conservation Area.

6) The control of minor alterations on the unlisted houses and cottages

4.15 The Council notes that some of the unlisted 'positive' cottages and houses in the Conservation Area have been adversely affected by the insertion of UPVC windows or doors. These changes are 'permitted development' which could only be controlled by the Council through the imposition of an Article 4 Direction – this is usually used to control minor changes to unlisted family dwellings in Conservation Areas. It does not preclude such changes taking place, but it means that planning permission has to be sought and this allows the merits of a proposal to be considered against the conservation interests.

4.16 Article 4 Directions are made under the General Permitted Development Order (1995, as amended) and can be served by a local planning authority to remove permitted development rights where there is a real threat to a particular residential building or area due to unsympathetic alterations or additions. The Direction will include a schedule of changes that will now require planning permission. Examples of 'permitted development' which could be removed include house extensions, painting, changes to the roof, the removal of chimneys, replacement windows and doors, and the creation of car parking in front gardens and removal or replacement of front boundaries.

4.17 The Council considers there are many unlisted family dwellings in the existing and proposed West Itchenor Conservation Area which would benefit from these additional constraints, and that the serving of an Article 4 Direction would incrementally improve the character and appearance of the Conservation Area. An Article 4 Direction could be focussed on groups of buildings rather than the whole Conservation Area, and will require a photographic survey to record the present condition of the buildings, and written guidance provided to householders.

4.18 The District Council proposes to consider serving an Article 4 Direction on the West Itchenor Conservation Area, to cover all unlisted dwelling houses.

7) Local and statutory list

4.19 The list of statutorily listed buildings in West Itchenor has not been reviewed since the 1980s. A number of buildings may therefore be eligible. 'Locally listed' buildings are buildings or other features of local significance which, although not statutorily listed, are important to the history, appearance, character and cultural value of the District. There is no list of 'locally listed' buildings for West Itchenor at present. The District Council has recently compiled a list for Chichester City, and proposes to extend this to other areas. Local listing is emphasised in the recently published PPS5. It would be necessary to acknowledge the Local List in planning policy and state the circumstances in which it will affect planning decisions.

4.20 The District Council therefore proposes, in association with the Parish Council, to consider drawing up a 'Local List' for the West Itchenor Conservation Area.

5 The District Council's Action Plan: the next 6 - 18 months:

- Formal adoption of the Conservation Character Area Appraisal as a material consideration in determining planning applications and to inform future historic environment policies;
- Formal adoption of the Management Proposals as a supporting document to a potential future Historic Environment Supplementary Planning Document (SPD);
- Make amendments to the Conservation Area boundary as set out above;
- Establish a policy and updated criteria for Local Listing;
- Use community involvement to select buildings and structures for the Local List.

5.1 The District Council's Action Plan: 18 months – 3 years:

- Serve an Article 4 Direction on the West Itchenor Conservation Area;
- The Parish Council, District Council and County Council will consider ways of improving pedestrian safety and reducing the speed of through traffic;

5.2 The District Council's Action Plan: Continuous tasks:

- Preserve 'positive' buildings from unsuitable alterations, extensions or demolition through the usual development control procedures;
- Ensure that development control practice requires planning applications for material changes such as new windows or roof materials on unlisted commercial properties;
- Guarantees that all new development in the Conservation Area is of the highest quality, with particular reference to rooflines, bulk, materials and details;
- Monitor changes in the Conservation Area, including producing and regularly updating a photographic baseline which should never be more than 4 years old;
- Review of the Conservation Area Appraisal on a five year basis;
- Carry out a review of these Management Proposals on an annual basis.

## **6 Comments Of The Manager And Harbour Master**

6.1 The Conservation Area Character Appraisal and Management Proposals are considered to be a very positive way of providing useful detail and analysis to help guide future development and planning policies. By outlining the characteristics of the Conservation Area which are considered to be positive, it should encourage the preservation, enhancement or replication of these features in new development; and by identifying those features which are negative, it should help to avoid these being replicated in the future.

- 6.2 The document will provide a useful tool, to be used alongside the Chichester Harbour AONB Landscape Character Assessment (2005), the Itchenor Village Design Statement (2004) and the AONB Design Guidelines for New Dwellings and Extensions (2007, currently being updated), and will help to provide the clarity, detail and robustness needed in decision making, and make issues more defensible in decisions and planning appeals. This will assist the Conservancy in its role of planning consultee by providing additional detail and guidance to support decisions on individual planning applications. It will also assist the Conservancy in its role as a consultee for strategic level policy documents as the District Council progresses with its local development framework. We would like, however, to see reference to the above documents within the Character Appraisal, as currently the only document referred to is the Village Design Statement.
- 6.3 Conservancy officers are supportive of the proposed Conservation Area boundary extension as this will extend this level of protection further south and increase the size of the (currently) small Conservation Area by more than 100%. The inclusion of the more dispersed, attractive 20<sup>th</sup> century houses, the grade I listed St Nicholas' Church, the grade II listed 'Old Rectory', the village pond, River Haven and important groups of trees is felt to be fully justified given the high quality of these areas and their contribution to the amenity of the village. The additional controls that will come with the extended Conservation Area boundary, including controls over works to trees and to extensions and alterations to dwellings, will be welcomed by Conservancy officers and where planning applications will become necessary, this will allow the merits of such proposals to be considered against the wider conservation objectives of the area, hopefully ensuring only high quality development occurs.
- 6.4 Similarly, the proposals to protect views, the maritime and rural qualities of the area and to be vigilant in ensuring that new development (including replacement houses) are of an appropriate scale, height and materials, whilst already being advocated by the Conservancy through their planning role and the AONB designation (and raised in the various related documents mentioned above), are obviously welcomed, as any additional level of protection will assist in these collective aims.
- 6.5 The presence of both an AONB and a Conservation Area designation (which focus on different attributes) should provide the maximum protection for the majority of West Itchenor from inappropriate development, particularly as the Council and other public bodies have a 'duty of regard' under the relevant Acts to the purpose of both designations.
- 6.6 Conservancy officers agree that traffic in the Conservation Area can detract from the character of the area and would therefore welcome proposals to address this issue. We would be keen to be involved in any consultation process relating to this. Similarly, we would be keen to be involved in the consultation process relating to any proposed Article 4 Direction and the proposed list of 'Locally Listed' buildings; and would agree that the character of West Itchenor fully justifies this approach and that in particular, a 'local list' for the area is long overdue.

- 6.7 Conservancy officers have noticed a few minor errors (or 'typos') in the document and have drawn these to the attention of the District Council, including reference to The Harbour Office as 'The Customs House'.
- 6.8 Overall Conservancy officers are fully supportive of the West Itchenor Conservation Area Character Appraisal and Management Proposals with its accompanying Action Plan, and would welcome the opportunity to be involved in the progression of the 'actions' to help ensure that the character of West Itchenor Conservation Area continues to be preserved and enhanced.

## **7 Recommendation**

It is recommended that Members note the above report providing a summary of the Council's Draft Character Appraisal and Management Proposals for the West Itchenor Conservation Area, and that the supportive comments in paragraphs 6.1 to 6.8, which have already been sent to the District Council in order to meet the deadline for comments, are approved, with any additional comments added following discussion by the Committee.

**CHICHESTER HARBOUR CONSERVANCY**

**PLANNING COMMITTEE**

**28<sup>th</sup> JUNE 2010**

**REPORT BY THE MANAGER & HARBOUR MASTER**

**DEVELOPMENT CONTROL APPLICATIONS DETERMINED UNDER MEMBERS DELEGATED POWERS**

**BO/10/02220/DOM**

SEAGRASS, SMUGGLERS LANE, BOSHAM, CHICHESTER, WEST SUSSEX  
DETACHED STORE / SAIL LOFT

PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE14, H12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2009-2014: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

MANAGER AND HARBOUR MASTERS COMMENTS

'Sea Grass' is a detached, modern timber clad dwelling built in 2000, situated on the north side of Furzefield Creek, Bosham. The existing house is viewed from the Harbour but fits well into the treed backdrop due to its design and use of natural materials in darker tones. There is a small pitched roof store in the northwest corner of the plot, close to the boundary with Smugglers Lane.

The application seeks to demolish the store and replace it with a larger, detached workshop/store with sail loft above. This would have a staggered mono-sloping roof of cedar shingles incorporating vertical rooflights to match the main house, and would be approximately 4.35 - 4.8 metres high to the ridges, with the footprint measuring approximately 7 x 5 metres. The elevations would be clad in cedar boarding with stained timber windows and doors, all to match the main house. An earth bund would be created around the north, east and west sides of the building to safeguard against flooding, while a new native hedgerow would be planted on top of the bund. All trees would be retained with the exception of a Willow tree which is in a poor state of health, as demonstrated in the tree report submitted with the application.

The proposed new sail workshop/store would be visible from Smugglers Lane, but due to its scale, design and materials in combination with the proposed planting, would not be overly dominant within the street scene. The new building would be substantially larger than the existing store and therefore may be visible from the Harbour, however, it would not be unduly intrusive due to its position set back from the house from this perspective and for the reasons given above.

DATE CONSIDERED

15/06/10

CONSIDERED BY

Manager and Harbour Master under Members' delegated powers - *21 days fell before the committee*

## DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- A suitable condition to require that the existing planting be retained and new planting provided, as set out in the application.

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## **BO/10/01673/DOM**

WATERSIDE BOSHAM HOE, BOSHAM, CHICHESTER, WEST SUSSEX. PO18 8ET  
MINOR CHANGES TO CONSENT BO/07/01480/DOM AND RE-SITING OF TIMBER SHED.

## PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE14, H12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

'Waterside' is a large detached and quite imposing house fronting the Harbour at Bosham Hoe, with brick and tile-hung elevations and brilliant white window frames, including several pitched roof dormers providing accommodation within the roof. Various permissions have been granted for extensions to the property, and there is also consent for a replacement dwelling from 2008.

The current application seeks changes to a previous permission in 2007 for extensions to the property, to which the Conservancy did not object. These changes include the re-siting of a proposed timber shed to the northwest side of the plot, a change from the approved hipped roofed side extension to a flat roofed conservatory-style side extension with a roof lantern; and minor amendments to the design of the approved rear extension including an increase in height of the roof and the inclusion of a greater number of dormers, with pitched roofs.

The most visible change from the Harbour would be the proposed conservatory-style side extension. This would be no wider than the approved side extension and due to its flat roof design, would be less high, at 3.1 metres as opposed to 5.4 metres at the ridge of the approved extension. The windows would be vertically subdivided. These changes in the design would not make the proposed extension more intrusive than the approved scheme; however, we would ask that a suitable condition is imposed to require a schedule or sample of materials to be agreed, including the proposed parapet above the windows, and would seek to avoid a large white fascia which would draw the eye to the extension from the wider landscape to the south.

The remaining changes would either not be visible from the Harbour and/or would result in improvements to the approved design, including the appropriately proportioned traditional pitched roof dormers.

## DATE CONSIDERED

15/06/10

## CONSIDERED BY

Manager and Harbour Master under Members' delegated powers - *21 days fell before the committee*

## DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- A suitable condition be imposed to require a schedule or sample of materials to be agreed in writing, including the proposed parapet above the conservatory windows.

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## **WI/10/01760/DOM**

TIDEMARK SPINNEY LANE ITCHENOR CHICHESTER WEST SUSSEX PO20 7DJ

REPLACEMENT WINDOWS; TWO STOREY REAR EXTENSION AND NEW ENTRANCE PORCH.

## PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE14, H12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

'Tidemark' is a very large detached dwelling fronting the Harbour on Spinney Lane. It is very prominent as viewed from the water to the north due to its exposed position, white elevations and the substantial width of built frontage facing the Harbour. It is set within a wooded, rural part of the landscape (outside any defined built-up area within the Local Plan) and is also visible from the public footpath running along Spinney Lane itself, to the south, although it is less exposed from this perspective due to a mature boundary hedge in excess of 2 metres high along the road boundary. The east and west boundaries are lined with mature trees and hedges. The existing building is made up of various elements including several gable features and is finished in white render, with black mock tudor boarding and matching window frames, and orange plain tiles to the roof. There are also several outbuildings, including a tennis pavilion close to the waterside (opposite a tennis court also situated close to the waterfront), a workshop building and garage/cottage outbuilding to the west side of the main building, and a larger garage building to the east side, close to the boundary with the road.

Members will recall two applications in 2009 for the demolition and replacement of the main house; and for the replacement of the various outbuildings (09/03424/FUL and 09/03423/DOM respectively). The Conservancy commented on both applications and helped to achieve improvements to the schemes; which were subsequently approved by the District Council.

The current application seeks to retain the existing dwelling and to erect several extensions, including a new entrance porch and sunroom on the south (non-Harbour-facing) elevation, and a part single/part-two-storey extension with balcony above, a gable extension, and a pergola extension on the north (Harbour-facing) elevation. It is also proposed to replace all the existing windows with new, vertically divided windows (in black painted timber to match existing) to provide a more uniform appearance to the building. Elevation and roof materials for all the extensions would match the existing house.

Pre-application advice was sought from Conservancy officers and while many elements of the design were acknowledged as being positive and reflecting features encouraged in the AONB Design Guidelines, such as deep overhanging eaves and vertically divided window frames, concern was expressed about the size of the extension with balcony above proposed on the east end of the north elevation, and it was requested that this be reduced to line-through with the adjacent projection (the existing kitchen/proposed living

room).

The extensions would be of a modest scale in relation to the main house, with the exception of the proposed extension with balcony above to the east end of the north elevation, which would extend some 6 metres beyond the existing house (including the projecting balcony above), which would bring this element slightly beyond the closest part of the existing building to the Harbour (this being the unsympathetic extension on the western end of the north elevation). Whilst this element has been reduced slightly since pre-application discussions; we would still prefer to see this element reduced so that the ground floor extension does not extend beyond the proposed living room (and therefore the balcony above does not extend beyond the western end of the north elevation). Otherwise, the proposed extensions are considered to be sympathetic and an effort has been made to provide interest to the elevations by breaking up the horizontal emphasis of the existing building, creating shadow, depth and articulation, and creating a more sympathetic and coherent window design.

#### DATE CONSIDERED

15/06/10

#### CONSIDERED BY

Manager and Harbour Master under Members' delegated powers - *21 days fell before the committee*

#### DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible: -

- Proposed family room extension with balcony above be reduced in depth so that the overall extension projects no further north than the existing house;
- Schedule/samples of materials to be agreed in writing; to include the finish to the wooden pergola and balcony posts/balustrade.

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#### **CC/10/02034/FUL**

THE HERITAGE, WINDEN AVENUE, CHICHESTER, WEST SUSSEX

PROPOSED DEVELOPMENT OF 97 DWELLINGS COMPRISING 37 OPEN MARKET DWELLINGS (29 X 1 AND 2-BED APPARTMENTS AND 8 HOUSES) AND 60 X 1 AND 2-BED SUPPORTED HOUSING APPARTMENTS WITH ASSOCIATED COMMUNAL SPACES, NEW LANDSCAPED PUBLIC COURTYARD AND COMMUNAL GARDEN.

#### PLANNING POLICY FRAMEWORK

PPS 3; H1, H4, H8, RE7: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2009-2014: WQ1.

#### MANAGER AND HARBOUR MASTERS COMMENTS

'The Heritage' is a site comprising 56 flats within the centre of Chichester City, to the north of Winden Avenue and to the south of The Hornet. Permission is sought for demolition of the existing buildings and the erection of 97 dwellings, including 29 flats, 8 houses, and 60 supported apartments, incorporating a new landscaped public courtyard and communal garden. This would result in a net increase of 41 dwellings.

The Conservancy notes that the site lies within the existing Settlement Policy Area and approximately 2.5km from the AONB boundary. As such, a development of this size some distance from the AONB and Natura 2000 site is preferable to those in closer proximity.

However, the Conservancy and Natural England have previously raised concerns over increased demand which will be placed on Chichester Waste Water Sewage Treatment Works (WWTW) from housing developments such as the one proposed, in particular during times of high rainfall and ground water levels. It is during these periods where the capacity of the WWTW is exceeded and storm discharge events occur resulting in sewage which has only been passed through a 6mm screen to enter direct into Chichester Harbour. Such inputs not only increase the nutrient loading within the designated Natura 2000 receiving waters but also pose public health risks to water users in one of the busiest recreational harbours on the south coast. We, therefore, have no option but to object in principle to the development in its current form in terms of fate of wastewater and the potential impact upon Chichester Harbour.

We would therefore wish to see:

- A suitable wastewater treatment solution developed for this large development in the first instance to remove the increased demand on the Apuldram WWTW.

#### DATE CONSIDERED

15/06/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *21 days fell before the committee*

#### DECISION

The Local Planning Authority is advised that the Conservancy recommends refusal of this application.

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#### **WW/10/02123/DOM**

TIDES REACH, ROOKWOOD LANE, WEST WITTERING, WEST SUSSEX, PO20 8QH  
SINGLE-STOREY SIDE EXTENSION AND LOFT CONVERSION.

#### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE14, H12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

#### MANAGER AND HARBOUR MASTERS COMMENTS

'Tides Reach' is a detached two-storey house fronting onto the Harbour at Rookwood. A public footpath runs past the front and side of the property and then southwards along the shore to the south of the site. There are clear views of the front of the house from the footpath. There are also views of the rear from the Harbour itself, although it sits within a group of trees which soften these views and limit them from certain areas.

The application seeks permission for a single-storey extension to the north side of the property, to replace an existing single-storey store and boiler room. The extension would be approximately 4.9 metres high (the existing house is 8.3 metres high) and would have a hipped roof with 2 projecting glazed gable elements, including one on the west end facing the Harbour. Materials would be handmade clay tiles to the roof, brick walls to match the existing house, and white painted timber windows to match existing (as confirmed by the applicant, rather than the previously proposed white UPVC). It is also proposed to convert the existing roof space into 2 further bedrooms, including the installation of 2 rooflights on the front roof slope and the erection of 4 dormer windows (2 on the front and 2 on the rear). The dormers would be small flat roofed additions set below the ridge and spaced above existing windows.

The proposed single-storey extension would be a subservient addition of good design and would not dominate the existing front elevation. It would not be visible from the Harbour due to the position of the existing mature trees within the garden. The proposed dormer windows would be of acceptable proportions which would not interrupt the original form of the roof and would relate satisfactorily to the existing building. We have suggested that the rear dormer window frames (facing the Harbour) should be left in a natural or a dark wood stain rather than painted white, so as to reduce their visual impact when viewed from the wider Harbour to the west, and the applicant has confirmed their willingness to accord with this suggestion.

DATE CONSIDERED

15/06/10

CONSIDERED BY

Manager and Harbour Master under Members' delegated powers - *21 days fell before the committee*

DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Schedule/sample of materials to be agreed in writing, to include timber window frames to match existing;
- Rear dormer window frames to be stained in a natural or dark wood stain;
- Retention of trees and planting to rear of dwelling.

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**BI/10/01041/DOM (AMENDED PLANS)**

HARBOUR HOUSE, 22 GREENACRES, BIRDHAM, CHICHESTER, WEST SUSSEX, PO20 7HL  
TWO STOREY FRONT EXTENSION. SINGLE STOREY REAR EXTENSION. NEW AND REPLACEMENT GARAGE/WORKSHOP. ASSOCIATED WORKS AND LANDSCAPING.

PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE14, H12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

MANAGER AND HARBOUR MASTERS COMMENTS

Amended plans have been submitted showing a reduction in the size of the proposed north extension at first floor level so that the ridge line would only project 2 metres from the main roof, as opposed to 3.4 metres. At ground floor level, the extension would still project as far as the existing swimming pool extension, with a simple mono-pitched matching zinc roof in a brown tone.

The other significant change to address our concerns has been a reduction in height of the main roof from 9.3 metres to approximately 8.6 metres high. This has altered the overall proportions of the proposed house, which would now be more balanced, including a full hip on the west side. The roof would incorporate small flat sections at the top due to this reduction in height; however, it is felt that provided these are finished with ridge tiles, these could be sufficiently disguised. Overall the changes made address our previous concerns and therefore we would support this application, subject to suitable conditions.

DATE CONSIDERED

15/06/10

## CONSIDERED BY

Manager and Harbour Master under Members' delegated powers - *21 days fell before the committee*

## DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Schedule/sample of materials to be agreed in writing to include appropriate ridge tiles;
- Boundary planting to be retained as stated in the application;
- Two-storey annex and garage/workshop to remain ancillary to 'Harbour House' and not to be sold, let or lived in as separate dwellings or used for commercial purposes.

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## **BI/10/01871/DOM**

THE MOORINGS, WESTLANDS ESTATE, BIRDHAM, CHICHESTER, WEST SUSSEX, PO20 7HJ

PART DEMOLITION OF GARAGE AND CONSTRUCTION OF TWO-STOREY SIDE EXTENSION AND FIRST FLOOR EXTENSION OVER EXISTING FLAT ROOF OF DWELLING.

## PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, H12, BE14: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

'The Moorings' is a detached, two-storey house fronting the Harbour at the Westlands private estate in Birdham. The property has an unusual design with two 'Dutch barn' gable faces fronting the Harbour. The house is painted white including the gable faces, with dark tiles to the roof. The second, smaller gable-face onto the Harbour appears as a detached annex although is linked to the main house at ground floor level. There is also a detached flat roofed garage and workshop building alongside this. The house is visible from an angle from the foreshore footpath running past this row of properties, and is clearly visible from the main Harbour channel, in a treed setting which forms a backdrop particularly from the northwest, due to the line of mature trees running along the northeast side boundary and meeting the foreshore. The existing garage and workshop building is hardly visible from the Harbour due to its low form and dark materials.

Permission is sought for a first floor extension above the existing single-storey link between the two gable faces, and for a two-storey extension to the northeast side of the smaller gable face, extending the ridge of the roof by approximately 6 metres beyond this gable face, at a height of 6.4 metres (to match its height and the height of the infill first floor extension - the existing property and larger gable face is approximately 7.5 metres to the ridge). Part of the existing garage/workshop building would be demolished to make way for the two-storey extension. Materials would include matching dark roof tiles, and grey/brown weatherboarding to the existing white-painted gable faces, white window frames to match existing, brickwork at ground floor level and re-painted existing ground floor elevations in 'mid stone'. The applicants explain that the proposed materials have been chosen carefully to merge with the existing trees that form a backdrop to the house when viewed from the footpath and Harbour, which will mean that the house no longer stands out against this wooded backdrop. It is also stated by the applicant that the total volume of the extended house and reduced garage are 6% larger than existing.

While it is acknowledged that proposed materials have been carefully selected and that the re-facing of the existing gable faces fronting the Harbour in grey/brown weatherboarding would reduce their visual prominence in wider views and therefore this approach is to be encouraged; it is considered that for the amount of accommodation gained by the proposals, the increase in the developed frontage of the property onto the Harbour, and its perceived bulk and massing from this perspective would be excessive. While the Conservancy encourages the use of more restrained materials and finishes that respond to the wooded and rural landscape setting; this does not automatically make acceptable such a substantial increase.

The proposals would extend the property into a wide but relatively narrow footprint, and unfortunately the maximum impact of this would be felt in views from the Harbour and wider landscape to the north and northwest. We would ask that the applicant considers repositioning the proposed two-storey extension to the south side (front) of the property so that the developed frontage, bulk and massing as perceived from public views in the wider landscape is significantly reduced. At present, the proposed extensions would almost double the perceived width of the building from these perspectives and as such, the application is considered to contravene policies C1 and H12 of the Local Plan, and policy B2 of the planning guidelines contained within the AONB Management Plan, by detrimentally increasing the bulk of the building as seen from the coastal footpath and in views from the Harbour channel. The applicant is invited to consider amending the scheme as suggested, to address the Conservancy's concerns.

#### DATE CONSIDERED

28/05/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *21 days fell before the committee*

#### DECISION

The Local Planning Authority is advised that the Conservancy recommends refusal of this application.

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#### **BO/10/01974/FUL**

WALTON FARM, WALTON LANE, BOSHAM, CHICHESTER, WEST SUSSEX. PO18 8QD  
AMENDMENTS TO PLANNING PERMISSION BO/08/01398/FUL. REINSTATEMENT OF CART ENTRANCES AND MINOR AMENDMENTS TO INTERNAL LAYOUTS, FENESTRATION AND EXTERNAL MATERIALS. AMALGAMATION OF GARAGES INTO SINGLE GARAGE BUILDING. REVISION TO SITE AREA.

#### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, RE14, BE11, BE14: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

#### MANAGER AND HARBOUR MASTERS COMMENTS

Walton Farm at Bosham is located to the northeast of the settlement policy area, and within the Strategic Gap. Planning permission was granted in 2003 for the conversion of two disused barns into two dwellings, and was amended subsequently and then renewed in 2008 (08/01398/FUL refers). The two barns lie close to Walton Lane, with the west barn abutting the road. A raised grassed bank runs northwards from this barn leading to the junction with Chequer Lane from which vehicular access leads to the farm.

The Conservancy raised no objection to the 2008 application, subject to suitable conditions to require a schedule of materials and finishes, the removal of permitted development rights for the dwellings, and the submission of a landscaping scheme. The application was approved by the District Council with suitable conditions in accordance with the comments of the Conservancy.

The current application seeks amendments to the approved scheme, to include the reinstatement of the original cart entrances to create two-storey glazed entrances under projecting hips, an increased 'curtilage' area, the combining of the separate approved garages into one single structure, small changes to the ground floor windows and position of rooflights, the use of timber boarding to the yard elevations and gable ends to hide the existing brickwork, and the use of handmade plain clay tiles for the roofs, rather than natural slate.

The proposed shared garage would be an open car port structure providing 4 open bays with small storage sheds on each side, constructed from oak posts and brickwork with a plain clay tiled roof with hipped ends, rising to approximately 5.5 metres high. The proposed windows and two-storey glazed entrances would be constructed from oak frames, while the existing brick and flint walls would remain exposed.

The proposed changes would not make the proposed dwellings significantly more intrusive in the landscape than the approved scheme. The barns are clearly visible from Walton Lane and Chequer Lane although not from the wider countryside. The proposed design and materials are of a high quality and the most visible part of the buildings (the west elevation of the west barn abutting the road) would be treated with very small, narrow windows and an area of boarding and fixed toplights in the position of the bricked up cart entrance, which would provide a low-key appearance to this road elevation in keeping with its existing appearance and former agricultural use.

The layout plan shows the proposed planting strip along the west boundary and we would again suggest that this comprise native species typical of the AONB such as Hawthorn, Holly, Blackthorn, Field Maple and Hazel. However, the layout plan shows a proposed close-boarded fence on the boundary with Walton Lane to the north of the West Barn, we would prefer to see this boundary treated with a post and rail timber fence and hedge as shown for the remaining boundaries, as a close-boarded fence could create a harsh, unsympathetic feature in this exposed position.

#### DATE CONSIDERED

28/05/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *21 days fell before the committee*

#### DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Proposed close-boarded fence on west boundary be amended to post and rail fence and hedge and match remaining proposed boundaries;
  - Suitable conditions be imposed to include again conditions 2, 3 (materials and finishes), 7,8 and 9 (permitted development rights) and 12 and 13 (landscaping) of permission BO/08/01398/FUL.
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## **BO/10/01994/DOM**

TRIPPETS, HARBOUR ROAD, BOSHAM, CHICHESTER, WEST SUSSEX PO18 8JE  
ANCILLARY BUILDING AND REVOCATION OF PREVIOUS CONSENT BO/07/05435/DOM

### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE4, BE11, BE12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009; BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

### MANAGER AND HARBOUR MASTERS COMMENTS

'Trippets' is a detached chalet-style house located at the head of School Rythe, Bosham. The house lies within the Settlement Policy Area and is visible from the wider landscape including from the water to the southwest. The long rear garden was sold off and planning permission was granted for the erection of a new dwelling on this land, which has almost been completed (known as 'Moorea').

Permission was granted in 2007 for a detached boat store and car store to the rear of 'Trippets', of a simple oak framed design with a cedar shingle roof rising to 4 metres high. The Conservancy raised no objection to this application. A further application was submitted in 2009 for an alternative, much larger building to provide a garage and double car port/boat store on the ground floor with a first floor above for use as 'ancillary accommodation', measuring 6.5 metres high to the ridge. The Conservancy raised an objection on the grounds of its excessive height and therefore potential dominance as viewed from the public footpath and Harbour. The application was withdrawn.

The current application seeks permission again for a garage and double car port with ancillary accommodation above, with an amended siting (slightly further from the northeast boundary and towards the Harbour); an amended design (two small pitched roof dormers and one rooflight instead of one larger pitched roof dormer and three rooflights on the Harbour facing elevation); and finally, and a reduced ridge height (5.8 metres high as opposed to 6.5 metres high). As previously proposed, it would be constructed from a green oak frame, stained weatherboarding and a clay tiled roof. It is argued that a building of this height is required in order to screen the first floor windows of 'Moorea' from view from the garden of Trippets, therefore returning a degree of privacy to this garden area behind the house. The applicants also wish to use clay tiles rather than cedar shingles and it is stated that this requires a steeper roof pitch (and therefore a taller building).

The proposed building would be viewed against the backdrop of the new dwelling to the northeast in views from the wider AONB landscape to the west and southwest. On balance, although we still have some concerns with the proposed height and would prefer to see this reduced more in line with the approved scheme, it is not considered that the proposed building would be overly intrusive in the wider landscape, given its position set back from 'Trippets' itself from this perspective and viewed against the new dwelling behind, coupled with its reduction in height in comparison with the previous application, and the use of sympathetic hand-made clay tiles for the roof, which would be the most visible part from this perspective. However, it will be important in minimising impact that all materials and finishes are of a high-quality and darker tones are also used for the elevations and dormer window frames, to avoid the eye being drawn to the new building in wider views across School Rythe. It will also be important that the existing boundary planting surrounding the site, in particular on the foreshore boundary, is retained and managed by condition to soften the impact of the new building. We would ask for suitable conditions to control these matters.

### DATE CONSIDERED

28/05/10

## CONSIDERED BY

Manager and Harbour Master under Member's delegated powers - *21 days fell before the committee*

## DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Schedule/samples of materials to be agreed, to include suitably unobtrusive clay tiles and a dark stain for elevations and window frames;
  - Retention of boundary planting.
- 

## **APP/10/00037**

10 WITTERING ROAD, HAYLING ISLAND, HANTS, PO11 9SP  
FIRST FLOOR FRONT EXTENSION.

## PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; C3, D1, L1, L6: Havant Local Plan 2005. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

10 Wittering Road is a two-storey flat roofed house with brown brick elevations and white painted crittal windows, located amongst this distinctive group of 'art deco' villas fronting onto the Harbour. The existing building has an interesting cube-like form particularly to its front elevation (facing away from the Harbour) due to a wrap-around first floor balcony and stepped first floor accommodation, with a single-storey garage projecting towards the road. The AONB boundary runs across the building itself and excludes Wittering Road, but includes the majority of the building itself, and all of the land to the east, including the garden fronting onto the Harbour. The most important view from the AONB is obtained from the public footpath running along Sandy Point towards Hayling Island sailing club, from where clear views are obtained back across to this row of houses. There are also views of this group of properties from the wider harbour beyond at high tide.

The application seeks permission for a first floor front extension to infill the existing balcony area. This would 'square-off' the frontage and would create a rather solid block-like appearance to the road elevation; however, the extension would be set back several metres from the Harbour-facing elevation. It would be of matching height to meet the existing flat roof, would incorporate several windows on the front and side elevations and a pair of full-height glazed panels on the Harbour-facing elevation. The extension would be clad in blue/black cement tiles.

This property is clearly visible from the Harbour and public footpath leading to the sailing club, although only the first floor is exposed to view beyond mature shrubs and hedgrows on the boundary with the Harbour. It currently appears as one of the smaller, less obtrusive properties in this row which comprises a mixture of styles and materials based around the flat roofed, cube-like 'art deco' design. A replacement dwelling is currently under construction two properties along which is substantially higher than the existing houses along this row.

Whilst it would be regrettable to lose the existing cube-like form which adds interest to the front elevation, from an AONB perspective, the main impact would be from the Harbour (east) side. As the extension would be set back from this elevation and clad in

blue-black tiles, it would not make the building more intrusive to an extent that would be detrimental to the wider AONB landscape. However, we would ask that the new windows match the existing elegant crittal windows as closely as possible and that chunky UPVC is not used, as this would create an unsympathetic appearance and would increase the visual presence of the proposed extension. We would also ask that the side boundary planting to the Harbour-facing garden is retained as this, along with the rear boundary planting to the neighbouring property, helps to soften the impact of the buildings in wider views.

#### DATE CONSIDERED

28/05/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *21 days fell before the committee*

#### DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Details of proposed windows to be agreed (including materials - as not specific in application).
- Side boundary planting to Harbour-facing garden to be retained and managed by condition.

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#### **BO/10/02624/DOM**

SUAKIN, SMUGGLERS LANE, BOSHAM, CHICHESTER, WEST SUSSEX. PO18 8QW  
DETACHED GARAGE BUILDING.

#### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE4, BE11, BE12: Adopted Chichester District Local Plan 1999.  
Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3.  
Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

#### MANAGER AND HARBOUR MASTERS COMMENTS

'Suakin' is a large detached house fronting the Harbour on the western end of Smugglers Lane, Bosham, which was granted permission for extensions, alterations and remodelling in 2004 (BO/04/00532/DOM refers). It is very exposed to view from the Harbour and from Itchenor across the Harbour, and has elevations of cedar cladding, with timber shingles to the roof. The soft colours and natural materials help to minimise the visual intrusion of this large dwelling in the wider landscape.

Permission is sought for the erection of a detached double garage/boat store with a sail loft/hobby room above, within the northeast corner of the plot, set back from the house as viewed from the Harbour. This would have a pitched roof with gable ends and would be constructed from vertical cedar cladding, cedar shingles and stained timber windows to match the main house. It would measure approximately 10 by 8 metres, rising to 6 metres at the ridge (3 metres lower than the main house). There would be areas of glazing on both gable ends at first floor level, however, the impact of this would be minimised by the use of cedar louvres covering the top corners, deep overhanging eaves, and on the most exposed (Harbour-facing) elevation, by the provision of timber staircase and railings which would obscure the lower portion of the glazing from view.

The proposed building would be visible from the Harbour and wider landscape to the south given the exposed position of the site. However, the impact would be softened to some extent by trees within the garden to the south. The proposed building, while substantial, would remain subservient to the main house, and given its set-back position

in relation to the Harbour, its use of cedar in soft colours to match the main house, and design details encouraged in the AONB Design Guidelines, would not be an overly intrusive feature from an AONB perspective. We would ask for suitable conditions to require a schedule/sample of materials, to retain the planting along the eastern boundary as far as possible and to the south of the proposed building; and finally to ensure that the building remains ancillary to the dwelling, and is not sold, let or lived in as a separate dwelling.

#### DATE CONSIDERED

23/06/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *sent out on dispatch but not red-carded by Members for discussion*

#### DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- Schedule/samples of materials to be agreed in writing;
- Planting to the eastern boundary and south of the building to be retained; and
- Proposed building to remain ancillary to 'Suakin' and not to be sold, let or lived in as a separate dwelling.

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#### **BO/10/02177/FUL**

SHIPYARD CABIN WINDMILL FIELD BOSHAM CHICHESTER WEST SUSSEX PO18 8LH  
RAISE BOUNDARY WALL ON NORTH AND EAST BY 500mm.

#### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE1, RE4, BE11, BE12, BE14: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policy B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

#### MANAGER AND HARBOUR MASTERS COMMENTS

'Shipyard Cabin' is a site fronting the Harbour adjacent to Burnes Shipyard in Bosham, outside the settlement policy area, on which a new dwelling was approved in 2008 (reference BO/08/01759/FUL) on the basis of a previous dwelling in this position, which was burnt down some years ago. A public footpath runs past the north side of the site and onto the foreshore where it runs past the western edge of the site. It is therefore a highly visible site from not only the public footpath, but also from the Harbour itself and from the Chidham peninsula for some distance to the west. The approved dwelling is of a traditional design with a pitched, tiled roof over flint and brick elevations. The approved plans include a flint and brick boundary wall 1.25 metres high marking all boundaries of the site, including the boundary with the shoreline footpath (although at this point the wall is approximately 1.6 metres high due to the drop in land levels). Construction work has started, but only the boundary walls have been partially constructed so far and works have stopped while various matters are being agreed or altered from the approved scheme.

This application seeks permission to increase the height of the wall to a maximum of 1.75 metres high on the north and east (side and rear) boundaries, in order to increase the privacy of the site (including the rear garden) for the future occupants.

The applicant approached Conservancy officers prior to submitting this application, and we suggested that the planting of native species on the outside of the wall where this is being increased in height would help to minimise the visual impact of the proposed increase in height, and would benefit the appearance of the new development in the wider landscape as viewed from the north or northwest.

The proposed plans indicate the planting of native species (Hawthorn) along the outside of the north (side) boundary wall, alongside the public footpath. This section of wall would include a pair of gates providing vehicular access into the site. The plans do not show planting alongside the rear (east) wall - we would also like to see the planting provided on the outside this boundary wall if possible so that it softens the whole length of the increased portion of the wall.

Given the fact that the proposed increase in height of the wall would be limited to the side and rear boundaries (avoiding the already substantial shoreside wall), it is felt that the impact of this increase would not be unacceptable and would be softened significantly by the proposed native species on the outside of the wall. The high quality materials used for the wall (brick and flint), in combination with the proposed planting, should ensure that the wall does not create an unduly harsh feature within this extremely sensitive and prominent site within the AONB. We would ask for a suitable condition to require that the wall may only be increased in height on the proviso that the planting is provided within the next available planting season (autumn), and that the planting is maintained in perpetuity. We would also ask for a suitable condition to require details of the proposed gates to be agreed, and would that suggest solid timber in a natural or dark stain may be appropriate for this exposed, rural location.

#### DATE CONSIDERED

23/06/10

#### CONSIDERED BY

Manager and Harbour Master under delegated powers - *sent out on dispatch but not red-carded by Members for discussion*

#### DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible:-

- The proposed planting is provided along the outside of the rear (east) boundary as well as the side (north) boundary;
- Details of proposed vehicular access gates to be agreed;
- A suitable condition to ensure that the proposed planting is carried out in the next available planting season and is maintained in perpetuity.

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#### **SB/10/02515/FUL**

THE WARREN, NUTBOURNE PARK, NUTBOURNE, CHICHESTER, WEST SUSSEX, PO18 8TX  
NEW DETACHED BUNGALOW AND GARAGE ON LAND TO THE REAR OF THE WARREN  
FRONTING MAIN ROAD.

#### PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE4, BE11, BE14: Adopted Chichester District Local Plan 1999.  
Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B1, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

'The Warren' is a modern, detached house of simple pitched roof design, located on the south side of Main Road, adjacent to the 'Total' petrol station and directly north of the group of mobile homes known as 'Nutbourne Park'. It is accessed via the driveway leading to Nutbourne Park, rather than from Main Road, and the existing boundary with Main Road is marked by a 6-foot timber fence with a leylandii hedge above. Views into the site are therefore very limited at present. The site lies within the Nutbourne West Settlement Policy Area and AONB (the AONB boundary runs along the north boundary of the site with Main Road).

It is proposed to erect a small bungalow within the garden to the north of the existing house, fronting onto Main Road. This would involve the removal of the timber fence and hedge onto Main Road, and the provision of a vehicular access adjacent to the petrol station and a low boundary wall fronting the road. The proposed bungalow would be of simple design with a pitched roof 4.9 metres high, including a small gable-face element on the front elevation facing Main Road. It would have a footprint of approximately 7 by 10.9 metres, and would have elevations of brickwork under a concrete tiled roof, with white UPVC windows and doors. A small detached garage with a flat roof would be positioned close to the west side of the new bungalow, for access from Main Road.

While the new Government has changed the status of 'garden land' so that is excluded from the definition of previously developed (or 'brownfield') land and therefore this removes the automatic presumption in favour of such applications unless harm can be demonstrated; the proposed development must still be considered on its planning merits and also in the light of saved Local Plan policies and other planning guidance.

The new bungalow would not be visible from the wider AONB to the south, however, would be in a highly visible position when viewed from Main Road and the immediate surroundings (the removal of the front boundary fence and hedge and creation of a vehicular access would open up views into the site from the road). We would comment that the proposed bungalow would sit on a small plot, and the Council may consider that the proposal represents cramped overdevelopment of the site. However, the proposed bungalow would be of a modest scale and height and would therefore not in our view become an overly dominant feature in the wider area to an extent that would be significantly detrimental to the AONB, particularly given that it would not breach any particular pattern of building lines in the immediate area.

We would be concerned, however, if proposals came forward for enlargement of the bungalow on this restricted site in such close proximity to Main Road, for example, for the addition of dormer windows to the roof, which would increase its prominence. We would therefore suggest that suitable conditions could be imposed to remove permitted development rights for enlargements or alterations, on the basis of the limited size of the site and the prominent position of the proposed bungalow. Good quality detailing and materials will be important given the location of the site within the AONB and therefore we would ask that a suitable condition is imposed to require a schedule/sample of materials to be agreed in writing prior to construction. We would discourage the use of UPVC and concrete tiles and suggest that timber windows/doors and slate or clay tiles for the roof would result in a higher quality development that would more successfully conserve and enhance the appearance of the AONB in this location. The site would also benefit from appropriate soft landscaping within the frontage.

## DATE CONSIDERED

23/06/10

## CONSIDERED BY

Manager and Harbour Master under delegated powers - *sent out on dispatch but not re-carded by Members for discussion*

## DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible: -

- Schedule/samples of materials to be agreed in writing prior to construction;
  - Permitted development rights for enlargements/alterations be removed.
  - Submission of a landscaping scheme to include appropriate planting within the frontage.
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## **WW/10/02501/DOM**

SEAFARERS, ROMAN LANDING, WEST WITTERING, CHICHESTER, WEST SUSSEX. PO20 8AS

NEW GROUND FLOOR CONSERVATORY EXTENSION AND NEW DETACHED SINGLE-STOREY PLAYROOM.

## PLANNING POLICY FRAMEWORK

PPS 7 paragraph 21; RE4, BE11, BE12: Adopted Chichester District Local Plan 1999. Chichester Harbour AONB Management Plan 2004-2009: BD1: Appendix 3: Policies B2, B3. Chichester Harbour AONB Design Guidelines for New Dwellings and Extensions.

## MANAGER AND HARBOUR MASTERS COMMENTS

'Seafarers' is a recently constructed two-storey dwelling on the north side of the Roman Landing estate. Permission was granted for the replacement house in 2006 (WW/06/03871/FUL refers), to which the Conservancy did not object, but asked for dark stained timber boarding to the elevations and windows to create more of a West Sussex farmhouse character. The dwelling has been constructed with light brown/grey weatherboarding and white window frames, and is clearly visible from the foreshore footpath and Harbour to the northwest.

Two subsequent applications were submitted for alterations to the original consent, including the addition of dormer windows, and a single-storey rear extension. The Conservancy did not object to either application and both were granted permission.

The current application seeks an alternative single-storey rear extension, with a mono-pitched roof and windows on the north elevation facing the open fields. It is also proposed to replace an existing outbuilding within the rear garden used as a playroom, with a larger building to provide storage and a space sufficient for a table tennis table. The new building would measure 14.5 by 4.5 metres with a mono pitched lead roof rising to approximately 2.8 metres high. It would be finished in weatherboarding and white window frames to match the main house. There would be a wrap around bay window on the northwest corner to match the proposed single-storey extension. The Oak trees to the north of the garden would be retained.

The single-storey extension would be no larger than the approved extension and would not be more intrusive as viewed from the northwest, although we would wish to see the bay window surrounds in lead or another appropriately muted finish, to minimise their visual prominence in the wider landscape. We would make a similar comment about the proposed playroom bay window, as this would also be visible from the northwest across the open fields. Overall, given the low height of the proposed playroom, whilst it would be a large structure, it would not be overly intrusive in the wider landscape subject to the appropriate treatment of the bay window.

## DATE CONSIDERED

23/06/10

CONSIDERED BY

Manager and Harbour Master under delegated powers - *sent out on dispatch but not red-carded by Members for discussion*

DECISION

The Local Planning Authority is advised that the Conservancy has no objection to this application, but asks that the following matters be negotiated if possible: -

- Proposed bay window surrounds to be in lead or other appropriately muted finish.



# Appeal Decision

Site visit made on 12 May 2010

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State  
for Communities and Local Government

The Planning Inspectorate  
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Temple Quay House  
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**Decision date:**  
**8 June 2010**

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## Appeal Ref: APP/L3815/A/10/2119625

### Weston House, Farm Lane, Nutbourne, Chichester, PO18 8SA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr O Sargent against the decision of Chichester District Council.
- The application Ref: SB/09/04071/FUL dated 10 September 2009, was refused by notice dated 20 November 2009.
- The development proposed is construction of tennis court.

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### Decision

1. I dismiss the appeal.

### Preliminary Matters

2. There is disagreement between the Appellant and the Council over the description of development. At the application stage the Council amended the description to include reference to change of use to private garden alongside the proposal for the tennis court. At the appeal stage the Appellant has disputed that amended description.
3. From the information before me, it is my understanding that the land the subject of this appeal is in agricultural use, and that appears to be agreed by the Appellant and the Council. The proposed tennis court would be for the sole use and enjoyment by the residents of Weston House. I concur with the Council that there would as a result be a change of use of the land from agricultural use to part of the domestic curtilage of Weston House for the erection of the tennis court. I therefore consider that the Council's description of development more comprehensively describes the proposed development. I have therefore considered the appeal on the basis of the Council's description of development.
4. I have noted that the property is Weston House, and not Weston House Farm as indicated on the Council's refusal notice.

### Main issues

5. I consider that the main issue raised in this appeal is the effect of the proposal on the appearance and character of the local area, including the Chichester Harbour Area of Outstanding Natural Beauty and the Emsworth to Chichester Strategic Gap, within which the site lies.
-

## Reasons

6. The appeal site lies to the immediate west of a residential property, Weston House, set in large grounds, within a small group of residential properties at the western end of Farm Lane and some distance to the south of the main focus of development in Nutbourne. Surrounding the property is relatively flat and open countryside leading to Chichester Harbour. The land on the western side of Weston House, including the appeal site, is laid out as an orchard. I am advised that the appeal site lies within open countryside, within the Chichester Harbour Area of Outstanding Natural Beauty (AONB) and within the Emsworth to Chichester Strategic Gap.
7. There is a network of public footpaths in the local area, and in particular a footpath which runs from the western end of Farm Lane past the northern boundary of Weston House and on westwards. It is my view that walking westwards and immediately beyond Weston House, there is a noticeable change in the appearance and character of the area, leaving the small group of dwellings behind and entering a more open and flat rural landscape, relating to the coastal plain.
8. Contrary to the views of the Appellant, I consider that glimpsed views of the tennis court with its artificial surface and high wire mesh perimeter fencing would be seen from the footpath through the group of conifer trees on the southern side of the footpath. I have noted the proposal for a native hedgerow to be planted along the northern edge of the appeal site to provide further screening, although very little detail of this proposal has been included. However, given the height of the perimeter fencing to the tennis court, I consider that it would be some considerable time before this proposed hedgerow would be fully effective as a screen. I therefore consider that the extension of the curtilage of Weston House into the open, rural area and the erection of the tennis court would be perceived by users of the footpath. It would change the nature of this area from part of the open rural area to an extended part of the domestic curtilage of Weston House. The combined effect of the extension to the domestic curtilage together with the proposed tennis court surface and perimeter fencing would, in my view, harm the existing open and rural appearance and character of the local area.
9. Furthermore, I am not persuaded that even if the proposal was completely screened from view that this would make it acceptable. It is my view that if this were the case, then it would be possible for similar forms of development to be constructed elsewhere, which would have a cumulative impact on the open, rural character of the countryside, the AONB as well as the Strategic Gap.
10. I therefore consider that the proposal would harm the appearance and character of the local area. It would therefore conflict with Policies RE1, RE6 and BE11 of the Chichester District Local Plan Review 1999. Policy RE1 defines the rural area to be outside of settlement boundaries where development will be restricted, whilst Policy BE11 is a general policy relating to new development which seeks, amongst other things, for account to be taken of the effect on the local environment. Policy RE6 relates to Strategic Gaps and indicates a restrictive policy to development to protect the role of the Strategic Gaps. Although it was not listed in the decision notice, I agree with both the Appellant and the Council that Policy RE4 of the Local Plan Review is relevant in

that it relates to development in AONBs. For the reasons set out above, I consider that the proposal would conflict with this Policy which seeks to conserve and enhance such areas.

11. The Appellant has suggested that the siting for a tennis court under this proposal would be less intrusive in the landscape than alternative locations within the existing curtilage to Weston House. Furthermore, the Appellant contends that alternative locations within the existing curtilage could be undertaken under permitted development rights. There is very limited evidence before me relating to these alternative locations, including whether or not permitted development rights would relate, and the potential impact on the appearance and character of the local area, although I have taken note of the consultation response of the Chichester Harbour Conservancy in this regard. However, my consideration is primarily directed to the proposed siting the subject of this appeal and given the harm I have already identified to the appearance and character of the local area as a result of the proposal, I am not persuaded that these alternative proposals affect the conclusions I have already drawn.
12. I have also taken note of the potential environmental and ecological advantages of the proposed hedgerow planting but do not consider that these benefits outweigh the harm I have concluded.
13. The Council has raised a concern that the proposal would set an undesirable precedent for similar proposals in relation to other dwellings, and that the cumulative impact would seriously erode the appearance and character of this rural area, the AONB and the Strategic Gap. In that regard, both the Appellant and the Council have referred me to a number of permissions and appeal decisions which have raised similar issues elsewhere across the district, which suggests that previous decisions are regarded as a precedent for future proposals and decisions. It is my view that each application should be considered on its individual merits. However I recognise that the grant of permission in this case could encourage applications of a similar nature in the vicinity, which it would be more difficult for the Council to refuse, with further cumulative harm to the sensitive local landscape of the AONB and Strategic Gap.
14. There is no evidence before me to support the Council's concern that the loss of this part of the existing orchard would adversely affect the viability of the farming practice.
15. For the reasons given above, and having regard to all other matters raised, I conclude that this appeal should be dismissed.

*L J Evans*

INSPECTOR