



For questions regarding this agenda please contact Pasha Delahunty: pasha.delahunty@conservancy.co.uk

CHICHESTER HARBOUR CONSERVANCY – PLANNING COMMITTEE

A meeting of the Conservancy's Planning Committee will be held at **10.30am** on **Monday 6 March 2023** at Eames Farm, Thorney Road, Thorney Island.

Richard Craven, Director & Harbour Master

AGENDA

1. WELCOME AND APOLOGIES

2. DECLARATIONS OF INTEREST

Members and officers are reminded to make declarations of pecuniary or personal interests they may have in relation to items on the agenda and to make any 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. Members are also reminded to declare if they have been lobbied in relation to items on the agenda.

3. MINUTES

Minutes of the Planning Committee meeting held on 23 February 2023 (Page 1).

4. DEVELOPMENT APPLICATIONS

- a. AP/23/00076 - Tournerbury Woods, Tournerbury Lane, Hayling Island (page 7)
- b. AP/22/03196/FUL - Apuldram House, Dell Quay Road, Dell Quay, Appledram, Chichester, West Sussex, PO20 7EE (page 45)
- c. BI/22/03026/FUL - Chichester Marina, Birdham, Chichester, West Sussex, PO20 7EJ (page 53)
- d. APP/22/01136 - Fiscal House, 2 Havant Road, Emsworth, PO10 7JE (page 65)
- e. SB/23/00024/OUT - Land to the north of Penny Lane, Hermitage, PO10 8HE (page 72)

5. CDC LOCAL PLAN CONSULTATION 2023

To consider the report from the AONB Manager and Principle Planning Officers (page 80).

6. SB/21/02238/FULEIA – LAND AT GOSDEN GREEN NURSERY, 112 MAIN ROAD, GOSDEN GREEN, SOUTHBOURNE

A verbal update from the Principal Planning Officer on the Appeal Hearing (28/02/23), for 29 dwellings inside the AONB.

7. TABLE OF DELEGATED DECISIONS

To consider the report from the Principal Planning Officers (page 86).

8. QUARTERLY REPORT

To consider the report from the Principal Planning Officers (page 97).

9. DATE OF NEXT MEETING

Monday 17 April 2023 at County Hall, West Sussex County Council from 10.30am.

Planning Committee members: *Heather Baker, Jackie Branson, Jane Dodsworth, John Goodspeed, Pieter Montyn, Adrian Moss, Nicolette Pike (Vice-Chairman), Lance Quantrill, Sarah Payne, and Alison Wakelin (Chairman). Two Conservancy Board vacancies.*

CHICHESTER HARBOUR CONSERVANCY

PLANNING COMMITTEE

Minutes of the meeting held on Monday 23 January 2023 at County Hall, Chichester.

Present

Alison Wakelin (Chairman), John Goodspeed, Pieter Montyn, Lance Quantrill, Nicolette Pike, Jane Dodsworth

In attendance

Tom and Victoria Douglas - Applicants for Development Application 5a (Paynes Boatyard)

Officers

Richard Austin (RA), Linda Park (LP), Steve Lawrence (SL), David Rothery (DR), Jenny Hinton (Minutes)

1.0 WELCOME AND APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Adrian Moss, Jackie Branson, Sarah Payne and Heather Baker.

2.0 DECLARATIONS OF INTEREST

2.1 Alison Wakelin declared a potential conflict of interest in Development Application 5a. Paynes Boatyard and stated, as such, she will step out for discussion of this application on the agenda. The Chairman reminded Members that declarations can be made during the meeting at any time, if it becomes apparent that an interest does need declaring.

3.0 MINUTES

3.1 The minutes of the meeting held on Monday 12 December 2022 were reviewed and agreed as a true and accurate record of the meeting.

4.0 APPOINTMENT OF VICE CHAIRMAN

4.1 Pieter Montyn nominated Nicolette Pike to the position of Vice-Chairman. This motion was seconded by Lance Quantrill. Accepted by Nicolette Pike. To serve until 17 July 2023 in the first instance.

5.0 DEVELOPMENT APPLICATIONS

5.a. 22/03137/FUL , Paynes Boatyard, Thornham Lane, Southbourne, West Sussex. PO10 8DD

5.1 Alison Wakelin declared a potential conflict of interest in this development and left the room for forthcoming discussion.

5.2 The Principal Planning Officer (SL) presented his report to members on the application for a tied dwelling to serve Paynes Boatyard, including change of use of land from commercial to residential.

5.3 Main discussion points:

- Proposal is for a raised dwelling with undercroft storage to mitigate against future flood risk.
- The proposal is for the dwelling to provide the main habitable living accommodation for the intended new operator of the boatyard and his family (the applicant is the son of the current boatyard owner who is soon due to retire).
- Changes have been made to the pre-app design including reduced size of dwelling.
- Small boat storage has been incorporated into the design and therefore the amount of boat storage has increased. A new pontoon is also proposed.
- Existing boundary vegetation to Thorney Lane has been measured at 7m height, critical in terms of the landscape visual impact assessment. Applicants have shared that the roofline would be just above the treeline.
- Material usage is set out in the report.
- The Principal Planning Officer (SL) said he considered the rooflight superfluous but not a major criticism.
- The flood risk assessment indicates an internal finished floor level 5.57 m above Ordnance Datum which is proposed to future proof up to the year 2125. The Environment Agency has not raised an objection.
- The Council did not consider Policy 37 (Rural workers dwellings outside a defined settlement boundary) from the Local Plan applicable to this case. The Principal Planning Officer (SL) felt that a strong case for exception may be applicable.
- The Principal Planning Officer (SL) felt it was not possible to comment on the business modelling as there is insufficient cost/commercial information. This information has been prepared by the applicants and will be shared on a confidential basis with Chichester District Council.

5.4 Applicant, Tom Douglas (TD) made a deputation to the Committee.

5.5 A member asked TD about the house being tied to the business – it was confirmed they would enter into a legal agreement with Chichester District Council.

5.6 A member asked about the timing of the application. The applicant clarified that his father is the current boatyard owner and he will soon be due to retire. He reported his father's current way of working is not sustainable and clarified the reasons for proposing a dwelling on site.

5.7 A member sought clarification regarding who will be living in the accommodation. The applicant clarified it would be his family and they would be running the business from property. The applicant clarified that his sole business would be the boatyard. A member sought further clarification regarding wording on the application regarding 'viability for potential and growth'. The applicant confirmed this is referring to commercial growth and not further planning development. The applicant clarified the business of the boatyard at present. The proposals for increased boat storage and potential for yard services as well as a new pontoon were seen to expand growth and increase revenue.

5.8 A member asked why the dwelling has been made smaller. The applicant confirmed the dwelling has been reduced in size as a response to previous feedback from Chichester Harbour Conservancy and Chichester District Council.

5.9 The applicant clarified that Southbourne Parish Council have deferred commenting until they receive feedback from the Planning Committee.

Recommendation

- 5.10 That Chichester District Council, as Local Planning Authority (LPA), be advised that the Chichester Harbour Conservancy objects to the proposed development based on insufficient provision of commercial information to the planning committee. This information has been prepared by the applicants and will be shared confidentially with Chichester District Council. Therefore, this objection will be withdrawn if Chichester District Council are satisfied there are significant commercial reasons for the need for the dwelling on the condition that the dwelling is tied in with a Section 106 agreement rather than a planning condition.

The Principal Planning Officer (SL) emphasised that the ridge height should not be exceeded and, if the rooflight is to go ahead in the south-west facing roof-slope facing Thornham Lane, an automatic blind should be fitted.

- 5.11 SL suggested the decision could be deferred awaiting Chichester District Council review of commercial information. Members agreed that, if the economic development service are satisfied and communicate that to the Conservancy, there is no need for deferral. Agreed and seconded by members. The decision was unanimous.

5b. WI/22/02717/FUL, Old House Farm, Itchenor Road, West Itchenor, Chichester, West Sussex. PO20 7DH

- 5.12 The Principal Planning Officer (LP) presented her report to members on the application for conversion of two barns into a single four-bedroom dwelling. Shared site photographs and emphasised open aspect/visibility from public footpath.

- 5.13 The AONB manager (RA) questioned if pre-app advice had been sought. The Principal Planning Officer (LP) confirmed advice had been sought from Chichester District Council, however Chichester Harbour Conservancy were not consulted. A member commented that it was likely Chichester District Council would object on the basis that the proposed conversion does not meet the requirements of the Local Plan.

Recommendation

- 5.14 That Chichester District Council, as Local Planning Authority (LPA), be advised that the Chichester Harbour Conservancy objects to the proposed development as it fails to address the criteria set out in Local Plan Policy 46 and Planning Principle PP06. There has been no evidence put forward that the barns are no longer required for agricultural purposes or that an alternative economic use has been considered for the buildings other than that which was presented to the Council at the pre-application stage. The proposals would involve the creation of a very large dwelling within the countryside in an unsustainable location. The development would alter the open character of the rural landscape as seen from the public footpath and would therefore fail to conserve and enhance the natural beauty of the AONB or the adjacent Conservation Area. All present in agreement. When feedback given, to highlight that pre-app advice was not sought from Chichester Harbour Conservancy.

5c. FB/22/02821/FUL, 112 Fishbourne Road West, Fishbourne, West Sussex. PO19 3JR

- 5.15 The Principal Planning Officer (LP) presented her report to members on the application for demolition of existing dwelling replacing with a building containing five apartments and a separate two-bedroom mews cottage to rear. Shared site photographs and emphasised current dwelling is set well back in the plot and well-shielded by trees. The site lies outside but directly adjacent to the AONB boundary and is within the Fishbourne Conservation area. No pre-app advice was sought either from Chichester Harbour Conservancy or Chichester District Council. No plans have been provided which show direct comparison between existing and proposed dwellings. The proposed dwelling is over 2m taller than the existing dwelling and is in a much more prominent position, closer to the road.

Recommendation

- 5.16 That Chichester District Council, as Local Planning Authority (LPA), be advised that the Chichester Harbour Conservancy objects to the proposed development on grounds of visual impact on AONB.

The proposed replacement building would be sited in a much more prominent position which would be far more visible and dominant as viewed from the AONB than the existing building. As such, the proposal would result in an intrusive development which would be harmful to the sense of space and semi-rural character of this part of the village and would therefore fail to conserve and enhance the setting of the Fishbourne Conservation Area and Chichester Harbour AONB.

All present in agreement.

5d. SB/22/02787/FUL, New Life Christian Church, Main Road, Southbourne, West Sussex. PO10 8HA

- 5.17 The Principal Planning Officer (DR) presented his report to members on the application for demolition of existing church hall and construction of replacement church hall building. It was reported that proposed ridge height differed in supporting documentation and clarification was sought from the applicants' agents. The proposed height is 9.41m from ground level, a 2.85m increase from the existing ridge height. Proposed plans incorporate a new mezzanine floor. The Principal Planning Officer has contacted the agents to ask if the overall height could be reduced if the mezzanine floor was omitted but no response has been received to date. The proposed plans include eight new rooflights and a concourse glazed area to the south elevation which are felt to result in unacceptable light display into the countryside locality. No full AONB Landscape Visual Impact Statement assessment was provided.
- 5.18 A member asked regarding visibility as the current church building is felt to be well-shielded. The Principal Planning Officer confirmed that the proposal is for a physically and visually large structure which would have a significant on the appearance on the open countryside landscape.
- 5.19 A member asked if the plans would be supported if roof height was reduced. The Principal Planning Officer said this would depend on what was presented and development plans should consider dropping the eaves line and a shallower roof pitch to lower the profile.

- 5.20 The AONB manager (RA) asked if energy generation/carbon footprint was considered as he could not see a reference to this in the report.

Recommendation

- 5.21 That Chichester District Council, as Local Planning Authority (LPA), be advised that the Chichester Harbour Conservancy objects to the proposed development on grounds of significant impact on the character and appearance of the AONB due to size of development and failure to demonstrate no harm is caused to the AONB in terms of visual impact and light pollution. Suggested condition/refusal reason regarding energy generation/consideration carbon footprint to be included. Also, possible 'note to applicant' to indicate a preferred solution would be for a shallower, lower roof profile structure.

All present in agreement.

5e. BI/22/03176/FUL, Orchard House, Lock Lane, Birdham, West Sussex. PO20 7BA

- 5.22 The Principal Planning Officer (DR) presented his report to members on the application for replacement detached dwelling and additional pool house.

There are no changes to access arrangements and positioning on site. The proposed structure is broadly the same in terms of floor area and there is no real difference to size of structure on site, within accepted limits. There is screening from the road due to trees, therefore minimal visual impact on AONB. The Officer recommended no objection.

- 5.23 Members agreed the site is well-shielded and saw no reason for objection

Recommendation

- 5.24 That Chichester District Council, as Local Planning Authority (LPA), be advised that Chichester Harbour Conservancy raises no objection to the proposed development subject to the conditions as outlined in the Committee paper and those subsequently discussed. The decision was unanimous.

6.0 LEVELLING-UP AND REGENERATION BILL: REFORMS TO NATIONAL PLANNING POLICY

- 6.1 The AONB Manager (RA) presented a report on the Conservancy's response to the consultation on the revisions to national planning policy (Agenda Item 6). This response has been collated through discussion with the Principal Planning Officers. RA has contacted both Chichester District Council and Havant Borough Council, neither of which have yet drafted responses. The consultation closes on 2 March 2023.

- 6.2 Members approved and congratulated consultation response.

- 6.3 The AONB Manager (RA) clarified that the Conservancy's final response will be submitted using the online form, as is simplest. However, a cover letter has been drafted to send to the Secretary of State, also requesting Statutory Consultee status, and extending an invitation to visit Chichester Harbour AONB. This letter was reviewed and approved by members.

7. CHICHESTER HARBOUR AONB PLANNING PRINCIPLES

- 7.1 Due to discuss Planning Principle 10: Shoreline Defences. The Chairman suggested we wait and review once CHaPRoN has revised the Conservancy’s Sustainable Shorelines - General Guidance document. This revision is expected during 2023.

- 7.2 A member raised a point regarding the proactive removal of sea defences to support the future rolling back of the coastline.

8. TABLE OF DELEGATED DECISIONS

- 8.1 No questions were raised.

9. DATE OF NEXT MEETING

Monday 6 March 2023 at Eames Farm from 10.30am.

Jane Dodsworth and Richard Austin send apologies in advance.

Meeting closed at 12.30

Signed

Local Planning Authority planning application reference: APP/23/00076

Site: Tournerbury Woods, Tournerbury Lane, Hayling Island PO11 9DL

Proposals: Change of Use of land and woodland (retrospective) as a wedding and events venue, including retention of permanent ancillary buildings and structures, the erection of removable structures (including marquees and temporary facilities), and the use of the land as a campsite in association with events. Construction of vehicular track from the public highway to the proposed wedding and events venue at Tournerbury Woods.



RECOMMENDATION

That Havant Borough Council, as local planning authority, be advised that Chichester Harbour Conservancy raises an objection to the proposed development on ecological impact grounds and considers that the Planning Stop Notice now ought to be served on the applicant by the Council, without delay, requiring the unauthorised use to stop.

These impacts do not just create impact to the venue areas, but also those areas adjoining them, from noise and external lighting impact.

The Conservancy notes the proposal to cap the total number of events during a calendar year, but still considers that with no guarantees of supervising large numbers of guests, disturbance within the SSSI and SPA could not be adequately controlled owing to likely impacts from noise and external lighting.

This would place an intolerable level of supervision on the local planning authority, which The Conservancy does not think it could adequately police and enforce.

The tangible environmental benefits from granting planning permission to these proposals,

in terms of the key features of the SSSI and how its condition is to be enhanced have not been demonstrated.

1.0 Introduction

1.1 This application only differs from the undetermined application APP/21/01310 in one respect. That is, that the applicant now proposes to access Tournerbury Woods to the 'events arena' via a new road off the end of Tournerbury Lane. The site area is now 5.38 ha. As such, the red line differs to that submitted for APP/21/01310, which indicates an existing route through the farmyard of Tournerbury Farm, which the applicant enjoys legal rights to use/pass/repass.

1.2 The Conservancy objected to application APP/21/01310 on 30 January 2022. The application was considered on 1 December 2022 by Havant Borough Council's Planning Committee. After over two hours of presentation, deputations and debate, the Committee resolved the following –

"...that consideration of this application be deferred to enable the officers to discuss with the applicants ways of addressing the issues set out below

Issues to be considered:

- *More positive details on the proposed monitoring and recording of visitors.*
- *The feasibility of using an alternative route*
- *A reduction in the volume of traffic likely to be generated by the proposal".*

1.3 The Conservancy report regarding APP/21/01310 is reproduced as **Appendix 'A'** to this report. The Resolution made by The Conservancy's Planning Committee on 30 January 2022 was –

"Dear Mr Weaver

At the 31 January 2020 meeting of The Conservancy's Planning Committee the following occurred in relation to its deliberations over planning application APP/21/01310.

Some verbal updates were reported to Committee Members.

The presenting Officer stressed the change in the red line identifying the application site, but commented that wandering guests do not observe red lines and without proper supervision could easily stray into areas where wildlife – particularly birds – could be disturbed.

Staffing levels set out in paragraph 4.5.3 of the design and access statement were stressed during the presentation with specific attention drawn to paragraphs 3.12-3.14 of the Committee report.

It was re-iterated that Woods Cottage now was excluded from the red line, but (Conservancy) Officers query this as no planning permission or lawful development certificate exists to use the property as a holiday let. Its most probable lawful use is considered by the presenting Officer to be a dwelling.

The ecology report by Holbury is far more in-depth than the previous reports in terms of the Shadow Appropriate Assessment produced under the Habitats Regulations 2017.

It identifies the potential for significant effects on the features of interest within the European sites.

With the proposed visitor management statement (VMS), the Holbury report has concluded that provided these can be conditioned and the nutrient mitigation controlled under a S.106, no adverse effects to the features of interest are predicted.

This is especially said to be so during beginning of November to end of February period annually. And particular attention has been paid to the October overlap with the core wedding season, in terms of over-wintering birds beginning to arrive in the Harbour during October.

Notwithstanding the above, your Officers remain concerned that proper enforcement of planning conditions would involve an intolerable level of supervision by Havant Borough Council as the local planning authority and thus fail the key test of enforceability.

There were no comments from Natural England on the Council's website for this application at this time.

As such, an objection is maintained on this basis as set out in the recommendation to Members.

Having listened to a deputation by the applicant, Members asked questions and then offered comments on the application. A vote was then taken and the majority vote was to support the Officer recommendation, subject to adding the final - (in quotes) - paragraph below.

"That Havant Borough Council, as local planning authority, be advised that Chichester Harbour Conservancy raises an objection to the proposed development on ecological impact grounds.

These impacts do not just create impact to the venue areas, but also those areas adjoining them, from noise, external lighting impact and vehicular movement to and from the site.

The Conservancy notes the proposal to cap the total number of events during a calendar year, but still considers that with no guarantees of supervising large numbers of guests, disturbance within the SSSI and SPA could not be adequately controlled owing to likely impacts from noise, external lighting impact and vehicular movement to and from the site.

This would place an intolerable level of supervision on the local planning authority, which The Conservancy does not think it could adequately police and enforce.

The tangible environmental benefits from granting planning permission to these proposals, in terms of the key features of the SSSI and how its condition is to be enhanced have not been demonstrated.

Where the Council may still be minded to grant planning permission, The Conservancy would appreciate being forewarned of this by Council Officers at the earliest opportunity. The Conservancy would wish to influence the wording of any recommended planning conditions and the wording of any clauses to from part of a planning obligation."

Following the majority vote on the item, Conservancy Officers would also like the following observations to be taken into account by the local planning authority (LPA), before it makes its decision:

- *The application is in breach of the HBC adopted AONB Management Plan Policy 2, which reads, "All development in Chichester Harbour will continue to conserve and enhance the Area of Outstanding Natural Beauty and be consistent with all other environmental designations." This is a material planning consideration under the Council's adopted development plan Policy CS12 (4). Chichester Harbour Conservancy advises Havant Borough Council, and the LPA, that this application does not conserve and enhance the AONB.*
- *It was noted that the SSSI Condition Review of favourable status for the Tournurbury Woods unit of the SSSI presented by the applicant, when answering Member questions during the meeting, dates back to 2010, when the wedding business was being planned. It does not account for the deterioration which may have occurred since wedding events began and cannot be relied upon as an accurate reflection of the state of the Woods in 2022.*
- *In the list of operations likely to damage the SSSI (as published by Natural England for this Chichester Harbour SSSI – see Appendix 2 of previously submitted legal opinion offered to The Conservancy by RP Law Ltd), it would seem that the following operations have taken place since the establishment of the wedding events business, which would lead the Conservancy to conclude that the SSSI has been damaged.*
- *4 – The introduction of mowing or other methods of cutting vegetation and changes in the mowing or cutting regime (including hay making to silage and cessation)*
- *7 – Dumping, spreading or discharge of any materials*
- *11 – The destruction, displacement, removal or cutting of any plant remains, including tree, shrub, herb, hedge, dead or decaying wood, moss, lichen, fungus, leaf-mould and turf*
- *12 – The introduction of tree and/or woodland management - (including afforestation, planting, clear and selective felling, thinning, coppicing, modification of the stand or underwood, changes in species composition, cessation of management) – and changes in tree and/or woodland management*
- *15 – infilling of ditches, dykes, drains, ponds, marshes or pits and dune slacks*
- *21 – Construction, removal or destruction of roads, tracks, walls, fences, hardstands, banks, ditches or other earthworks, or the laying, maintenance or removal of pipelines and cables, above or below ground*
- *23 – Erection of permanent or temporary structures, or the undertaking of engineering works, including drilling*
- *26 – Use of vehicles or craft likely to damage features of interest*
- *27 – Recreational or other activities likely to damage features of interest including sand dune and beach land forms*

Particularly in respect of items 7 and 21, no regard appears to have been had by Natural England as to the importation of stone chippings to form extensive car

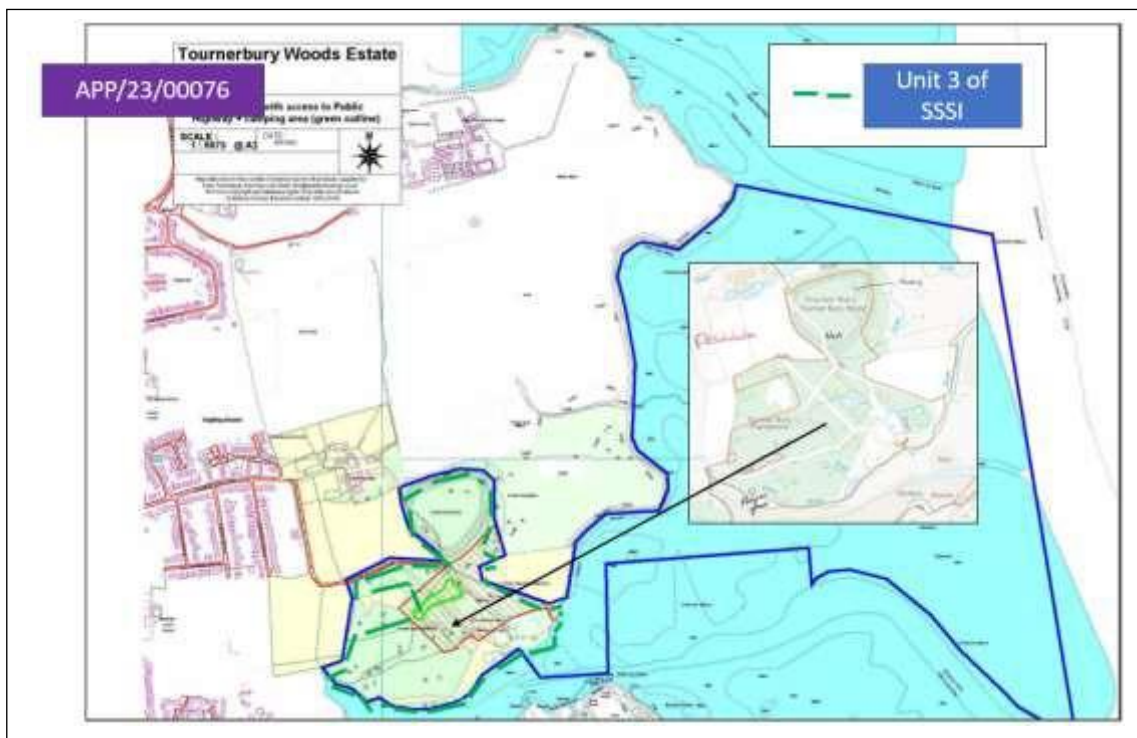
parking areas. Notwithstanding the applicant's position that permitted development rights to stage a limited number of events, The Conservancy is not aware of any legal agreement with Natural England and the Tournbury Woods Estate which, apart from "...limited infilling of ruts with rubble..." in relation to woodland tracks, would have allowed an exception to items 23, 26 and 27. The Conservancy is aware of a legal agreement between Natural England and the Tournbury Woods Estate dated April 1997, but this does not provide for the items referred to in this paragraph and currently does not form part of the information submitted to support application APP/21/01310, and does not appear to be referred to in the submitted design and access statement. Indeed, The Conservancy is greatly surprised that Natural England has not referred to this agreement in its various comments made on the previous application - APP/18/00943.

- Conservancy Officers are disappointed with the response from the Landscape Architect who did not account for views from the water or the landscape impact of clearing trees at the site which historic Google Earth satellite imagery suggests.
- No on-going monitoring currently seems to be offered in the draft heads of terms to the Visitor Management Strategy.

For information I attach the RM Law Ltd document referred to above and the Committee report considered by our Members."

(N.B. the RM Law document has not been attached to this report for APP/23/00076, as the most relevant prohibited SSSI operations are summarised above).

- 1.4 Comments from Natural England dated 31/1/2022 did eventually appear on the Council webpage for this case, raising no objection, subject to safeguarding planning conditions. Those comments are reproduced as **Appendix 'B'** to this report.



1.5 Between the time of sending its views and Havant Borough Council considering APP/2101310 at its 1 December 2022 meeting, English Nature carried out a condition review of the relevant SSSI units associated with Tournerbury Woods. This concludes that the condition of unit 3 of the Chichester Harbour SSSI is still 'favourable'. A map of the area of land this report covered is reproduced above (broken green line) and covers land within the 'red line' for application APP/21/01310 & APP/23/00076.

2.0 The currently submitted proposals

2.1 This application re-submits the technical information to support APP/21/01310. A supporting letter from the agent explains that to facilitate investigating the feasibility of an alternative route into Tournerbury Woods, this current application has been made.

2.2 Whereas the agent states Heads of Terms to an agreement to swap out existing access rights to the new route have been drawn up, no agreement has finally been reached yet with the relevant landowner. However, rather than wait for that agreement, it was thought prudent to make the current application. This then demonstrates to the Council that the applicant had taken reasonable steps to investigate such feasibility.

2.3 It is still the applicant's belief that amenity issues from traffic passing through the farmyard are not felt sufficient to warrant the refusal of planning permission.

2.4 No part of the current application seems to touch on the other two matters the Council's Planning Committee Members were interested in, namely –

“• More positive details on the proposed monitoring and recording of visitors

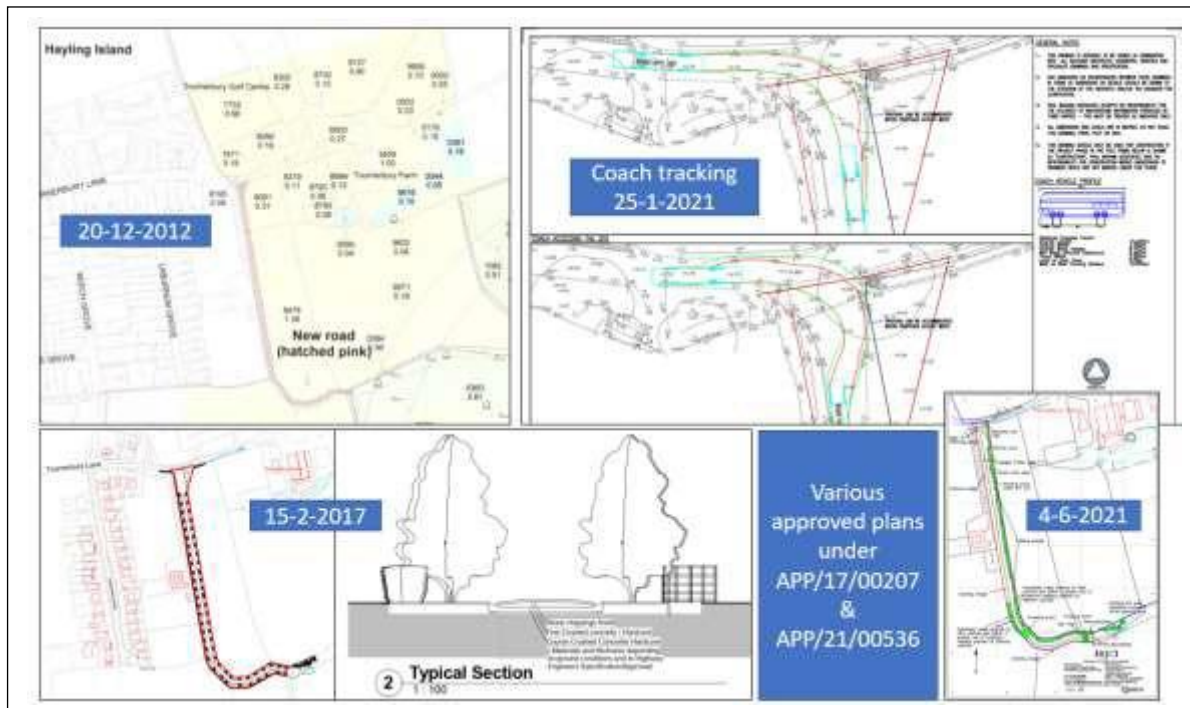
• A reduction in the volume of traffic likely to be generated by the proposal”.

2.5 The alternative route is not yet fully constructed, as it does not quite reach the boundary of the Tournerbury Woods Estate (TWE). The photograph below shows the connection to Tournerbury Lane, taken 20-2-2023. The second and third (taken 24-9-2020) show the access stopping short of TWE.





2.6 The submitted plan for the new route merely refers back to consent APP/17/00207, as was recently varied under permission reference APP/21/00536. The various plans are shown below.



2.7 The agent’s letter talks of an uncooperative attitude of the adjoining landowner and yet it is that landowner who has largely constructed the alternative route, so Conservancy Members will draw their own conclusions as to the agent’s statement.

2.8 The agent’s supporting 30-1-2023 letter acknowledges that in re-submitting APP/21/01310 documents, some still refer to the access through Tournerbury Farm farmyard and the ‘Bury’. An offer is made to re-submit adjusted documentation with such references deleted, should the Council require that.

2.9 The Council had asked for the application to be submitted before 1 February 2023. The agent is hopeful that the application - (and one imagines re-consideration of the deferred APP/21/01310) - would occur during March 2023, before local elections might intervene to delay consideration during purdah.

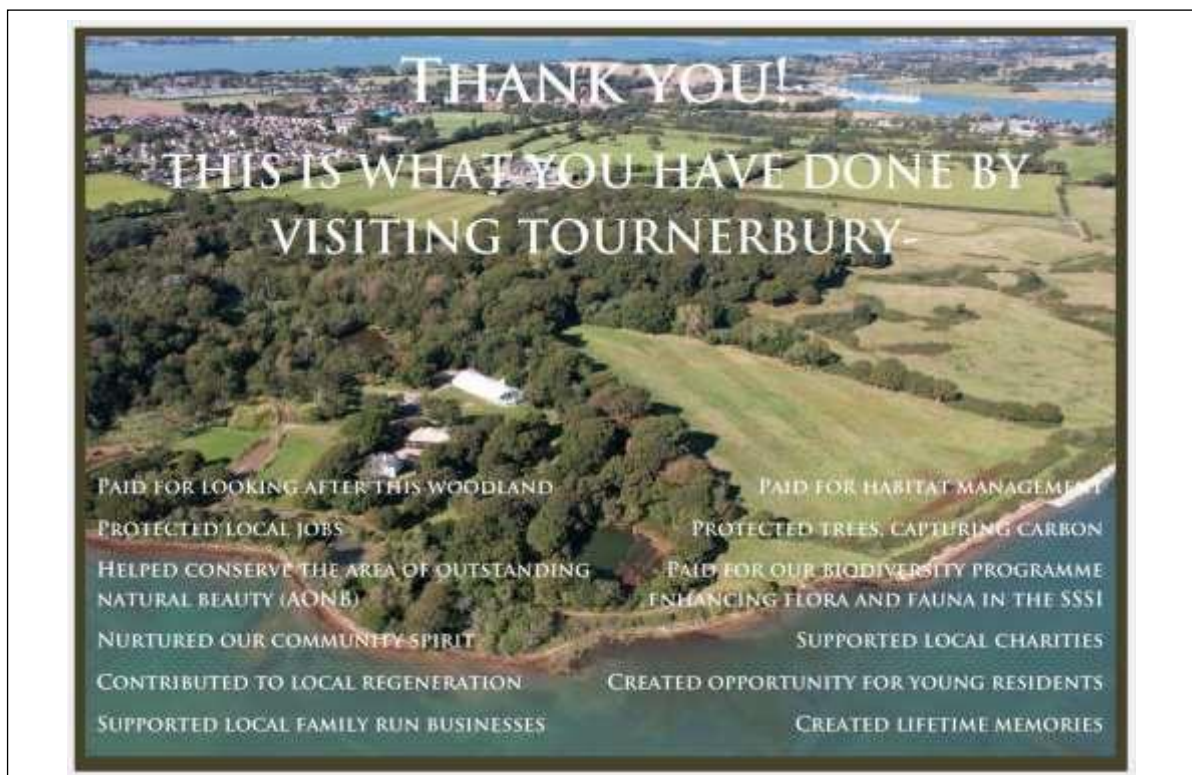
3.0 Conclusions on the new application

3.1 Even if approved, there is no mechanism to ensure that the new route to TWE would be the sole means of access to TWE and that use of the existing route through the Tournerbury Farm farmyard and then the ‘Bury’ would cease by a set date. If it was the applicant’s true intention to cease to use that existing route, then all documentation submitted for APP/23/00076 should have been attuned/written to that end. It is possible that such a mechanism might emerge during the processing of APP/23/00076, but it is disappointing that it has not already been offered by the applicant.

3.2 The alternative route could stop movement from those attending/servicing events

through the 'Bury' where the heronry exists, provided (a) the applicant ensured use of the alternative route occurred and (b) the Council were able to enforce this, if it did not occur. In this respect, the applicant might have offered that the track leading north to the 'Bury' was gated, further preventing such movement, whilst still allowing occasional access to help maintain the woodland.

- 3.3 Whilst noting Natural England's 31.1.2022 comments on APP/21/01310 about the amount and scale of potential disturbance to birds at the shoreline/SPA, Conservancy Officers remain of the opinion that Havant Borough Council Planning Enforcement Team would be unable to adequately police this aspect. Natural England has not considered this, nor recognised the standard tests of a planning condition, set out in the NPPF and NPPG. The staffing levels set out by the applicant are not considered sufficient to manage the number of people attending events.
- 3.4 The statement in the agent's 30-1-2023 letter that "*This proposal has been promoted continuously for a number of years, and the two elements comprising the application **(the access and the events site with associated development)** have both been accepted in principle as appropriate by the Council*" (your Officer's bold emphasis) is clearly incorrect in that APP/18/00943 was refused and APP/21/01310 is currently recommended for refusal by Council Officers. A claim is again made that the running of the events business helps to generate income to maintain Tournerbury Woods and yet when your Officers asked the applicant to evidence this, both during the consideration of APP/18/00943 and when presenting APP/21/01310 to Conservancy Members with the applicant present and able to respond to that point, failed on both occasions to do so. In making the current application, no actual evidence on this point is offered, although by submitting an infographic seen below - (only submitted as part of APP/21/01310 as late as 29-11-2022) - the claim is made that customer use of the site has - "Paid for looking after this woodland", "Helped conserve the...AONB", "Paid for habitat management" and "Paid for our biodiversity programme enhancing flora and fauna in the SSSI". The only details of the biodiversity enhancement so far submitted are 6 bird boxes, and an undisclosed number of bat boxes and evergreen trees at the shoreline (see paragraph 4.2.2 of **Appendix 'A'** to this report).



3.5 The guest visitor management strategy submitted has expanded to 10 pages, compared to that submitted for APP/21/01310 which ran to 4 pages. The main differences between the two appear to be –

- The shadow appropriate assessment by Holbury has been cross-referenced;
- The following additional text in relation to camping at the site – *“Campers will be shown where to pitch their tents to ensure that the location is managed and pitches are properly rotated over the summer. A record will be kept of tent locations to ensure that they are effectively rotated from one use of the site to the next. Camping will take place on no more than 11 nights per year and will be restricted to no more than 8 pitches on any one night. Camping will only take place in association with a booked wedding or event. All campers will be provided with a Code of Conduct when shown to their pitch on arrival. The purpose of the Code of Conduct is to set out the basis on which camping is permissible. See Appendix 1.”*;
- The following new sub-heading of site management which reads – *“Site management:*

o No trees will be removed from this area and deadwood will be left standing unless it poses a health and safety risk whereby it will be removed and placed adjacent to the camping area on the woodland floor, to promote eco-system services through natural decay processes.

o No vegetation management is permissible by either users of the camping area or the operator. This means that no tree pruning, removal of trees or understorey, or removal of deadwood will take place to facilitate camping or whilst camping is occurring on site.

o Once pitches are vacated, the operator will litter pick, bag and remove all rubbish from the area over which camping has taken place.

These site management measures have been defined in relation to the Plantation, but are to apply as appropriate across the entirety of the application venue area site, as delineated by the red line boundary and red hatching on submitted Location Plan (with access to Public Highway)_ - 1553805.pdf document. This is attached as an appendix to this document for ease of reference and also shows the camping area C. In addition and for clarity and monitoring purposes a topographical map has been included in the appendix to more clearly locate the camping area.”;

- Addition to paragraph 2.4 referring to Gale on the Law of Easements (20th edition) as to following works permissible (under that law), including those works set out in an unchanged paragraph 2.5;
- New sub-heading of conclusion with additional paragraph 3.1 stating – *“3.1 This VMS sets out a series of controls that will be required of all future weddings, and which will be secured by condition. Assessments within both the Shadow Appropriate Assessment and the Ecological Impact Assessment have shown that adherence to these controls will either avoid adverse impact on sensitive habitats and species, or mitigate the level of impact to an acceptable level.”*;
- The aforementioned Appendix 1, offering a code of conduct for those camping, including stipulating – *“stay within the designated camping area and do not wander into the woodland beyond”* and *“keep noise levels to a minimum to avoid disturbing those around you and our woodland wildlife...no music (acoustic or amplified) is allowed in the camping area at any time”*; and,

- Appendix 2 indicating the camping area boundary superimposed on the previously submitted topographical survey plan.

3.6 In terms of other documents there are-

- a nutrient budget (appropriate level of credits to be purchased either at Warblington Farm or from other listed Hampshire schemes);
- 3 page guide to music for couples getting married;
- the Council's appropriate assessment (7 page) document for APP/18/00943);
- the Council's appropriate assessment (8 page) document for APP/21/01310);
- (heavily redacted) 19 page event hire (67 point) terms and conditions document (point 44 stipulating that dogs brought to the site must be kept on a short lead and not allowed to roam freely);
- A4 condition status map of Chichester Harbour SSSI, showing the application land being in 'favourable condition'; and,
- a 2 page European sites ecological mitigation checklist form submitted by the agent for APP/21/01310, dated 20.2.2022.

The applicant's noise report for APP/21/01310, has not been re-submitted for APP/23/00076. The agent's noise report has been re-submitted. The Council's consideration of noise on humans living near the site are set out in **Appendix 'A'** below.

3.7 The agent's 30-1-2023 letter also refers to application APP/21/01310 saying that the applicant intends to – *"...include the submission and consideration of an appropriate package of mitigation, which addresses the claimed loss of amenity and allows for continued use of the existing right of way to serve the event site, should discussions with the landowner regarding the alternative access use, prove untractable."* At the time of preparing this report (26-2-2023), no such 'appropriate package' was available to view on the webpage for case APP/21/01310, albeit the agent's deputation to the Council's Planning Committee 1-12-2022, seems to suggest that the offer to reduce the number/frequency of events should be sufficient to allow APP/21/01310 to be approved.

3.8 The agent's previous 2-2-2017 letter in support of APP/17/00207 is again submitted to support APP/23/00076, setting out –

"It is not intended that the access will be surfaced with tarmac but will comprise a stone chipping surface over sub-bases of crushed concrete and hardcore. The width of the access will generally be 4.5m, widening to 6m at passing places with 3.75m grassed verges either side. The route will..be landscaped to provide a tree-lined avenue". The Conservancy raised no objections to APP/17/00207, nor APP/21/00536.

3.9 The Conservancy's Ecologist has commented as follows on application APP/23/00076 –

"The current strategy for management of numbers of events, and the visitors at those events is extremely unlikely to be enforced in the future, and thus has a strong likelihood of negative impacts on breeding birds and bat activity, due to noise, visual disturbance and lighting.

NE condition assessment: A review of the condition of Tournbury Woods, part of Chichester Harbour SSSI Graham Steven and Alex Foy, November 2022:

"The assessment does not include a direct survey of the breeding bird interest of the woods but the suitability of the woods as supporting habitat for woodland specialist birds was considered during the visit. " (pp4).

"The area referred to as the business amenity area has been modified (it was historically used as a brickworks) but still has a number of open-grown, mature oak trees and there is no evidence of recent felling of mature trees in order to expand the extent of the activity taking place here." (pp4)

The condition assessment is concerned with extent of habitat and habitat structure, but does not include breeding bird monitoring data, such as heronry surveys, and thus little conclusion can be made about the impacts of the business/wedding venue. The business amenity area was identified before the CRoW 2001 significantly altered the obligations of landowners to manage SSSIs sensitively and positively. The landowner should commit to monitoring the breeding birds (and bats) in light of the ongoing operations, to see whether it is having an impact on breeding herons in particular (but other breeding birds too) and if so, the operations could be adjusted.

If the proposal is permitted, continued annual monitoring of both breeding birds and bat activity should be secured by condition allowing for understanding of the long terms impacts, and adjustments to the visitor management plan can be made accordingly.

Clear statements on the no fireworks rules, dogs on leads and limiting human access to the foreshore and woodland are significant measures in reducing likely impacts on wintering birds from visual and noise disturbance, and again should be secured by condition."

Local Planning Authority planning application reference: APP/21/01310

Site: Tournerbury Woods, Tournerbury Lane, Hayling Island

Proposals: Change of Use of land and woodland (retrospective) as a wedding and events venue, including retention of permanent ancillary buildings and structures, the erection of removable structures (including marquees and temporary facilities), and the use of the land as a campsite in association with events.

RECOMMENDATION

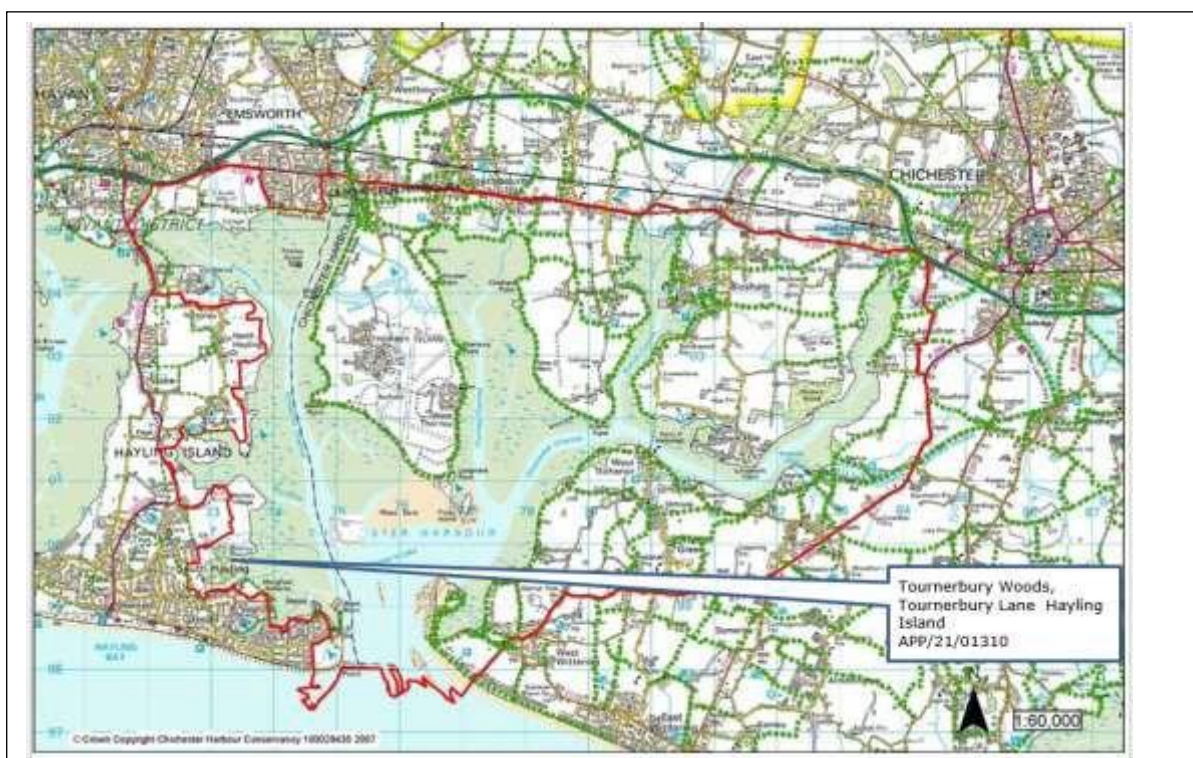
That Havant Borough Council, as local planning authority, be advised that Chichester Harbour Conservancy raises an objection to the proposed development on ecological impact grounds.

These impacts do not just create impact to the venue areas, but also those areas adjoining them, from noise, external lighting impact and vehicular movement to and from the site.

The Conservancy notes the proposal to cap the total number of events during a calendar year, but still considers that with no guarantees of supervising large numbers of guests, disturbance within the SSSI and SPA could not be adequately controlled owing to likely impacts from noise, external lighting impact and vehicular movement to and from the site.

This would place an intolerable level of supervision on the local planning authority, which The Conservancy does not think it could adequately police and enforce.

The tangible environmental benefits from granting planning permission to these proposals, in terms of the key features of the SSSI and how its condition is to be enhanced have not been demonstrated.



Conservancy Officers' comments and reasoned justification

1.0 Site and its context (aerial photograph below looking west)



1.1 This 4.97 - (previously stated as 4.8 ha under application APP/18/00943 with now a clearly enlarged red line area) - site is located at the eastern end of Tournerbury Lane, which also gives access through Tournerbury Farm(yard). Land edged blue above shows the wider estate, purchased in 1931 by the applicant's grandfather and including a substantial proportion of this part of the Harbour.

1.2 Whilst not formally recognised as 'Ancient Woodland' on the Development Plan

Proposals Map, the submitted phase 1 ecological report suggests that part of the wood may be considered to be ancient woodland. Paragraph 1.1.3 stating –

"The survey area comprised primarily of broadleaved woodland with Tournerbury Wood (the Bury) situated on a Saxon fort considered to be ancient broadleaved semi-natural woodland. Broadleaved plantation adjoins the ancient woodland and mapping shows this was planted and developed into woodland in the late 19th Century (Tournerbury plantation). The site opens out into amenity grassland and open woodland, and a small area of saltmarsh to the south, and improved grassland to the south east. Small woodland ponds are scattered through the southern woodland and a large duck pond is situated in the centre of the site. A brackish pond and drain exist in the south eastern corner."

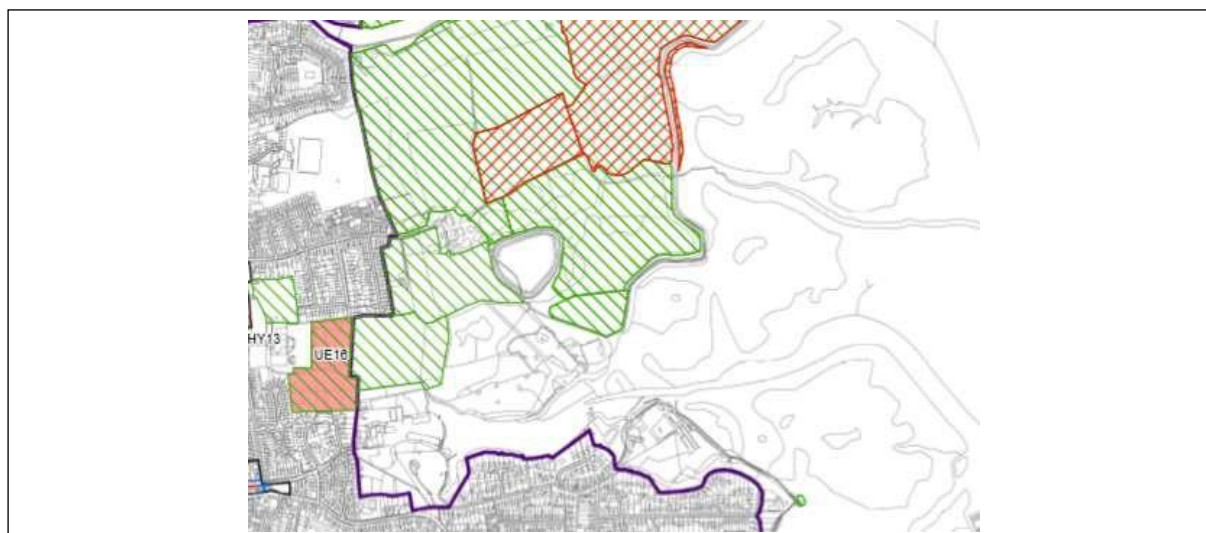
Paragraph 2.1.4 goes on to state –

"The Tournerbury Estate is designated partly as a unit of the Chichester Harbour Site of Special Scientific Interest (SSSI). Tournerbury is noted within the SSSI designation as follows: 'Semi-natural broadleaved woodland associated with the harbour is important for breeding birds and supports two heronries. Oak is the major tree species, usually with hazel coppice, as at Old Park Wood, although Tournerbury Wood has well-spaced oaks with the occasional beech, holly and yew with a fairly dense ground flora of bramble and bracken.' The Chichester Harbour SSSI covers an area of 3695 hectares and Tournerbury forms 0.4% of its total area."

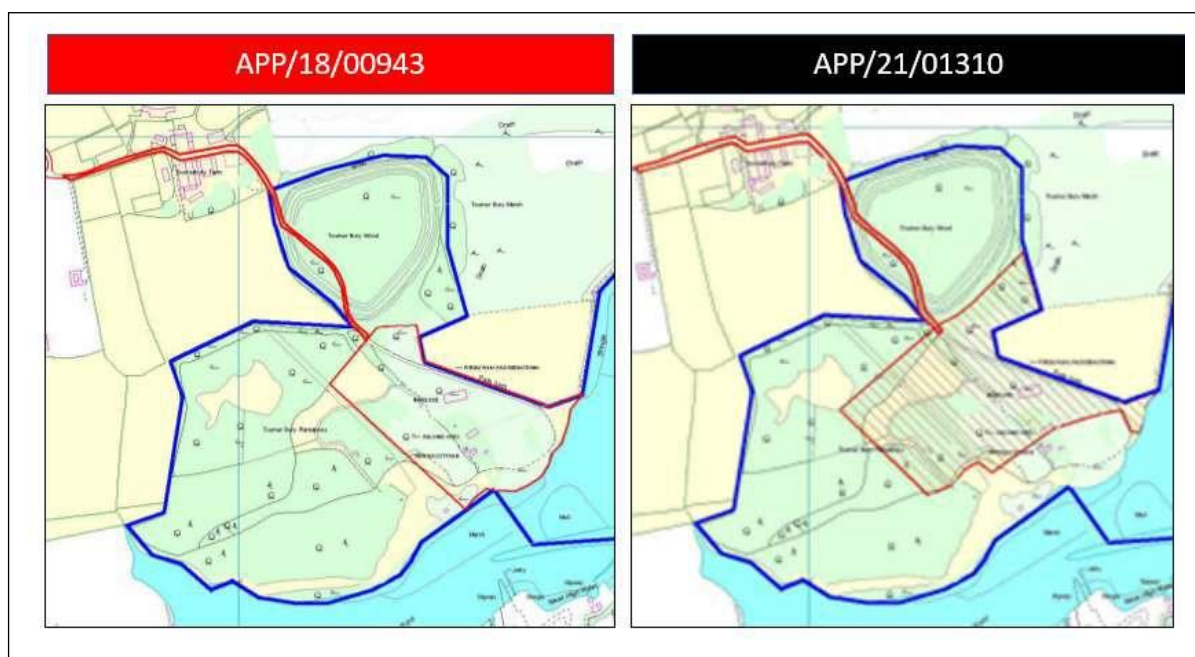
Paragraph 2.1.5 opines –

*"The SSSI falls within the Chichester and Langstone Harbour Special Protection Area (SPA) designated on account of populations of European importance of breeding, passage and over-wintering birds associated with the exposed estuarine sand and mudflats including breeding little tern (*Sterna albifrons*) and sandwich tern (*Sterna sandvicensis*), passage little egret (*Egretta garzetta*) and over-wintering waterbirds including dark-bellied Brent Goose (*Branta bernicla bernicla*), black-tailed godwit (*Limosa limosa islandica*) and dunlin (*Calidris alpina alpina*)."*

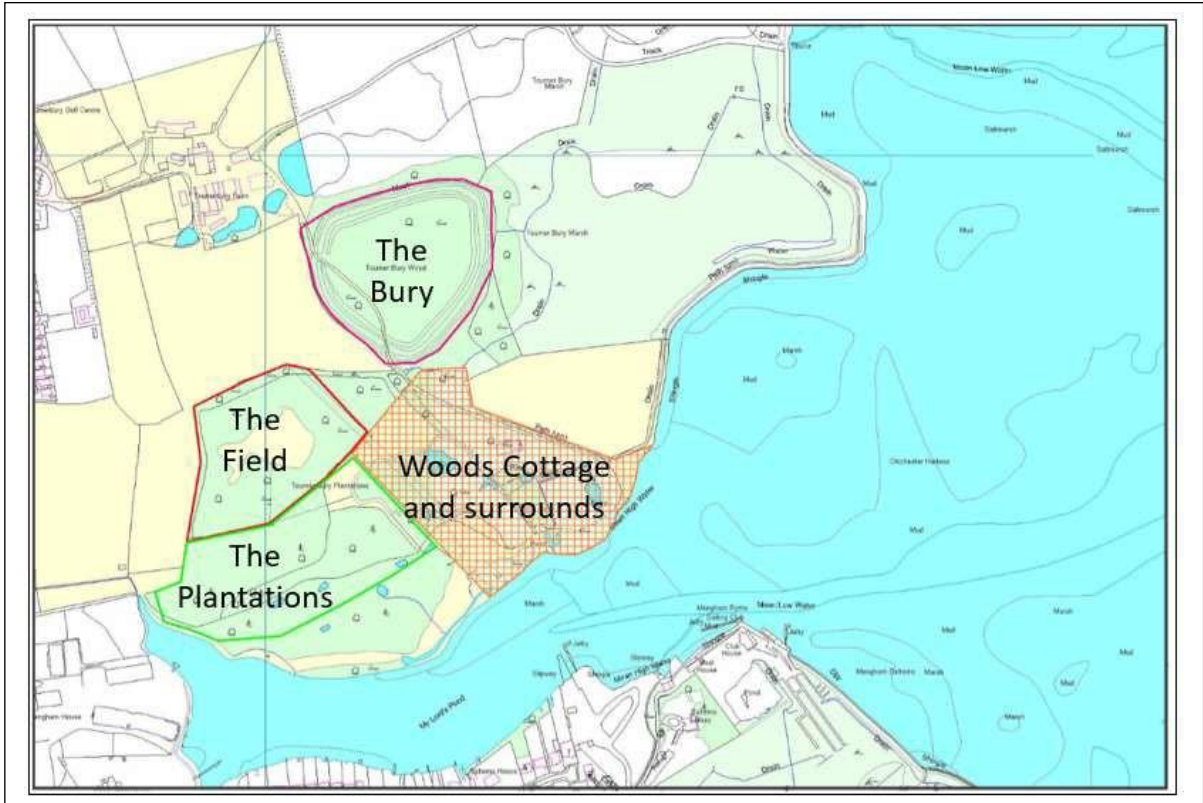
- 1.3 The northern part of the wood contains the remains of iron age fortifications, which are a scheduled Monument. The single width track leading to the application site passes through those fortifications. The whole wood is a Site of Special Scientific Interest (S.S.S.I.) and part of the wider Special Protection Area and abutting a Special Area of Conservation for the Harbour. A heronry exists within the estate. Owing to SSSI protection, works in the woodland are controllable and a Woodland Tree Preservation Order exists on the whole Tournerbury Woods Estate (Council TPO 448).



- 1.4 The application site is shown as being adjacent to an uncertain site from brent geese and/or waders (Policy DM23)/Site of Importance for Nature Conservation (Policy CS11) on the Proposals Map (shown hatched green above) of the Development Plan, with the site in Flood zone 3 (highest risk) and most of the remainder of the landed estate in flood zone 2. The site is within the council's 'coastal zone' (Policy DM9).
- 1.5 The red line site has increased since application APP/18/00943 - (comparison shown below) - currently comprises woodland and open agricultural land/open grassed areas with at least two large ponds, all accessed via the winding end of Tournerbury Lane, where one has to pass through the farmyard of Tournerbury Farm to reach the site. Officers have found no direct explanation for the enlargement of the red line, other than the visitor management strategy submitted. The 'red line' technically never represented a 'barrier' stopping patrons walking outside of it. It is notable though that the red line does cover more wooded areas than it did under APP/18/00943 and is now shown pulled back from the foreshore.



- 1.6 The various parts of the Tournerbury Woods Estate (14.78 ha in total and not all forming part of the application site), as identified by the applicant, are shown below. The Estate constitutes 19% of all woodland on Hayling Island, but only 0.4% of the Chichester Harbour SSSI.
- 1.7 Woods Cottage is nestled at the end of the 'track', with some glimpsed views of this 4 bed chalet bungalow from My Lords Pond. The Cottage has been used up till 1990 by a local painter (Keith Shackleton) and periodically offered as a holiday let since that time, but now fully serves as an administrative base for the wedding venue/events business. Occasionally a bride and groom will spend the first night of their honeymoon at the cottage.
- 1.8 Other buildings still sought for retention include a white plastic/canvas walled/double pinnacle roofed marquee, the black painted pagoda/gazebo and a covered deck. The highest part of these structures is the double pinnacles of the marquee at 8.5m above ground level. There are some glimpsed views of the marquee from My Lords Pond (see below), but tree cover generally screens views.

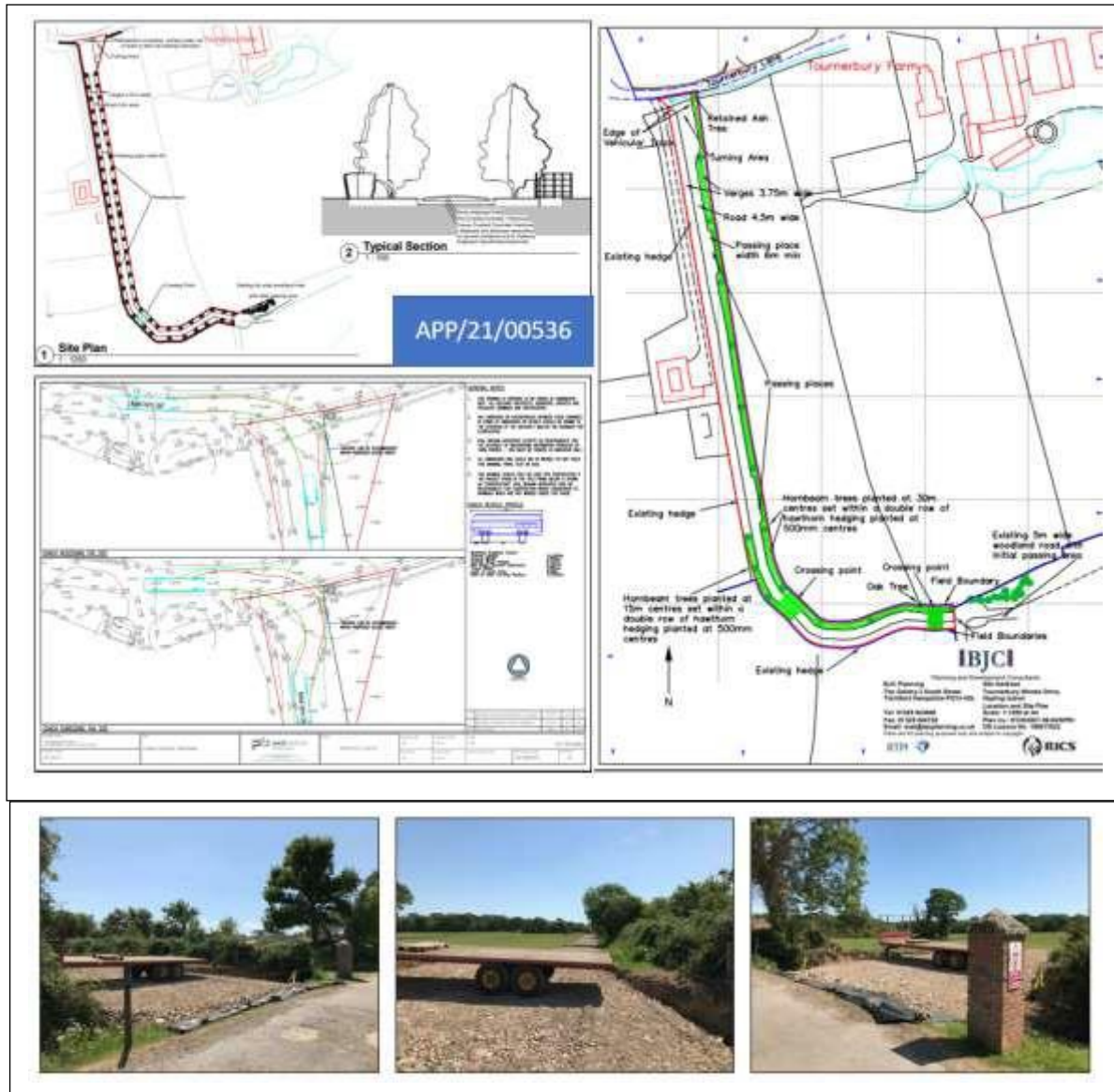




2.0 **Planning History**

- 2.1 Land appears to enjoy historic use for agricultural/forestry purposes with applicant referring to previous industrial uses (brick making from 1800's to 1931) and prior to that 'bottle dump and tip'. Tournurbury Farm used to form part of the estate but was sold off circa 1987, albeit the applicant retained access to and from Tournurbury Lane through the farmyard.
- 2.2 **97/62340** - Clearing & Dredging of existing Duck Pond. Creation of Island in centre (retrospective) & regrading of Banks (**Conditional approval**).
- 2.3 Under application 01/62340/001, planning permission was granted 18 December 2001 for "Partial raising of lawn to above tidal level and removal of two trees to north of cottage covered by TPO 448" at Woods Cottage.
- 2.4 In 2012 an application was made by the current applicant to construct a private way from Tournurbury Lane, parallel to Laburnum Grove, across a field in the ownership of Tournurbury Farm to access the estate, instead of going through the farm yard. It is understood that access rights from that direction were to then be relinquished. This permission (APP/01333) was not implemented. A further similar application was made again under reference APP/17/00207. This too was granted

permission. During implementation by the owner of Tournerbury Farm queries were raised as to whether the development had been undertaken in strict accordance with plans. A revised application was made under reference APP/21/00536, which secured planning permission on 22.10.21. The owner of Tournerbury Woods still sees the benefits of using that alternative route to avoid conflict with farm activities, but claims the road has been built to a lower standard than that original applied for. The agent does not set out why the applicant considers it to be sub-standard.

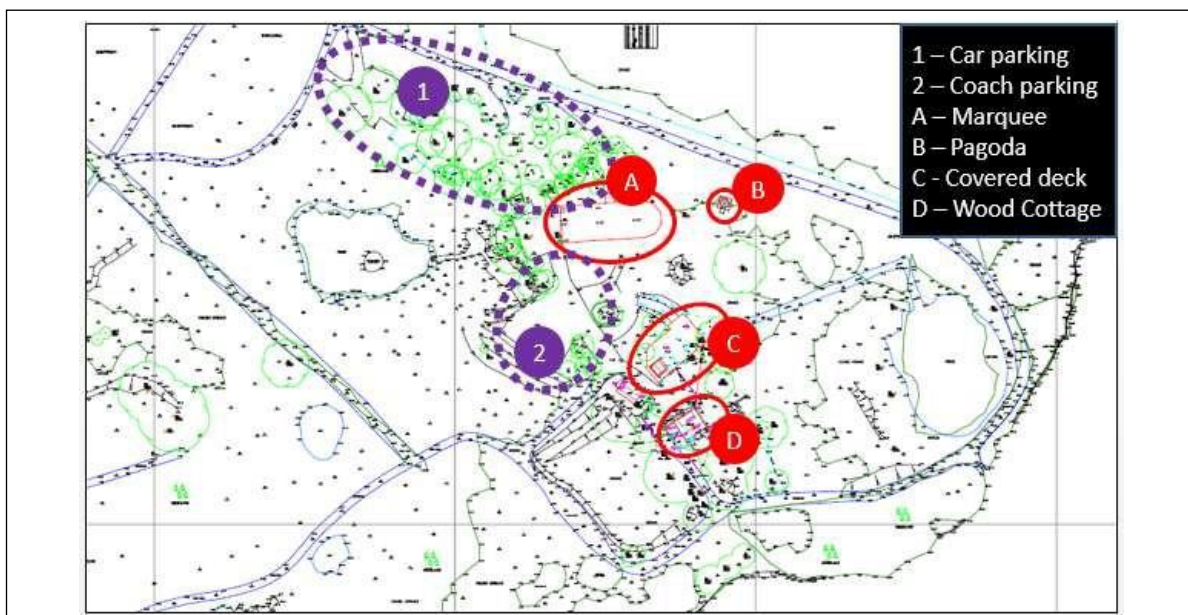


2.5 Application APP/18/00943 was made valid 6 November 2018 and essentially sought to regularise all that has been submitted under the current application, save for the red line site being different and various reports now updated, but with no cap on the number of events proposed. The application was supplemented by additional information on several occasions. The application was refused on 25 June 2021 for the following single reason (Natural England having not objected) –

"Having regard to the nature of the activities being applied for, which include celebratory and social gatherings into the late evening; the high number of participants proposed; and the limitations of the access track which do not allow for two-way flow over all of its length through the adjoining Tournerbury Farm

holding, the Local Planning Authority considers that it is not appropriate in planning terms for the wedding and events venue to rely on this route. To do so would bring an ongoing risk of noise and disturbance to occupiers of the Farm dwellings; and the risk of conflict between visitor movements and the safe and satisfactory functioning of the farmyard activities as a whole. As such the development is considered contrary to Policies CS16 and DM10 of the Havant Borough Local Plan (Core Strategy) 2011, Policy AL1 of the Havant Borough Local Plan (Allocations) 2014 and the National Planning Policy Framework.”

- 2.6 Under application APP/19/00889, a lawful development certificate was sought for several structures, namely erection of log cabin and adjoining deck; erection of Victorian style gazebo structure; and erection of marquee structure. The application was withdrawn 6 November 2019.
- 2.6 Under application APP/19/01962, a lawful development certificate was sought for an existing use or development relating to (1) change of use of Woods Cottage and its environs into leisure/tourism use for the purposes of holiday lettings and camping, and as a commercial event venue for the purposes of both holidays and the holding of weddings and events and the utilisation of any ancillary buildings and structures that may be required as necessary for such uses; (2) erection of log cabin and adjoining deck; (3) erection of Victorian style gazebo structure; and (4) erection of marquee structure. The application was declined 2 June 2021.
- 2.7 Havant Borough Council served an Enforcement Notice at the site on 17 January 2020, reproduced as **Appendix 'A'** to this report.
- 2.8 Appeals have been lodged against decisions APP/18/00943, APP/19/01262 and the Enforcement Notice. These are scheduled to be heard at an 8 day Public Inquiry in late June/ Early July 2022. The applicant has submitted APP/21/01310 in the expectation of securing planning permission, to avoid continuing with the Appeals (the agent confirming in letters dated 21 November 2021 and 1 December 2021 to The Planning Inspectorate and Council respectively the Appeals would be withdrawn if APP/21/01310 is approved). The Conservancy and owner of Tournerbury Farm are Rule 6 parties to these Appeals.



3.0 Proposed development

3.1 Apart from 'D' (Wood Cottage), which is acknowledged as a lawful structure and whose use has been removed from the current application, permission is sought to retain A-C (seen above) and use them with Wood Cottage as the supporting buildings to run a wedding/events venue. The applicant says other temporary portaloos and caterers tents can also sometimes be brought onto the site, but those are temporary and removed once the related event is over.

3.2 The application is supported by a number of reports –

- Phase 1 Ecological Report
- Further full ecological survey work including bat reports and two shadow Habitats Regulation Assessments, the most recent dated December 2021
- Design and Access Statement/Report setting out the Environmental, Economic and Social merits of the proposals, updated since APP/ 18/00943 by a covering letter and visitor management strategy
- Topographic survey with parking areas annotated
- Drainage, sewerage and utilities assessment
- Scheduled Ancient Monument impact report
- Tree survey and arboricultural impact statement
- Acoustic Reports
- Flood risk assessment
- Transport assessment, updated since APP/ 18/00943

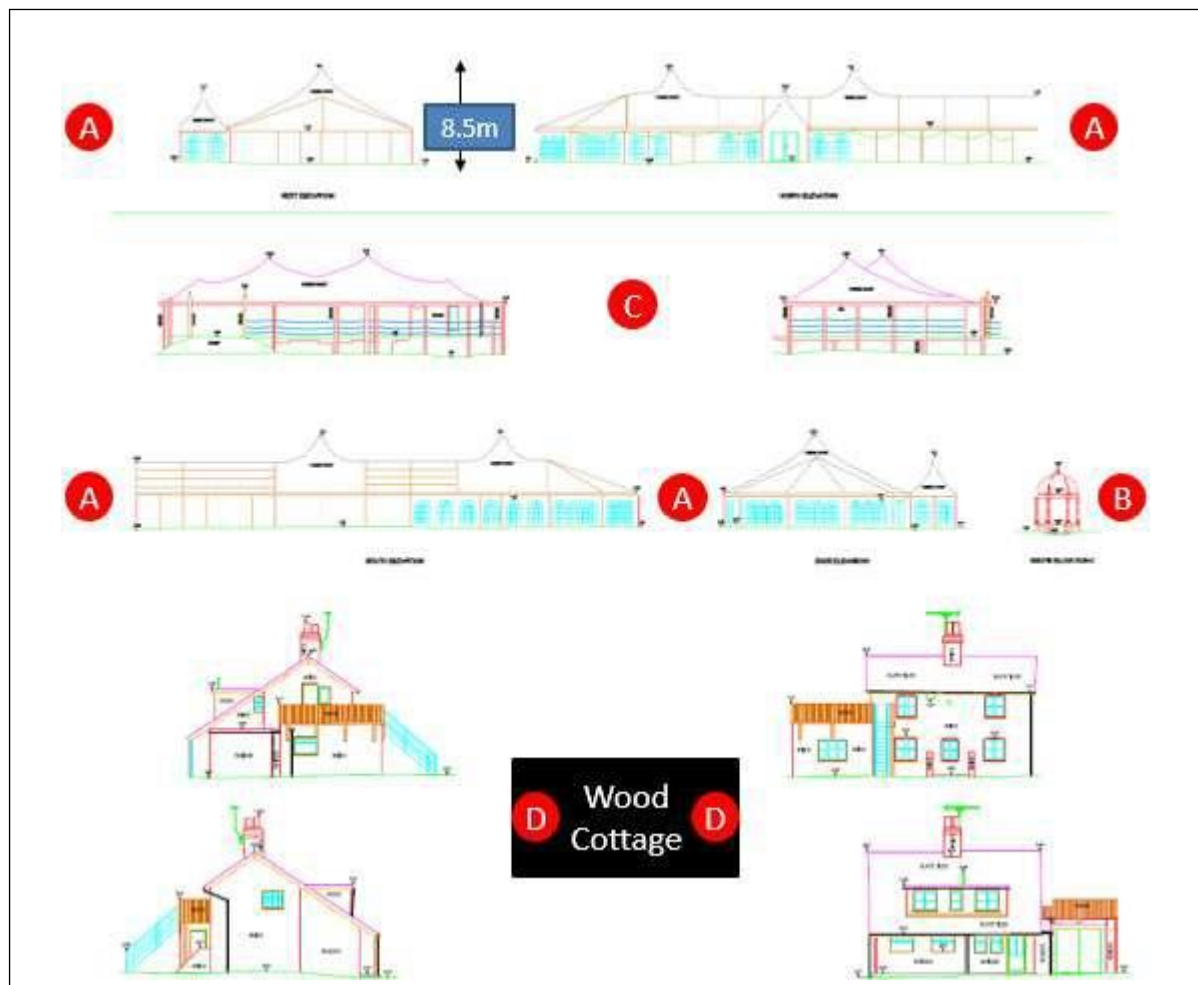
3.3 The applicant is already licenced in a number of ways. Firstly as a venue to conduct civil partnerships which is arranged through Hampshire County Council. That has existed since 27 January 2016. The other two licences are administered by Havant Borough Council and include a liquor licence and public entertainment licence. The latter does allow operation until 01.00 hours in the morning. Live music typically ends at 22.30 hours (under hire contract terms imposed by the applicant), albeit a DJ can operate up to 00.00 hours. The former allows operation until 00.00 hours, but in reality, this means last orders at 23.30 and time at the bar 23.45, with patrons asked to leave the site at 00.00 hours. From an operational point of view, the applicant has not traded to 01.00 hours, albeit it is worrying that the submitted October 2013 acoustic report talks in the executive summary of trading until 02.00 hours and no intended hours are set out on the submitted application form (question 19 marked unknown). At the time of your Officer's first visit in late 2018, there was a clear sign by the marquee entrance encouraging customers to have had their taxis booked for midnight, so they could depart at that time (see photo before Section 2.0).

3.4 Attenuation works had been undertaken in the Marquee in April 2019. The applicant also has compiled an analysis of certain dates when it is claimed that the TWE has wrongly been accused by local residents of causing noise disturbance. One incident referred to the use of fireworks, but other than two occasions 31.12.1999 and then 18.5.2002, when the applicant became married at the site, no use of fireworks is permitted by those who hire TWE. TWE do admit that on 30.3.19 there was a fault with its 'Direct Acoustics Zone Array', which could have caused an issue, but that this was quickly corrected. On some of these occasions, the council's Environmental Health Officers have been present to observe noise levels and have also travelled to the south side of My Lord's Pond to listen from there. On other occasions other organised events have also been occurring at the time of TWE events and dated evidence is submitted from those other events when no acoustic attenuation was in place and metrological and wind direction conditions could have easily caused the nuisance local residents reported or referred to

generally, in objections to this planning application. The Council's Environmental Health Officers are reported later and clearly critical in the local planning authority's determination on this issue.

- 3.5 It is permitted development to operate a use of open land (which is not the curtilage of a building) for up to 28 days in any calendar year (recently extended to 56 for a temporary period during the pandemic). There is some doubt about the extent of Woods Cottage residential curtilage, but being as the pavilion is sought for permanent retention, the events arena could be said to be within its curtilage and thus these permitted rights may not apply. There are some exceptions such as clay pigeon shooting and motocross racing, but those operations are not proposed here. The applicant sets out that in 2009 the number of booked events, which had started modestly first in 1990 as a private school reunion party, had increased to 29, each events season generally running from the Mid-March to the end of November, operating mostly Friday to Sunday. Technically speaking, that your Officer considers that is the point at which planning permission ought to have been applied for.
- 3.5 The applicant sets out that some events have attracted as few as 15 people, whereas some have attracted 500 people. The submitted transport statement gives more detail in respect of events held in 2019.
- 3.6 Two transport statements have been submitted along with a letter from a Solicitor acting for the applicant. The first transport statement (TS) focuses on the capacity of Townerbury Lane and then its junction with Church Road to absorb the traffic from the events being held at the Townerbury Woods Estate (TWE). It, like the other TS, uses automated traffic counter data gathered from 4 events held over the 2019 summer months, but also encloses attendance data for 42 events held since March 2019. The first TS concludes that sufficient capacity does exist on Townerbury Lane and at the aforementioned junction and thus those particular requirements of paragraph 109 of the NPPF and relevant Development Plan policy are met. The TS has been updated based on the limited number of days events are now proposed to be held.
- 3.7 The second TS focuses on that private right of way and whether it has sufficient capacity to absorb the traffic using TWE, when it holds events. Although 3 pinch points are identified along this route, leading to some delays in vehicles progressing whilst they wait for on-coming vehicles, it is concluded that the level of inconvenience to the farm users is limited. As before, the data from 4 specific events is used to demonstrate this finding. It is therefore asserted by the applicant's transport consultants that the use of the route is safe in highway safety terms.
- 3.8 The previously Solicitor's letter points to various deeds submitted to demonstrate that the applicant – or those authorised by him – has/have a legal right to pass and repass the track leading from the end of Townerbury Lane where it ceases to be public highway, through Townerbury Farm's farmyard to the TWE, whether on foot or in vehicles. The deeds also show the owners of Townerbury Farm have a right, among other things, to pass through the TWE to effect repairs to the Harbour's sea wall, subject to obtaining others' consents to effect such works.
- 3.9 Images of the structures proposed to be retained and the appearance of Wood Cottage as operated as part of the use are shown below, albeit the agent is now claiming its use to accommodate 'guests' is lawful (even though your Officers can find no documentation to confirm this in law).

- 3.10 The marquee (A –purchased in 2006) has a floorspace of 33m x 12m. The circular pagoda/gazebo is circular and 3m in diameter. The decked area (C) is just under 22m long and varies in width from 6.4m to 11.2m.



- 3.11 The applicant has previously made the following statements in support of the proposals –

- The proposals will not result in any harm to the woodland;
- The site has been used to host events for charities, including of more recent time the charity 'Releasing Potential' with links to the Duke of Edinburgh awards scheme in July and August of this year, in terms of Forest Schools and learning bushcraft;
- During 2018, 10,253 people came to the estate;
- Positive reports of the venue have appeared in the Sunday Times, Daily Express and Open Air magazine;
- The applicant previously stated under APP/18/00943 that employment levels could rise to 45-50 if the applicant's aspiration to operate 200 events per year/'season' were realised. The major difference with the new application is that a cap on wedding events is proposed.

- 3.12 Following a meeting with Council Officers on 14 September 2021, the applicant now proposes to cap wedding events at 65 per calendar year (i.e. 300 days of the year when wedding and other events would not be occurring at the site) –

"With continued use of the existing access we request the minimum number of

events per annum comprising:

- *Up to 10 weddings / events at no more than the marquee dining capacity (250 guests)*
- *Up to 10 weddings / events at no more 200 guests*
- *Up to 30 weddings / events at no more than 150 guests*
- *Up to 15 weddings / events at no more than 90 guests"*

The applicant's transport statement has been updated to refer to the above figures. The agent's supporting letter goes on to say the applicant wishes to – *"...retain, through the application of condition, the ability to exceed the above numbers with prior approval, in certain circumstances....limited to not more than 3"*, yet no details are given of the exceptional circumstances to justify such a request.

3.13 The agent goes on to state that the applicant has contacted Natural England to identify:

- areas of the site which are particularly sensitive,
- those parts offering potential mitigation to offset increased activity,
- areas for appropriate new habitat creation,
- areas where activity could take place without harm and,
- suitable management tools for reducing any harmful impacts.

Reference has been made to requested mitigation, but otherwise no other discussion of Natural England's written advice is given or reproduced to support the current application. The agent's letter does refer to *"...the areas to which patrons will have access, noise limitations, the distribution of activities across the site, controls on how patrons arrive and leave the site; and operating hours and conditions"*. The Visitor Management Strategy suggests signage be placed either end of the access track through the Bury inviting those in vehicles to keep moving and not stop. This is considered by the applicant to lessen the potential for disturbance to the Heronry. Guest access to the Harbour foreshore is also to be prevented 1 April to 31 October, by means of signage and a rope barrier. Use of a jetty is mentioned, but no details of it are supplied. Previously it has been a Versadock interlocking pontoon system partly held against staging posts (not installed with Natural England's approval under licence as far as The Conservancy is aware). The Conservancy's stance is to prevent the installation of new jetties in the Harbour, unless compensatory intertidal land is offered to mitigate. Asking to sanction use 1 April to 31 October is not acceptable to The Conservancy. Those bringing dogs to the site will be requested to keep them on leads. No fireworks would be allowed as part of celebrations. A noise performance level not to exceed 69 dB (A), as measured at the foreshore is suggested. Camping will be restricted to 'The Plantation' part of the site, excepting the bride and groom would be allowed to pitch a tent by Woods Cottage if they wished. No campfires will be permitted. Any external lighting to Woods Cottage and the venue area is to be angled downwards and not exceed 1 lux 'onto the trees and woodland'. Use of shields or hoods to such light fittings is suggested. Security lighting would be limited to 2000 lumens. The number and position of such light fittings is not specified.

3.14 Management controls on event days would include –

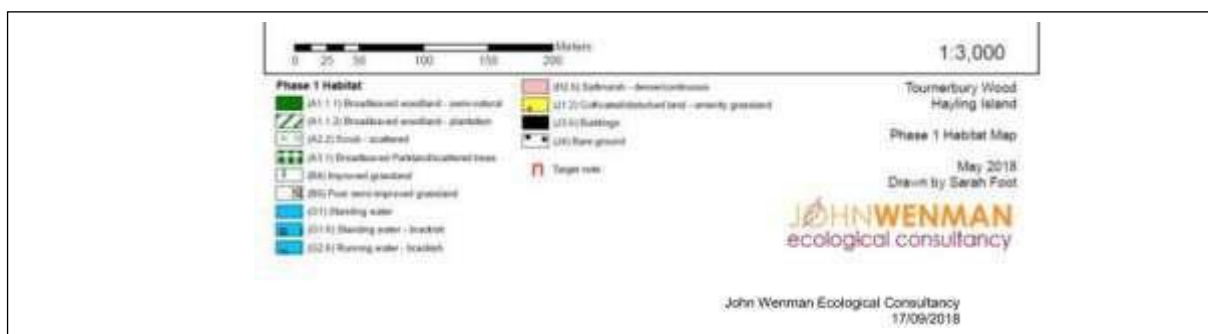
- On event days a venue manager will be present on site from hire start time to the time all guests and suppliers have left site.
- Clear signage erected at exit of the Tournerbury Woods Estate (before accessing the Right of Way) requesting exiting guests/suppliers to drive quietly and considerably.
- During the 'peak' leaving hour at the end of an event, a traffic marshal to be stationed at the exit to the Tournerbury Woods Estate to ensure driver compliance with the signage instructions.
- All Bands and DJ's to exclusively use the installed Zone Array sound ceiling for

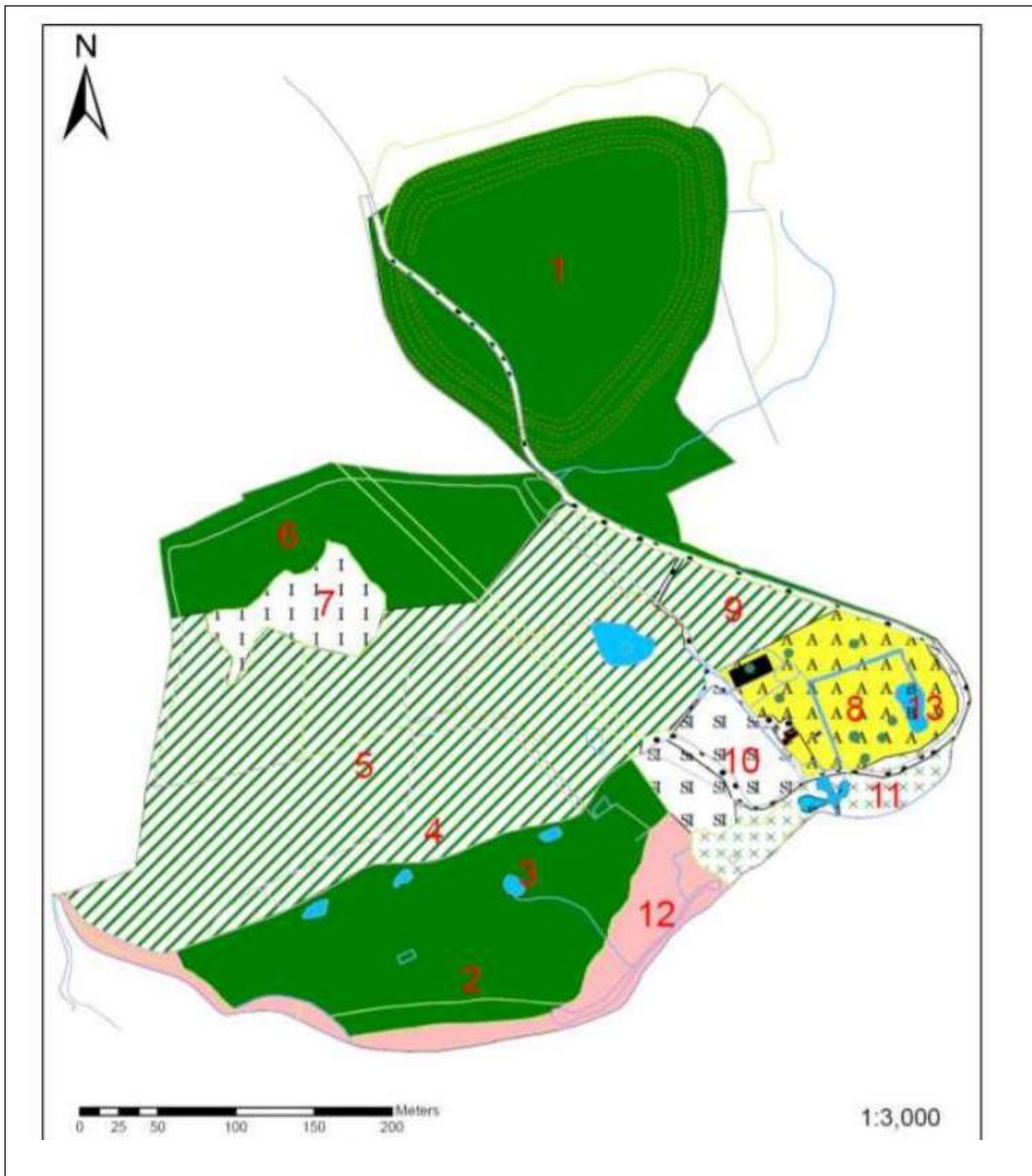
front of house amplification when performing in the marquee. Bands and DJ's may not use their own, front of house Public Address speakers.

- Throughout an event, the site manager will regularly monitor the grounds of the venue area to ensure that guests are not freely wandering away from the core venue area. It is suggested that any final 'heads of terms' be resolved via a planning condition, rather than by negotiation during the application's determination period.

3.15 A summary of the ecological information is as follows –

- The agent for the application refers to ecology research volumes and that they are not going to be submitted as they run to 60,000 words! He asserts that the applicant has applied the NPPF test that the - "*benefits of sustainable development outweigh the harm identified*" and that in respect to the intensification of the number of future events if permission is granted is - "*...a matter for future consideration should it arise*". He talks about - "*...the management plan proposed...*" but it is not clear what he is referring to (albeit 6.1 of the submitted Habitats Regulations Assessment (HRA) says the existing site management plan, which may be the one agreed with Natural England). This Site Management Plan does not form part of the submitted application. The agent also claims there are no historic records to assess trends in the favourable condition of wildlife at the site, yet the HRA makes it clear that the heronry has been surveyed/monitored since 1966 and the new ecological report confirms that birds were surveyed at the Tournerbury Woods Estate in 2014, with specific Heronry surveys in 2015 and 2019.
- The 187 page ecological report lists the 'European Site's' notable species, which do not include herons, which are described (nationally) as having green flag favourable condition in England. Methodology used to prepare the new report seems fair and of a scientifically based, Institute approved protocol. 388 notable species (100 plant types and rest animals of which 121 invertebrates) within 1km of site, including 149 types of breeding birds (27 seen on site) and 8 types of bat. The report contains the statement - "*No habitat is due to be removed*" (see comment below). Tournerbury Woods are assessed as being in 'favourable condition' since 1997. It is stated that the wooded area of the (Tourner)bury was only reason for including Tournerbury Woods Estate within the SSSI and as that is outside the 'red line' of the application site, no adverse impact is concluded and no need for mitigation by the consultant, albeit there is an offer to place bat and bird boxes at the wider site. The Phase 1 report survey is used to identify the types of habitat on the Tournerbury Woods Estate, which are shown below. Recommendations as to what type of external lighting might be acceptable are set out, cowled downwards and not exceeding 1 lux ground spillage. There are some useful condition recommendations for lighting in Section 5.3 (paras 2, 4 & 5) if the council (or a Planning Inspector) is minded to approve.





- The report starts by talking about assessment of impact 'significance', against what the site has been designated for. S.40 Natural Environment and Rural Communities Act 2006, places a duty on the Council as local planning authority to - "...have regard for conserving biodiversity..." including "...a duty to restore and enhance as well as maintain biodiversity". Reference is made to the NPPF and the need to achieve net gains to biodiversity.
- With regards to specific species impact, the following is set out –
 Dormice – none found on site (despite right kind of habitat) and no records within 1km of site. Concludes no adverse impact to dormice.

Not suitable habitat for great crested newts or water voles so no impact predicted.

Otters may be present and crossing the site (but not during an event). Negligible impact otherwise from time of events V's all other times otters may cross.

Mammal burrows found in the Bury, but no records of badgers on Tournerbury Woods Estate.

Breeding birds. 7 amber and 2 red species, but overall typical for this type of woodland and common in Hampshire. Heron (surveyed since 1966, where the number of nests appears to have fluctuated between 2 to 18, with Conservancy Officers seeing 3 [empty] in January 2019), little egret and moorhen have low count numbers.

2015 survey showed 9 nests (8 x heron and 1 x little egret)

The report however does not then go on to talk about the 2019 survey (4 nests), the differences to 2015 and why that might be other than to use the term 'natural fluctuations' (2 paras up from Section 5.9).

Effect of habituation mentioned in para 31; so no overall impact to nesting birds concluded. 2nd para up from bottom of page 45 recommending 6 No. bird boxes (see Table 5.8.1}

Paragraph after that also recommending evergreen tree planting between venue area and shoreline to help wintering birds forage.

No impact to reptiles, as short mown grass unsuitable habitat. Might exist in longer grass cover, but no significant impact predicted.

Table 4.4.2 summarises impact to ecological receptor - (during events impact to SPA and birds on site) - described as moderately significant and impact to bats described as significant) without mitigation, table 4.4.1 showing impact to ecological receptors needing mitigation.

- The submitted Habitats Regulations Assessment concludes no significant impacts to those features the 'European Sites' were designated for, with the ecological report having concluded no adverse impact to the SSSI separately and no need for the Council to therefore carry out an appropriate assessment. No real assessment of the likely impact of the number of events increasing dramatically at the site is attempted.
- Nutrient neutrality: Whilst use of a W.C. at Woods Cottage is unlikely to have increased significantly from wedding venue use (which in any case goes to a septic tank emptied once a year and disposed of at Budds Farm WWtW). Portaloo's are supplied by a contractor from Pulborough and their waste disposed to a sewerage system there.

4.0 Key issues and related Policy framework*

NPPF – 1-3, 6-12, 15, 17-18, 20, 28, 38-43, 47-48, 55-57, 59, 81, 84-85, 92-93, 104-105, 107, 110-113, 119-120, 126, 130-131, 134, 152, 154, 159, 161-165, 167, 174-177, 179-182, 185, 187, 189-190, 194-195, 197, 199, 218-220; **NPPG** – **ID's** 6-8, 15, 17b, 18a, 20-21a, 23b, 26, 30-31, 34, 36-37, 42, 53, 65; **HBLP** –

CS1-CS3, CS5-CS6, CS8, CS11-CS17, CS19-CS21, DM1, DM5, DM8-12, DM14; **HBLPSA** – AL1-AL2, DM20, DM23; **SVHBLP 2036** – DR1, IN2-IN3, E1, E3-E6, E13 -E18-E20, E22, EX1, C2, C8, C10; **CHMP** – 1-3, 6, 8, 12-13, 15; **PP** – 01, 06, 09, 11, 14, 18; **SPD**.

4.1 When was it necessary to have applied for planning permission?

- 4.1.1 It is permitted development - (under planning law, but not under the Wildlife and Countryside Act 1981 in terms of prohibited operations in a SSSI) - to operate a use of open land (which is not the curtilage of a building) for up to 28 days in any calendar year, recently extended to 56 by the Government for a temporary period during the pandemic. There are some exceptions such as clay pigeon shooting and motocross racing, but those operations are not proposed here. The applicant sets out that in 2009 the number of booked events, which had started modestly first in 1990 as a private school reunion party, had increased to 29, each events season generally running from the Mid-March to the end of November, operating mostly Friday to Sunday.
- 4.1.2 Technically speaking, that is the point at which planning permission ought to have been applied for **if** one accepts Woods Cottage had ceased to be used as a dwellinghouse and if that is not the case, then the events were staged outside the curtilage of Woods Cottage on open (not wooded) land.
- 4.1.3 It is Conservancy Officers' position that planning permission to hold events was required at the outset, within a SSSI. It is wrong for the agent to suggest that intensification impact can be reviewed later; rather it is important to assess it now if that is the applicant's true (and stated) aspiration. If the Council (or a Planning Inspector) is minded to support the use, it would be possible to 'cap' the number of events that could be held in any calendar year by a planning condition.

4.2 Safeguarding intrinsic character and beauty of countryside / coast / biodiversity from inappropriate development –

- 4.2.1 It is unsatisfactory that the agent continues to refer to use of the site as being lawful. That is not currently the case and no planning permission or Certificate of Lawfulness exists at this time to substantiate that claim. The agent makes an argument relating to a fallback position of agriculture/forestry, which would have permitted rights for a related structure. It is said this application was not determined. He points to an application made in 2011, but I cannot find this on the Council webpages. He cites this fallback use and implication of a further building at the site. Whilst this may be a fallback position, it is likely to be a less intensive use with fewer vehicle movements than that sought now and a building may also require a Licence from Natural England, in addition to prior approval being sought from the Council.
- 4.2.2 The Conservancy's Ecologist is not satisfied with the level of information provided to demonstrate why such impacts should be entertained in a SSSI and considers that the mitigation offered would not be easy to enforce, involving an intolerable level of supervision. The Phase 1 ecology report even questions the basis of the SSSI designation. Whereas an appropriate assessment under the Habitats Regulations has been submitted to cover concluding no impact to features of nature conservation interest, the acceptability of this use really boils down to effective enforcement of the visitor management strategy. For example a general intention to remove dead wood from many of the trees, set out in the arboricultural impact statement is not clearly specified and being as the trees are the major feature of

the SSSI and the habitat they provide, this is of clear concern. The bat report has noted the presence of bats using Woods Cottage as a roost. It has concluded that external lighting must be controlled, yet no schedule of lighting and a plan accurately pinpointing its position is submitted. Reference is made to external lighting, acknowledging this has increased but not quantifying it. Agreeing it can affect bats foraging though but implying that it has been there throughout use, then the impact is not adverse. No assessment of impact of lighting actually installed at the site is made, other than by the applicant who has surveyed the site from the Harbour at night, stating that all external site lighting was on when the photography was taken and comparing the impact from adjacent housing, and the Mengham Rhythe and Hayling Island Sailing Clubs on the same date. Your Officers cannot verify that all site lighting was on and other than a diagram supplied by the applicant, the number of external lights has never been presented as a schedule/linked to a map base. Despite stating no mitigation would be needed, bird and bat boxes are offered and evergreen planting at the shoreline to the benefit of overwintering birds foraging in the Harbour. 6 bird boxes do not seem to offer a great deal of enhancement to the AONB.

- 4.2.3 The report plays down the significance of the heronry by stating not one of 30 notified features which led to SSSI being designated. Your Ecologist takes a contrary view. Survey data 2015 & 2019 shows number of heron nests halved during that time from 8 to 4 nests. The consultant says that the heronry is only a secondary colony from Thorney Island and that a rookery in 'The Bury' may suppress the heronry enlarging. The consultant concludes overall that herons and little egrets have continued to breed during the wedding events so no significant impact can be attributed to the wedding events use having operated.
- 4.2.4 As another specific example, a general intention to remove dead wood from many of the trees, set out in the arboricultural impact statement is not clearly specified. Being as the trees are protected by a TPO and the major feature of the SSSI and the habitat they provide, this is of clear concern.
- 4.2.5 The 187 page ecological report recently submitted makes very little mention of the AONB (until paragraph 3.4.5) or the need in policy terms to conserve and enhance its condition, when carrying out development within it. No reference is made to WeBS bird count surveys over time. The merits of utilising different vehicular access to the site thereby avoiding the heronry in 'The Bury') under APP/17/00207 or APP/21/00536 are not discussed.
- 4.2.6 The consultant says no vegetation is to be removed, so there would be no adverse impact to habitats present at the site. This is used to argue no impact to foxes, rabbits, voles, shrews or deer which may be present/using the site. However, Google Earth imagery over time and indeed the aerial photograph at the beginning of this report shows that trees have been removed to create the main grassed events space. The formation of parking areas with stone scalplings have also removed scrub habitat under trees.
- 4.2.7 The reasoning set out in the design and access statement merely seeks to suggest that Tournembury Wood is of limited importance percentage wise within the AONB (despite referring to its favourable condition as a unit of the overall SSSI).
- 4.2.8 It has to be accepted that a large number of events have occurred assuming the permitted development tipping point was (probably) passed in 2009. There is a general suggestion that revenue made from the holding of events allows investment in the upkeep of the wood/estate and its coastal sea defences.

However, no clear accounting is presented to demonstrate this, such as receipts to contractors carrying out tree management or sea defence repairs/replenishment work. If the applicant truly wishes to demonstrate 'sustainable development', balancing environmental/economic/social planning considerations, then such further evidence ought to have been provided by now.

4.2.9 It is welcomed that the applicant's aspiration to expand events to 200 every '250 day/year season' - (Mid-March/end of November), has now been reduced to 65 events per year. However, this is still considered to skew towards the economic end of the 'sustainable development' spectrum, when it would seem the applicant was able to have a viable business on 58 events for the year before application APP/18/00943 was made.

4.2.10 Those attending events are free to roam into more sensitive parts of the site, albeit this is likely to be limited to health and safety considerations, especially when darkness has fallen and those coming to the site are more focused on enjoying the event. Even so, there is some anecdotal evidence of people 'wandering' and causing disturbance/annoyance immediately off-site and Conservancy Officers have seen video footage of inconsiderate behaviour when vehicles have been leaving the site and passing through the yard of Tournerbury Farm.

4.2.11 The physical impact of the new structures is limited to the Pavilion seen in some views from My Lords Pond, mostly due to the degree of tree cover. However, there are two other impacts to consider – light (in times of darkness) and noise. Your Officer saw a number of external light fittings and strings of decorative lights, placed around the site. It is not clear if these can be seen from the water when lit, in what is a rather dark and remote part of the AONB at night. Your Officer also saw at first-hand how a specialised 'zone array sound ceiling' speaker system has been placed in the roof lining of the marquee and some sound attenuation work carried out by the applicant, who has a degree and training in such matters, as well as other works since that initial visit. I was advised that the Council's Environmental Health Team has monitored the noise from live/recorded music, as part of assessing the public entertainment licence and is satisfied. The applicant states enquiries are periodically made with the council to understand if noise complaints are made. Noise complaints have been made to the Council. The (December 2019) planning responses on-line to APP/18/00943 reveal the following-

"This office dealt with a number of noise complaints received in the latter part of 2018 and early 2019, levelled at this facility especially in relation to alleged noise nuisance from loud music, and also allegations of noise from loud voices and swearing.

The applicant has in April of this year, as advised by Direct Acoustics in the above report, further improved on the acoustic mitigation measures that previously existed within the marquee, used primarily for wedding receptions.

The report shows that these measures, have significantly improved the attenuation of noise levels produced by live or recorded music.

Direct Acoustics have, after considering their assessment in June of this year, recommended that a suitable internal noise level of 96 dBA should not be exceeded within the dance floor area. If this is adhered to, it should then ensure no impact on nearby residential receptors from loud music.

There have been no further complaints of noise nuisance logged with this office at this time, especially since the additional mitigation measures were completed, nor any related to alleged people noise including shouting and swearing, emanating from the site.

This office therefore has no objection in principle to this retrospective application for this development, but would suggest the inclusion of the following conditions, if this application were to receive approval:

Condition 1: *All recorded or live music to be provided for the entertainment of wedding or function guests should only be employed within the designated acoustic enclosure sited within the existing marquee on the site, and the noise level within this enclosure should not exceed the maximum 96 dBA LAeq recommended on the dance floor.*

Reason: to ensure the amenity of nearby residential receptors is not impacted upon.

Condition 2: *That no 'after parties' or similar activities be allowed to take place within the boundaries of the Tournerbury Woods site.*

Reason: to ensure the amenity of nearby residential receptors is not impacted upon.

In respect of the latter condition, it is recommended that the applicant submit a 'noise plan', to confirm what procedures and practices are currently in place and what, if any, additional measures are being considered to ensure no impact, especially from those guests staying over in the proposed camp site area or in the cottage."

Those are attributed to a music festival in Cosham in the applicant's own assessment.

4.2.12 The ecological consultant says it is very unlikely that dogs would be present at a wedding or other event. Still, this cannot be ruled out or the ecological consultant says it is very unlikely that dogs would be present at a wedding or other event. Still, this cannot be ruled out or controlled by planning condition, so disturbance to birds at the shoreline might still result. The strategy to keep dogs on a lead controlled by planning condition, so disturbance to birds at the shoreline might still result.

4.3 **Waste management, pollution, flood risk and climate change** -.

4.3.1 The use is unlikely to exacerbate flooding issues off the site. I am concerned about the fact that some customers attending events camp on site in what is flood zone 3, but ultimately this is a matter the council could control/prevent with conditions, if advised by the Environment Agency on this point. Clearly the Conservancy wants everyone to safely enjoy the AONB. The agent seems to have obtained his flood mapping from a different place obtainable on the EA website and asserts that no camping takes place within an area of flood risk and that although the marquee is in such an area, sea defences on the estate mean that the site has "never flooded" and as such flooding would result from tidal surges, these are highly predictable and necessary pre-alerts can be issued to those using the site.

4.3.2 At the time of your Officer's site visit, the site was very clean and tidy and it is obviously in the applicant's interest from a business perspective to maintain that

condition of the site. Woods Cottage foul sewerage is provisioned by a 1000 gallon underground concrete cesspit. This is pumped throughout the year by licensed waste operators and removed from site by tanker to be taken to a treatment plant. Portable chemical toilets are hired in for events and there is also mention by the applicant of naturally composting W.C.'s being introduced. Ultimately, these are matters likely to be controlled through the public entertainments licence and will no doubt be scrutinised by Southern Water and the Environment Agency, when those bodies comment on this application. Since the first application, concerns about nutrient to European sites has grown. These matters could have usefully been covered in an update.

- 4.3.3 Photos from the water by Mr Snell, purportedly with all lighting installed turned on and no leaf cover, at wintertime shows a worst case scenario. Mr Snell is basically making the case that other lighting in the creek is worse and not tempered by tree screening. He also makes reference to a scientific study – (Liley et al, 2010) - which concluded no disturbance witnessed to overwintering birds.

4.4 **Transportation considerations** –

- 4.4.1 Paragraph 105 of the NPPF sets out – “*Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.*”, continuing – “*However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making*”. The local highway authority considered under APP/18/00943, that the site can be accessed safely and does not consider the use would have a material impact to traffic using the wider strategic highway network.
- 4.4.2 Access to the site is restricted by the single width lane/passing points, albeit the events have clearly occurred in the past and been absorbed on the local highway network. Conflict arising from those travelling to the site passing through the adjoining farmyard is clearly not ideal, but apparently legally preserved by a deed, when the farm was sold from the estate. Within the context, that for the evening, limited farm vehicle movements might be likely in hours of darkness, the consultant is estimating that for 1% of the time there might be some minor inconvenience to farm activities from a pure capacity perspective. The consultant extrapolates the percentage to 2.5% even if the number of events were to increase five-fold.
- 4.4.3 This matter formed the only reason for refusal to APP/18/00943, albeit the Enforcement Notice served 17 January 2020 specified a wider environmental harm, but pre-dated the first shadow Habitats Regulations Assessment, which concluded no harm likely to features of nature conservation interest.
- 4.4.4 The transport statement later submitted for APP/18/00943 has been updated given the reduced number of events put forward. It is not surprising that it again concludes no serious highway safety problems, nor significant additional traffic movements to the wider strategic highway network. has accompanied/supported the application, especially if the applicant aspires to grow the business from its current 58 events in 2018.
- 4.4.5 Highway matters are for the Highways Authority to consider and control in advising the local planning authority. No public footpaths within the AONB are affected by the proposals.

- 4.4.6 The highest recorded numbers from the submitted TS were recorded at a wedding that took place on 10.8.2019, when 215 guests attended. What is not clear though is how many vehicles they arrived in and how many of these vehicles were taxis and coaches. Over the 42 events listed, an average attendance was 138 guests. There are clear peaks in arrival and departure associated with the wedding events – late morning to early afternoon and then just before midnight, when most might leave. It is estimated from the survey work that at the peak time 78 two way movements could be anticipated equating to an average of 1.3 vehicle movements per minute, which is not considered to be a high flow by the traffic consultant. The consultant also considers the average of 0.9 movements per minute to be the more likely average. By way of comparison the consultant states a typical busy road might expect to see 20 vehicle movements per minute.
- 4.4.7 Fully implementing the extant consent under APP/21/00536, would remove the major point of conflict with farm activities, but does not seem to be deliverable, all the time the two parties cannot agree terms. The noise impact to wildlife and from traffic movements, especially late at night still also does not seem to have been scoped in the acoustic report, which instead focuses on noise from music being played at the wedding receptions.

4.5 **Economic and employment considerations** –

- 4.5.1 The use has and continues to offer the potential to create a sustainable, enhanced visitor attraction within the AONB, with low key visual impact, but this can only be accepted in the AONB if the maxims of 'conserve and enhance' under paragraph 174 of the NPPF are fully demonstrated by the applicant.
- 4.5.2 The principle and actuality of multiplier effects to the local economy from visitors spending in the local area and local businesses earning revenue from supplying goods and services to the venue are clearly understood and tangible – applicant estimates this as worth £1.32 million to the local economy, but the Conservancy must be convinced that a net gain to the condition of the AONB and its natural beauty will result, before offering its blessing to such a use.
- 4.5.3 The use currently provides direct employment for 10 part-time and 3 full-time members of staff.

5.0 **Conclusions**

- 5.1 The Conservancy's first duty is to conserve and enhance the natural beauty of the AONB, where economic activity is to be sub-ordinate to environmental protection, but supportable where such activity is consistent with environmental enhancement of the area and of an appropriate scale of operation.
- 5.2 If a lawful development certificate is granted for the use of the land and supporting operational development at Appeal, it is not possible to attach planning conditions to such certificates, possibly leaving the only means of control being a public entertainment licence when it is reviewed.
- 5.3 For the ecological consultant to say there is no evidence of impact, when halving of the heronry population *could have* been directly attributable to disturbance is not tenable. It also ignores that the application site red line (and all vehicular traffic) passes through 'The Bury' (where the heronry is located) and that once on site, guests are not 'policed' and can wander off. The noise report produced has been principally prepared to demonstrate no harm or disturbance to human beings

at unsocial hours, not impact to wildlife per se, other than to claim wildlife has become habituated to such impact.

- 5.4 Whilst Conservancy Officers sympathise with those living at Tournerbury Farm, the disturbance from the coming and going of vehicles attending the events at unsocial hours, is more a matter for the Council to 'police'/seek to control under all relevant legislation including planning law. Such impacts are certainly not considered in the applicant's various noise reports though. The Conservancy wants to see the farm flourish though within the AONB and its safe operation not impeded.
- 5.5 Whilst most will leave when events are finished, some will remain on site in tented accommodation. If such revellers were to stay up past the events' midnight curfew and continue to 'party', listening to their own music/sound systems, very real impact to wildlife, especially that feeding at night, could have a negative impact to the SPA/SAC/SSSI/Ramsar designations. Ultimately, it seems on occasion the applicant has had no real control over where event attendees wander off to once on site, which is also of very real concern to the owners of Tournerbury Farm, where they assert there have been instances of trespass into their farm buildings and other unwanted activities such as smoking in a hay barn.
- 5.6 The consultant says the function of the report to predict whether significant effects would result - (which may be the case if the number of annual events changes from 58 to 65) - whereas The Conservancy is arguing because the use has continued for some time, those effects could already be indicated from comparing historic to current survey data. Whereas those patrons not staying overnight are to have left by 12 midnight, the levels of disturbance generated by clearing up and those staff leaving the site in the early morning is not really assessed.
- 5.7 The submission of the visitor management strategy is a positive action, but its proper policing remains doubtful. Any new information will be reported at the meeting, at which point Members can decide whether to re-visit my recommendation, given the Council's sole reason for refusal to APP/18/00943 and Natural England's stance to that application.
- 5.8 The precautionary protection of the SPA/SAC/SSSI/Ramsar/AONB should be afforded the greatest weight by the Council in its decision

SRL – for 24.1.2022 Conservancy Planning Committee – Comments requested by 1.2.2022.

***Abbreviations used:**

NPPF – National Planning Policy Framework – (Revised July 2021)

NPPG– National Planning Practice Guidance – (2014 onwards)

HBLP – Havant Borough Local Plan (Core Strategy)(2011)

HBLPSA – Havant Borough Local Plan Allocations (2014)

SVHBLP 2036 – Submission version of emerging Havant Borough Local Plan (2021)

CHMP – Chichester Harbour AONB Management Plan (2019-2024)

PP – Chichester Harbour Conservancy Planning Principles (first adopted by CHC 17.10.2016 and amendments made/adopted since)

SDP:

- **CHAONB** – Joint AONB SPD (2017)
- **HBDG** - Havant Borough Design Guide (2011)
- **HBPS** – Parking standards (2016)

TWE - Tournbury Woods Estate

TS – Transport statement

Date: 31 January 2022
Our ref: 379808
Your ref: APP/21/01310



Customer Services
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Steve Weaver
Havant Borough Council

BY EMAIL ONLY

Dear Steve

Planning consultation: Further Info - COU of land & woodland (retrospective) as a wedding & events venue, including retention of permanent ancillary buildings & structures, the erection of removable structures (including marquees & temporary facilities), etc.

Location: Tournerbury Woods, Tournerbury Lane, Hayling Island

Thank you for your consultation on the above dated 11 January 2022 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

Natural England notes this application is a resubmission of a previous application for which we provided a no objection subject to mitigation response

The consultation documents provided by your authority include the HRA & Appropriate Assessment from the previous application for context and an updated shadow HRA (Holbury Consultancy Services Nov 2021)

The following comments are provided to assist your authority in completing the HRA for the proposals and take into account the information provided in the shadow HRA and Visitor Management Strategy documents by Holbury Consultancy Service on behalf of the applicant.

Disturbance

Natural England previously raised concerns about potential increased disturbance from access, noise and light at Tournebury Foreshore during wedding events during the overwintering period.

The shadow HRA states that 'disturbance events associated with events would be infrequent (a maximum of 3-4 times across the month), of short duration (max 1-2 hours) and extremely localised in nature, confined to the temporary jetty or the adjacent Harbour Lawn'. We accept that access to outdoor areas is less attractive during winter months and that the nature of the terrain at the foreshore is in itself not attractive to wedding guests in formal attire. We welcome the proposed barrier and signage which will further discourage access along with the event rules which requires dogs on short leads at all times and no fireworks allowed. We therefore on balance we agree that provided the competent authority is confident these rules will be implemented by site managers and the measures set out in the visitor management strategy, there is unlikely to be an adverse effect on integrity on the SPA.

It is Natural England's view that use of the jetty and lawn area during the month of October represent a novel source of noise which SPA species are unlikely to be habituated to, we therefore advise the competent authority recognise this in the HRA and take a precautionary approach. The competent authority should be satisfied that use of the jetty will be limited to 3-4 times at highwater during October and use restricted from 1st November to 31st March inclusive.

In addition the proposals have the potential to impact on SPA species through noise disturbance from amplified music in the marquee. The applicant states an attenuated sound system will be continue to be used in the marquee which prevents noise levels exceeding 69db at the foreshore with measurements showing typical sound levels of 34db. We therefore agree that disturbance from noise is unlikely to have an adverse effect on integrity provided the use of this system and monitoring can be secured via appropriately worded condition with any planning consent.

Should the frequency of events increase beyond 4 we recommend that further bespoke wintering bird surveys are conducted to assess disturbance impacts.

Chichester Harbour Site of Special Scientific Interest - The Bury

Natural England previously raised concerns potential disturbance to the Heronry within The Bury which is listed as a feature of the Chichester Harbour SSSI. However evidence suggests that Herons are more likely to be disturbed by vehicles stopping than by vehicles which drive by without stopping. The Visitor Management Strategy sets out that visitors are unlikely to stop on the access track but as a precaution signage will erected at entrances to the access track which advises visitors to not stop due to nesting birds. Based on this evidence and the additional measures we are satisfied there is unlikely to be increased disturbance to the Heronry during the nesting months of January to June. Provided the measures within the Visitor Management Strategy are secured with any permission we are satisfied the proposals will have mitigated any potential disturbance impacts from vehicle access and raise no further concerns.

Nutrient Neutrality

We note that the application does not now include use of Wood Cottage for overnight accommodation and the nitrogen budget for the remaining camping has therefore been recalculated resulting in a small positive nitrogen budget of 0.12 Kg/N/year. As mitigation it is proposed to purchase credits from Havant Borough Council's Warblington Farm strategic offsetting scheme. Natural England is of the view that if these measures, including contributions to them, are implemented, they will be effective and reliable in preventing harmful effects on the Habitats Site(s) for the duration of the proposed development.

This advice is provided on the basis that all mitigation measures will be secured as planning conditions or obligations by your authority to ensure their strict and timely implementation for the full duration of the development. Your authority should be assured that proposed financial contribution rates are proportionate to the identified effects of the proposed development, suitably precautionary, and in line with the Retail Price Index, where relevant. Provided that your authority is assured and satisfied that the budget calculations are suitably precautionary and accurately reflect the proposal, then Natural England raise no concerns with regard to the nutrient budget.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Should the proposal change, please consult us again.

Yours sincerely

Rachael Clemson
Sustainable Development Lead Adviser
Thames Solent Area Team

Local Planning Authority planning application reference: **AP/22/03196/FUL**
 Location: **Apuldrum House, Dell Quay Road, Dell Quay, Appledram, West Sussex**
 Proposal: **Construction of replacement detached dwelling and garage with associated landscaping**

LPA webpage <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RN920DERH9D00>



RECOMMENDATION

- (a) That Chichester District Council, as local planning authority be advised that Chichester Harbour Conservancy raises no objection to the proposed development.
- (b) Suggested considerations: -
 - schedule/samples of materials to be agreed prior to construction, use of a natural / neutral coloured timber cladding is preferred by the Conservancy, no light or pale colours
 - for glazed surfaces, the use of coated surface glass that is non-reflective to mitigate external reflective glare which might also assist with keeping heat in and radiation out for the respective seasonal changes
 - any and all glazed windows / doors / skylights should be fitted with working internal screen blinds to reduce light spillage during evenings and night-times in order to minimise and reduce the amount of light illumination of the new window openings to comply with the Dark Skies protocol operating within the AONB protected national landscape designated area to limit disturbance to wildlife
 - any and all external lighting to the circulation areas and outdoor congregating areas be it wall mounted or free standing should be fitted with a suitable and effective cowl to focus the light-beam and illumination downwards and prevent light spillage above the horizontal and into the night sky so as to comply with the Dark Skies approach and to limit disturbance to wildlife
 - retention of all boundary hedgerows, planting shrubbery and trees and replacement of any part of the hedgerow or planting as existing which is removed with a hedge of a similar size and species

1.0 Proposed development and Supporting Documents

- 1.1 The current application proposal is for the building of a replacement two-storey detached dwelling house on the site of the existing dwelling which is to be demolished. The replacement building would be set back from the front boundary and located to the middle of the site, orientated broadly north-east – south-west along the length of the plot. Access would remain from Dell Quay Road from the north.

- 1.2 The proposed building is indicated to be two storey with a ridged roof and accommodation within the roof space. The materials are indicated as handmade clay tiles to the roof, a mix of flint and pale brick quoins to the south-east elevation, and handmade bricks to the north-west elevation, and a mixture of both to other elevations, with a central area of weathered timber to the south-east elevation. The detached domestic garage would be flat roof with hidden phot-voltaic cells and finished in flint. This would be a visual change to the existing dwelling which has a white wall finish and tiled roof.



- 1.3 The submission makes reference to the sites location within the context and setting of the Area of Outstanding Natural Beauty protected national landscape, in the submitted Planning and AONB Impact Statement and in the submitted Design and Access Statement (DAS). Whilst this is not a full AONB Landscape Visual Impact Statement that would be normally a requirement of the LPA Local Validation List, it is assumed that together these documents fulfil that role.

2.0 AONB Planning Considerations

- 2.1 The site lies inside the AONB protected national landscape. The relevant AONB Planning Principle guidance is part of the due diligence scrutiny of this planning proposal. Any development in, or affecting the setting of, the AONB should be guided by the four principles as indicated in Section 2 of the Chichester Harbour AONB Joint SPD (2017) in order to protect, conserve and enhance natural beauty and wildlife.

1. Relevant and/or recent planning history implications for the proposal

- 2.2 **BI/21/01162/DOM** - Proposed construction of replacement open air swimming pool with new pool house and privacy wall enclosure, provision of multi-use games area (no floodlighting) to replace outdoor tennis court (Amended Description to remove proposal for two-storey free-standing garage/annex). Chichester Harbour Conservancy Consulted Delegated Procedure (DR) comment raising no objection made on 20 September 2021. The LPA approved the application on 28 Sept 2021.

2. The principle of the use and activity of the development to the AONB landscape

- 2.3 The use of the site is not changed, this remains as residential land with a single dwelling on the plot.

3. The locational positioning and layout site arrangement to the AONB

2.4 The current proposal is within a countryside location within the AONB protected national landscape. The proposed replacement dwelling is shown broadly positioned in the location of the building to be replaced. The on-site works would likely be partially visible from surrounding public vantage points from the harbour waters and coastline locations subject to intervening boundary landscape screening.

4. Consideration against the relevant AONB Planning Principle guidance

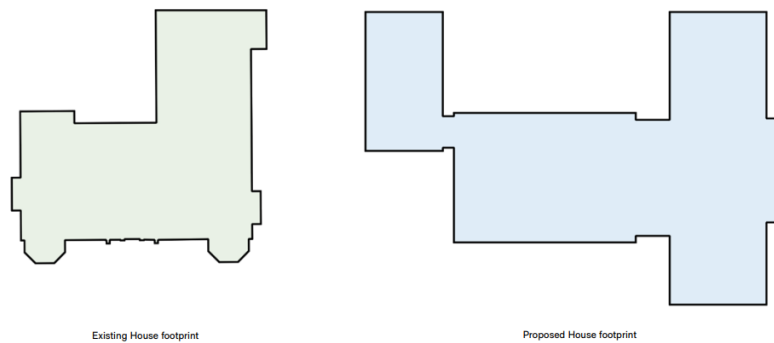
2.5 AONB PP01, PP03 and PP09, together with the associated Joint SPD considerations have been part of this AONB planning assessment.

4A. The proposed physical scale, structure bulk and perceived massing

2.6 The proposed replacement dwelling would be similar in scale to the existing dwelling. The building height would be similar, but the building elevation spread across the site would be greater, particularly as single-storey level.



2.7 The proposal would involve an increase in the dwelling ground floor area footprint for consideration under AONB PP03 and Joint SPD Section 12 calculations. This would approximate to a 132.5sqm increase (proposed 330.4sqm to existing 197.9sqm) representing an approx. 66.9% increase overall. The ground floor footprint calculations would fall beyond the guidance allowance of 50% increase for ground footprint increase.



2.8 The submitted supporting documents consider that when the dwelling and the detached domestic garage floor space is considered together, the resultant combined floor coverage of 129.5sqm (dwelling 132.5sqm increase with the garage 3sqm overall decrease) represents a 48% increase overall (DAS page 12). (actual 45.9%)

2.9 The proposal would result in an increase in the building envelope silhouette, for the east/west side elevation envelope silhouette this would be approx. 25% increase, whilst the north/south front/rear elevation envelope silhouette would be an approx. 6% increase overall. The silhouette calculations would fall within the guidance allowance of 25% increase building silhouette profile increases.



4B. Architectural character, structural design, visual appearance & finished treatment

2.10 The architectural design is a modern traditional dwelling approach. The use of brick and flint walls would represent a change from the brick / render wall treatment of the existing house. This visual appearance can be seen as a more visually subdued alternative to the current dwelling. Due to building set-back within the site from Dell Quay Road and the harbour waters the public view is tempered.



2.10 The design does not reflect the more historic architectural appearance of the existing dwelling, which is understood to have been constructed with an ecclesiastical gothic character for the original owner during the early Victorian period. The Victorian Society has expressed an interest in watching brief on the site (see appendix A to this report).

4C. The environmental character of the AONB landscape

2.11 AONB PP09: Dark Skies, is applicable to proposals within a countryside, coastal or 1emi-rural location where light illumination would have a wider impact and influence than only to the site and immediate surrounds, and could create a visual impact to the AONB protected landscape setting.

2.12 Internal lighting sources are likely to have a similar impact due to the comparable area of glazing. A visual comparison would infer there is possibly slightly less glazing to the principal elevation facing the harbour waters, and this set back into the site.

- 2.13 The risk of artificial internal lighting seepage and spill into the dark night sky is still clearly possible. Light pollution can be controlled through the glazing being in full compliance with screening / window black-out blind criteria.

5. The impact on the tranquillity of the AONB landscape

- 2.14 The character and atmosphere / ambiance of the AONB locality is unlikely to be substantially altered by this proposal. The use of a dwelling house on the site would continue as currently, albeit in a different form and footprint.

6. Biodiversity, ecology, wildlife, environmental quality & any disturbance mitigation

- 2.15 In matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas, the development proposal in the AONB would be unlikely to have any identifiable harmful impact. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. There are no mitigation measures necessary in relation to this proposal.

Conclusion

1. The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The development area of the red-line site lies within a countryside area.
2. The replacement of the existing house on the site would not alter the spatial pattern of surrounding development. The positioning of the proposals would have a localised impact on the character and visual appearance outside of the site and the immediate surrounds.
3. The structures scale, design and appearance would sit unobtrusively within its visual setting. The proposal would have a minor visual impact on the wider AONB protected national landscape character. The SW elevation silhouette scale increase is above guidance levels but would not detract from the off-site appearance of the proposal.
4. The use and activity associated with the site would not significantly change. Artificial light generated leads to the potential for concern to the Dark Skies environment, but adherence to glazing black-out screening to all windows during evening and dark-hour activity use of the building would mitigate these concerns. Measures to limit and/or restrict, or remove unnecessary night-time illumination would need to be provided and suitably enforced (to comply to AONB PP09).
5. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection.

Other Comment

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as any overlooking impact to neighbouring property and gardens, any perceived loss of privacy, any equated loss of light and cause of shadowing, noise generation and disturbance, traffic generation and on-site parking provision, and in terms of overall good building design and land-use neighbourliness.

CHC Planning Committee Process

DR for **06-03-2023 CHC Planning Committee** (public open meeting) – ref **AP/22/03196/FUL**
Assessment 13-02-2023 LPA request reply 18-01-2023 Comment to LPA to follow CHC committee
Chichester Harbour AONB Case Assessor: David Rothery LPA Planning Case Officer: Sascha Haigh

This recommendation is made having regard to the Policy framework:

- Chichester Harbour **Landscape Character Assessment** (CBA update 2019)
- Chichester Harbour **AONB Management Plan** (2019-2024)
- Chichester Harbour **AONB Planning Principles** (Management Plan version April 2019)
- Chichester Harbour **AONB Joint Supplementary Planning Document SPD** (2017)
- National Planning Policy Framework (July 2018) -National Planning Practice Guidance (March 2014)

Appendix A – **Victorian Society letter** dated 31-01-2023

dcplanning@chichester.gov.ukYour reference: 22/03196/FUL
Our reference: 18050931st January 2023

Dear Ms Haigh,

RE: 22/03196/FUL | Demolition and replacement dwelling and garage with associated landscaping. | Apuldrum House Dell Quay Road Dell Quay Appledram West Sussex PO20 7EE

This application has been drawn to the attention of the Victorian Society. Having now reviewed the application documentation, we write to register our strong **objection** to the proposed demolition of this building.

Apuldrum House is a significant historic building within the Dell Quay Conservation Area, constructed in 1900-2 by the important late Gothic Revival architect *Temple Moore* for Revd R. H. Meredyth Baker. Geoff Brandwood in his authoritative monograph on the architect, '*The Architecture of Temple Moore*', writes that the commission for the house probably came through a cousin of *Moore's* wife, Revd C. E. Storrs, Rector of Selsey, who had previously commissioned work from *Moore*.

Temple Moore was an important architect of the late Gothic Revival, noted particularly for his ecclesiastical work. His buildings often display an expert handling of complex form coupled with refined architectural detail. Many of his buildings are listed and notable ecclesiastical examples are St Wilfred's Church, Harrogate (Grade I), and St Columba's Church, Scarborough (Grade II*). He is also well regarded for his secular commissions such as the Hostel of the Resurrection, Leeds (Grade II*) and Holmwood House, Redditch (Grade II*).

Geoff Brandwood in '*The Architecture of Temple Moore*' describes Apuldrum House as '*particularly attractive*' and that '*the entrance side has an informality unusual in Moore's domestic work.*' Photographs and plans of the building show it to be a good and interesting example of a small country house of this period that has undergone little alteration, despite the installation of some uPVC windows and interior changes. Given its state of preservation and quality of design by a very important architect, the building should be considered a non-designated heritage asset. In fact it is our view that building's historic and architectural interest is such that it is a strong candidate for inclusion on the national heritage list.

Patron
HRH The Duke of Gloucester KG, GCVO
President
Griff Illiys Jones
Chair
Professor Hilary Gunning

Vice Presidents
Sir David Cannadine
The Lord Howarth of Newport CBE
Sir Simon Jenkins
Flora MacCarthy MBE

1 Priory Gardens, London W4 1TE
Telephone 020 8994 1039
admin@victoriansociety.org.uk
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For these reasons the Victorian Society disagrees with the conclusions of the submitted Heritage Statement that the building is of low significance. We would further draw attention to the Statement's failure to note key facts, such as the date of construction and architect, which are easily available in *'The Buildings of England: Sussex: West'*, as well as discrepancies within the Statement itself. Ultimately, this document does not provide a suitably detailed and objective assessment of the building and its special interest.

The submitted proposals would entail the complete demolition of the existing building and the construction of a new dwelling. This would result in the complete loss of a building of considerable architectural and historic significance by a leading architect of the late Gothic Revival. The applicant seeks to justify the proposal on the basis of the poor performance of the existing house and the desire to have a more sustainable home. However, the proposals fail to consider the carbon footprint of demolishing the existing buildings and constructing a substantially larger new dwelling and ancillary structures (as well as failing to adequately take account of the building's special historic and architectural interest). It is established that historic buildings have a high level of embodied carbon, and that new construction is a carbon intensive activity. It is likely that any new dwelling, however well designed, would take many years to offset the carbon involved in the proposed demolition and construction. A sensitive proposal would seek to retain and improve the existing buildings as far as possible.

Furthermore, the proposals would harm the character of the Dell Quay Conservation area. While Apuldrum House is not accounted a 'positive building' in the Conservation Area Appraisal we note that the Conservation Area was extended to include the building. Considering it is the work of a nationally significant architect it should be considered a positive contributor to the Conservation Area and preserved.

The NPPF states:

'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.' (para 203)

and,

'Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance.' (para 206)

Apuldrum House is a non-designated heritage asset of considerable interest within a Conservation Area. This proposal would result in the complete loss of its significance and harm to the Conservation Area. Making a balanced judgement, we consider the application to be very harmful and poorly justified, and on that basis recommend that it is refused consent.

In light of the building's clear historic and architectural interest, we would strongly urge the Council to serve a [Building Preservation Notice](#) on its owner. This would safeguard the building from any alteration until such time as Historic England is able to consider whether it merits inclusion on the national list.

I would be grateful if you could inform me of your decision in due course.

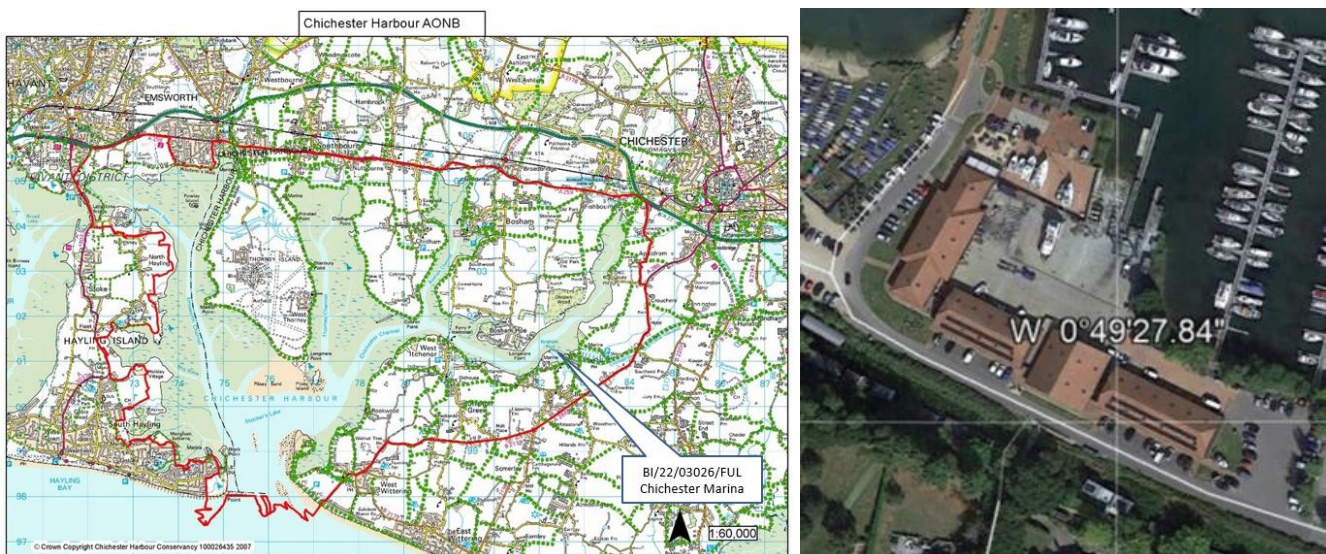
Yours sincerely,

Connor McNeill

Conservation Adviser

Local Planning Authority planning application reference: **BI/22/03026/FUL**
 Location: **Chichester Marina, Birdham, Chichester, West Sussex**
 Proposal: **Variation of Planning Condition 3 of planning permission BI/12/00475/FUL dated 29 June 2012 (as amended by planning permission B1/22/01742/FUL dated 11 Nov 2022) for the construction of four purpose built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping following the demolition of three workshops/sheds, (Amendment for Use Class on buildings A and D (Units A2 and D7) only allowing greater flexibility in the use of the existing business units, to enable retention and creation of employment opportunities)**

LPA webpage <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RM40TXERGF200>



RECOMMENDATION

- (a) That Chichester District Council, as local planning authority be advised that Chichester Harbour Conservancy raises **OBJECTION** to the proposed development.
- (b) The proposal is opposed on the following grounds -
 - The loss, or potential loss, of marine based employment use of buildings located within this marina and countryside setting that are provided to primarily serve marine and coastal users to the site, this would be contrary to AONB PP01 (AONB as a protected area), and AONB PP02 (Safeguarding Marine Enterprise), as well as the Joint Chichester Harbour AONB SPD (Section 24: Marine Enterprise).
 - This application contravenes the Joint Chichester Harbour AONB SPD, and AONB guidance which requires a clear demonstration that no harm is caused to the AONB. The proposed open flexibility in allowing non-marine based users, which do not require such key waterside location and could operate from any location elsewhere, reduces the availability of such waterside sites for business which are primarily focused toward marine activities.

1.0 Proposed development and Supporting Documents

1.1 The current application proposal is for the variation of Planning condition 3 of planning permission BI/12/00475/FUL dated 29 June 2012 (as amended by planning permission BI/22/01742/FUL dated 11 Nov 2022). The variation as currently proposed seeks a wider planning use of units A2 and D7.

- 1.2 Planning Permission reference - BI/12/00475/FUL dated 29 June 2012 was for the "Demolition of three workshops/sheds for the comprehensive redevelopment of the South-West area of the marina comprising four purpose-built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping".
- 1.3 Planning Condition 3 reads –
- a) **Buildings A, B, and C shall be used for marine related uses only** (with ancillary sales). These uses can include boat brokerage or B1, B2, B8; and for no other purpose (including any other purpose in Class B1, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).
- b) **Building D shall be used for**
- i) **B1, B2, B8, marine related uses only** (with ancillary sales) and/or
- ii) **a chandlery** (to a maximum of 468 sqm) and/or
- iii) **a mixed use cafe/restaurant** within use class A3/A4 (**to a maximum of 244sqm**) and for no other purpose (including any other purpose in Class B1, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order) and notwithstanding any change permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).
- Reason: To accord with the terms of the application and to retain the provision of accommodation for marine related uses in compliance with policy C7 of the Chichester District Local Plan First Review 1999.
- 1.4 The subsequent Planning Permission reference - B1/22/01742/FUL dated 11 Nov 2022 that amended the above older permission was for the "Demolition of three workshops/sheds for the comprehensive redevelopment of the South-West area of the marina comprising four purpose built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping (**Variation of condition 3 from planning permission BI/12/00475/FUL - To allow building D to have a mixed use cafe/restaurant (use class Eb) to a maximum of 365 sqm.**)"
- 1.5 From the above planning history, the current planning legal use of the red-line planning application site is as follows –
- Unit A for marine related uses including as a boat brokerage or B1, B2, or, B8
- Unit B for marine related uses including as a boat brokerage or B1, B2, or, B8
- Unit C for marine related uses including as a boat brokerage or B1, B2, or, B8
- Unit D as either / or –
- i) B1, B2, B8, marine related uses only
- ii) a chandlery to a maximum of 468 sqm
- iii) mixed use cafe/restaurant to a maximum of 365 sqm
- 1.6 As indicated above, the current variation proposed seeks a wider usage of units A2 and D7. The following is the applicants suggested rewording of Planning Condition 3 to take into account this sought change, the **highlighted** text is the additional

alteration (that in a **coloured** font are changes that should be included for consistency which the planning agent has overlooked).

a) *Buildings A, B, and C (excluding Unit A2) shall be used for marine related uses only (with ancillary sales). These uses can include boat brokerage or **E(g)**, B2, B8; and for no other purpose (including any other purpose in Class **E(g)**, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2020 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).*

Unit A2 shall be used for marine and non-marine related uses falling within Class B2, B8, and E, of the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020.

b) *Building D (excluding Unit D7) shall be used for*

i) **E(g)**, B2, B8, marine related uses only (with ancillary sales) and/or

ii) a chandlery (to a maximum of 468 sqm) and/or

iii) a mixed use cafe/restaurant within use class A3/A4 (to a maximum of **365sqm**) and for no other purpose (including any other purpose in Class **E(g)**, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2020 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order) and notwithstanding any change permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Unit D7 shall be used for marine and non-marine related uses falling within Class B2, B8, and E, of the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020.

Reason: To accord with the terms of the application **and the Town and Country Planning (Use Classes)(Amendment)(England) Regulations 2020.**

- 1.7 The Town and Country Planning (Use Classes) Order 1987 was modified and took effect on 1 September 2020. From that date Use Classes A1: shops, A2: financial and professional services, A3: restaurant and cafes, and B1: business use -a) offices, b) research and development, and c) industrial processes were replaced by a new use class,; Use Class E : Commercial, Business and Service, which is subdivided into 11 use categories a) to g). E(g) Uses which can be carried out in a residential area without detriment to its amenity, and include (i) Offices to carry out any operational or administrative functions, (ii) Research and development of products or processes, and (iii) Industrial processes. More Use Class information can be found at: - https://www.planningportal.co.uk/info/200130/common_projects/9/change_of_use
- 1.8 The applicant claims that the variation proposed meets the Chichester Harbour Management Plan Policy 13: Prosperous Economy, as the proposal "does not seek or proposes the loss of marine related business premises, but instead seeks flexibility for the applicant that it may allow commercial Units A2 and D7 only to be occupied by traditional or non-traditional marine or non-marine related businesses, whilst also supporting the local economy by ensuring active occupation of vacant units and the creation of new jobs responding to local needs." (submitted supporting statement page 9 table entry).
- 1.9 Furthermore, the applicant also considers that AONB PP02: Safeguarding Marine Enterprise is also not contravened. "The reasoned justification for the policy identifies that the prosperity of marine businesses is cyclical, and suggests that 'once sites are

lost from marine-related use, it is extremely unlikely that they will be replaced by new ones'. ...Rather than seeking a blanket conversion of the employment units for alternative uses, it is seeking flexibility in their management of specific units (Units A2 and D7 only) to support a vibrant and buoyant marine economy. The applicant is pleased to provide evidence of the marketing for Units A2 and D7 to assist with consideration of the application."



Buildings - D - C - B - A west to east (Left to Right)



- 1.10 The submission 'cover letter supporting statement' makes reference to the sites location within the context and setting of the Area of Outstanding Natural Beauty protected national landscape. Whilst the latter is not a full AONB Landscape Visual Impact Statement that would be normally a requirement of the LPA Local Validation List, it is assumed that this has been considered as such by the LPA, even though it does not fully meet the specifications of such an assessment.
- 1.11 The submitted 'cover letter supporting statement' (page 9) makes reference to the Chichester Harbour AONB Management Plan AONB Planning Principles as a material planning consideration in the table against which it makes its case for the Change of Use.
- 1.12 The requirement under AONB PP02 for a marketing exercise before the consideration of any Change of Use is responded to by the applicant as being unnecessary as the flexibility in the wider usage band sought would allow proactive management of tenants without the need of an 18-month marketing exercise (table page 10).

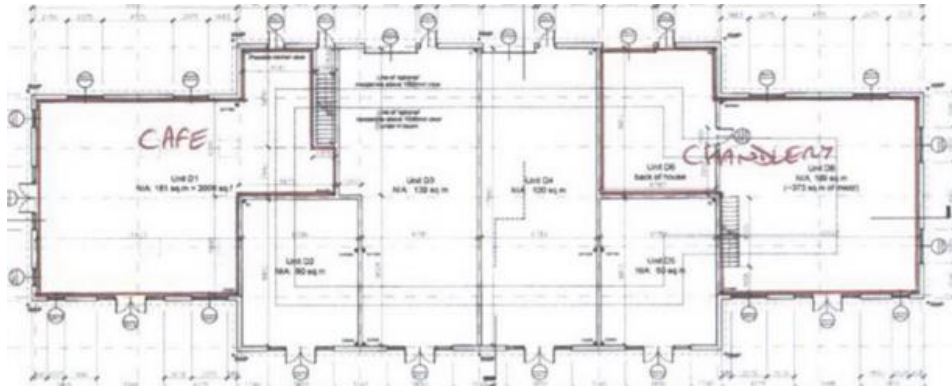
- 1.13 However the submitted statement indicates (page 6) that Unit D7 has been marketed since 19 February 2019, and unit A2 since 20 April 2020. The marketing details provided with the submission indicates either marine based business users (such as kayak sales, marine wrapping/graphics, marine upholstery, water sport retail, etc.) who considered the rental asking price too expensive, or non-marine based users (a range including student accommodation, joinery business, car sales, fitness instruction, general office use, veterinary, etc.), who found the units unsatisfactory for various reasons (too large, too expensive, too remote, etc.).

2.0 AONB Planning Considerations

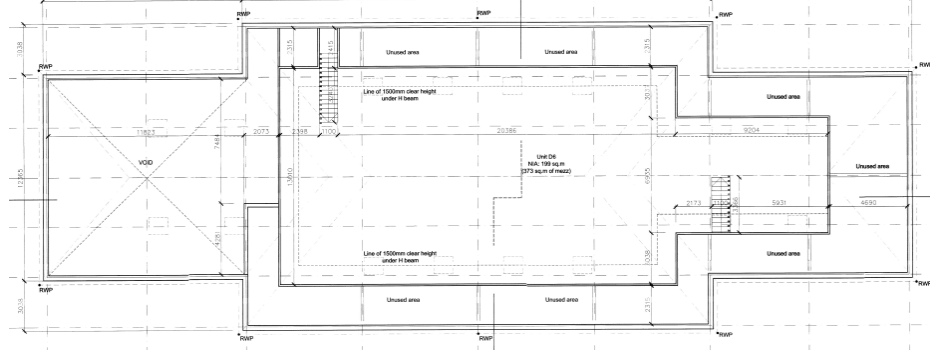
- 2.1 The site lies inside the AONB protected national landscape. The relevant AONB Planning Principle guidance is part of the due diligence scrutiny of this planning proposal. Any development in, or affecting the setting of, the AONB should be guided by the four principles as indicated in Section 2 of the Chichester Harbour AONB Joint SPD (2017) in order to protect, conserve and enhance natural beauty and wildlife.

1. Relevant and/or recent planning history implications for the proposal

- 2.2 **BI/22/01742/FUL** - Variation of condition 3 of permission BI/12/00475/FUL (redevelopment of the southwest area of the marina with new marine-related buildings and café restaurant etc) to allow Building D to have a mixed use café/restaurant (use class Eb) to a maximum of 365 sqm. The Chichester Harbour Conservancy Consulted Delegated Procedure comments (LP) dated 17 August 2022 raised no objection to the proposal subject to conditions. The LPA **approved** the application on 11 November 2022.
- 2.3 **BI/21/00833/FUL** - Variation of Condition 3 of planning permission BI/12/00475/FUL dated 29 June 2012 for change of Use Class on buildings A to D to allow greater flexibility in the use of the existing business units, to enable retention and creation of employment opportunities [relating to the comprehensive redevelopment of the South-West area of the marina comprising four purpose built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping following the demolition of three workshops/sheds]. The Chichester Harbour Conservancy Consulted Delegated Procedure comments (DR) dated 10 May 2021 raised OBJECTION to the proposal due to potential loss of marine based employment uses. The LPA **REFUSED** the application on 29 June 2021. The subsequent Planning Appeal **APP/L3815/W/21/3289832** considered under the written representations' procedure was dismissed on 18 July 2022 by the Planning Inspectorate. (appeal decision notice – Appendix A to this report)
- 2.4 **BI/12/00475/FUL** - Demolition of three workshops/sheds for the comprehensive redevelopment of the South-West area of the marina comprising four purpose built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping. The Chichester Harbour Conservancy Planning Committee comments (LP) dated 13 March 2012 raised no objection to the proposal subject to planning conditions. The LPA **approved** the application on 29 June 2012.



Building D and Units - north to south (left to right) as shown in BI/12/00475/FUL

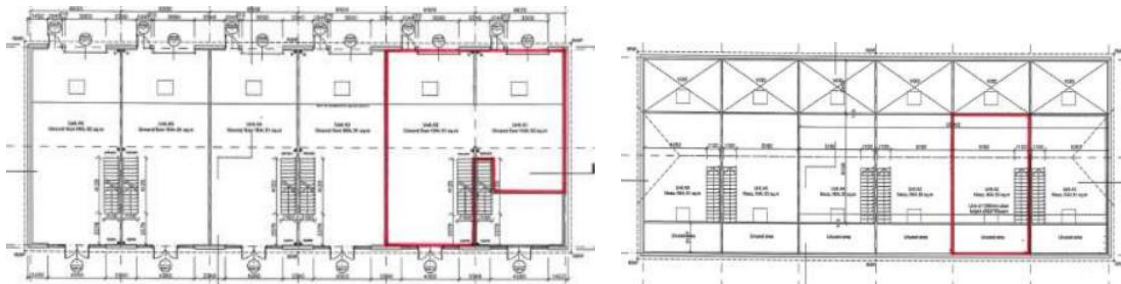


2. The principle of the use and activity of the development to the AONB landscape

2.5 The use of the identified units, A2 and D7 are the subject on the application.

3. The locational positioning and layout site arrangement to the AONB

2.6 The current proposal is within a countryside location within the AONB protected national landscape. The proposal does not alter the spatial positioning or location within the wider landholding.



Building A and units – west to east (left to right)

2.7 It is noted that the site is one of 10 owned and operated by the applicant company (submitted supporting statement page 5). The applicants state that in none of the other sites are there planning restrictions to the level that operate at Chichester Marina. Of the 10 other sites, only one is referred to, Port Solent Marina, Portsmouth. It should be noted that this site does not lie in an AONB, is within a predominantly built-up residential and commercial area, with a significant number of residential flats and apartments up to three and four storey height around the water area. The commercial uses include retail, entertainment (cinema), and restaurants. The character and scale is not comparable to the current application site, and serves a different community profile, within a diametrically different environmental landscape.

- 2.8 Other Premier Marinas sites exist locally within the south-central coast at Gosport, Portsmouth; at Southsea, Portsmouth; at Swanwick, Southampton; and at Premier Universal, Southampton. All lie within urban built-up locations where there are a mix of residential, retail, and commercial activities on the site or in close location to the site. None have the characteristic of Chichester Marina which lies in the AONB countryside and relatively separate from any main or major urban centre. The operational requirements of the current site are therefore clearly different from other local sites operated by the applicant company.

4. Consideration against the relevant AONB Planning Principle guidance

- 2.9 AONB PP01, PP02, together with the associated Joint SPD considerations have been part of this AONB planning assessment.
- 2.10 AONB PP02: Safeguarding Marine Enterprise, requires that existing marine based employment sites are retained where possible. The applicants case (see Para 18-1.9) above claims the Change of Use variation make the units more flexible without removing the marine based possibility of occupation in the future. Whilst this is technically correct, the availability of the units for marine-related uses is more an economic consideration by prospective tenants. If a higher rental income is available to non-marine activities, then there is a clear economic advantage to 'price-out' traditional marine service uses even though this is a marine focused site, for more financial lucrative non-marine occupiers. The removal, or as in the current submission, the wider flexibility of occupational user groups, would make this option of the removal of marine-related users more likely, to the detriment of the site and other site users, contrary to the aims and intention of AONB PP02.
- 2.11 Joint SPD Section 24: Marine Enterprise, reflects to approach of AONB PP02, in that marine sites are retained for the long term viability of the Chichester Harbour's marine infrastructure and the boats and businesses that depend on it. Marine related or other appropriate commercial / employment uses should not be marginalised within the development so as to affect its viability in the long term. (Joint SPD page 40)

4A. The proposed physical scale, structure bulk and perceived massing

4B. Architectural character, structural design, visual appearance & finished treatment

- 2.12 The proposal does not involve any physical alteration to the building fabric or appearance.

4C. The environmental character of the AONB landscape

- 2.13 AONB PP09: Dark Skies, is applicable to proposals within a countryside, coastal or semi-rural location where light illumination would have a wider impact and influence than only to the site and immediate surrounds, and could create a visual impact to the AONB protected landscape setting.
- 2.14 Internal lighting sources are unlikely to have any increase impact due to the physical character of the units not being altered as part of this proposed variation seeking a wider occupation and usage profile.

5. The impact on the tranquillity of / disturbance to, the AONB landscape

- 2.15 The character and atmosphere / ambiance of the AONB locality is unlikely to be substantially altered by this proposal. The use of the two units identified would continue to provide staff and visitor interaction on the site.

6. Biodiversity, ecology, wildlife, environmental quality and any disturbance mitigation

- 2.17 In matters of ecology, biodiversity, or wildlife habitat, hibernation, foraging, mating, or spawning / nesting / rearing areas, the development proposal in the AONB would be unlikely to have any identifiable harmful impact. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection. There are no mitigation measures necessary in relation to this proposal.

3.0 Other Matters

- 3.1 There are no other matters raised for consideration in relation to this proposal. It is noted that the Birdham Parish Council has raised a strong objection to the proposal.

Conclusion

1. The adopted guidance requires a clear demonstration that no harm is caused to the AONB. The development area of the red-line site lies within a countryside area.
2. The Change of Use of the specified commercial workshop / retail units would retain the scope for the current usage of the units but would broaden the possible user groups interested in the units. Whilst this is stated as being flexible within the current rental market, this also undermines the original intention to retain the use of the units directly related to marina based activities. The flexibility claimed would be more likely to result in non-marina occupiers who could be located anywhere and not need a marina location. This would reduce the scope of marine based users who may require such a location for business and trade who may not be able to compete against non-marine rental operators.
3. The proposal is unlikely to have any significant impact or effect on the AONB in relation to wildlife conservation and protection.

Other Comment

The planning application will be considered by the LPA in terms of other aspects applicable to the planning merits of the proposal, such as any overlooking impact to neighbouring property, any perceived loss of privacy, any equated loss of light and cause of shadowing, noise generation and disturbance, traffic generation and on-site parking provision, and in land-use neighbourliness.

CHC Planning Committee Process

DR for **06-03-2023 CHC Planning Committee** (public open meeting) – ref **BI/22/03026/FUL**
Assessment 07-02-2023 LPA request reply 03-02-2023 Comment to LPA to follow CHC committee
Chichester Harbour AONB Case Assessor: David Rothery LPA Planning Case Officer: Kayleigh Taylor

This recommendation is made having regard to the Policy framework:

- Chichester Harbour **Landscape Character Assessment** (CBA update 2019)
- Chichester Harbour **AONB Management Plan** (2019-2024)
- Chichester Harbour **AONB Planning Principles** (Management Plan version April 2019)
- Chichester Harbour **AONB Joint Supplementary Planning Document SPD** (2017)
- National Planning Policy Framework (July 2018) -National Planning Practice Guidance (March 2014)



Appeal Decision

Site visit made on 28 June 2022

by Christina Downes BSc DipTP MRTPI

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

Decision date: 18th July 2022

Appeal Ref: APP/L3815/W/21/3289832

Chichester Marina, Birdham, West Sussex PO20 7EJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Premier Marinas Ltd against the decision of Chichester District Council.
- The application Ref BI/21/00833/FUL, dated 16 March 2021, was refused by notice dated 29 June 2021.
- The application sought planning permission for demolition of three workshops/sheds for the comprehensive redevelopment of the south-west area of the marina comprising four purpose built buildings including marine related workshops, offices, storage, reprovision and extension of the retail (chandlery) and a cafe/restaurant together with an additional 23 car parking spaces, boat parking and storage and appropriate landscaping without complying with a condition attached to planning permission Ref BI/12/00475/FUL, dated 28 June 2012.
- The condition in dispute is No 3, which states that:
 - a) *Buildings A, B, and C shall be used for marine related uses only (with ancillary sales). These uses can include boat brokerage or B1, B2, B8; and for no other purpose (including any other purpose in Class B1, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order).*
 - b) *Building D shall be used for*
 - i) *B1, B2, B8, marine related uses only (with ancillary sales) and/or*
 - ii) *a chandlery (to a maximum of 468 sqm) and/or*
 - iii) *a mixed use cafe/restaurant within use class A3/A4 (to a maximum of 244sqm) and for no other purpose (including any other purpose in Class B1, B2, B8 or A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Use Classes)(Amendment)(England) Order 2005 or in any provision equivalent to that Class in any other statutory instrument revoking and re-enacting that Order) and notwithstanding any change permitted by the Town and Country Planning (General Permitted Development) Order 1995 (as amended).*
- The reason given for the condition is:

To accord with the terms of the application and to retain the provision of accommodation for marine related uses in compliance with policy C7 of the Chichester District Local Plan First Review 1999.

Decision

1. For the reasons given below, the appeal is dismissed.

Reasons

2. Chichester Marina is on the eastern side of the Chichester Harbour Area of Outstanding Natural Beauty (the AONB). The 4 buildings in question are in the south-western corner of the marina site and were completed in 2014. Each is subdivided into individual units of varying size and there is a café at the northern end of Building D. The effect of the planning condition is that the units are required to be used for marine related purposes with the added option of a chandlery and café/ restaurant in Building D.
3. The Appellant seeks greater flexibility to allow the units to be used for non-marine related purposes. It indicates that its other marina enterprises do not have similar restrictions and that in a competitive environment a greater diversity of offer is necessary. It considers that marine-related enterprises no longer necessarily require a waterside location and that in the absence of demand, much of the floorspace is, or will become, vacant. As I understand it, the Appellant wishes to continue to offer such services but also to diversify for the benefit of existing customers, berth holders and the wider community.
4. The condition was originally imposed to safeguard waterside sites for boating related facilities in accordance with Policy C7 in the *Chichester District Local Plan First Review 1999*. This was one of a raft of policies relating to the AONB but is no longer extant following adoption of the *Chichester Local Plan: Key Policies 2014-2029* (the LP). The adopted plan includes policy 43, which relates to the AONB. This is not specifically referred to in the Council's reason for refusal, but it is relevant because, amongst other things, it seeks to ensure that development accords with the policy aims of the *Chichester Harbour Management Plan* (the MP). The *Birdham Neighbourhood Plan* (the NP) seeks to discourage proposals that would adversely affect the businesses related to the marine heritage of Chichester Marina.
5. The MP is a non-statutory document and is referred to in the Council's decision. Policy 13 of that document seeks to ensure that Chichester Harbour continues to be a place where marine businesses prosper. It identifies their importance to the local economy and the historic environment of the harbour, which is one of the special qualities of the AONB. The concern is that the prosperity of such businesses is cyclical and that once they cease to operate, they may never return. Similar points are made in the *Chichester Harbour Area of Outstanding Natural Beauty Supplementary Planning Document* (the SPD). This explains why marine-based enterprises are particularly important to Chichester Harbour and its AONB and provides the justification for their retention if at all possible in this particular case.
6. The Appellant points to changes in the level of demand and the way that marine enterprises have adapted to become more footloose, no longer necessarily needing a waterside location from which to operate. No doubt that will be the case with some marine businesses, but no evidence has been provided to be satisfied that there is a general long-term trend to move away from a location that has traditionally provided a home to such uses. The Appellant has also raised the effects of COVID-19 as a reason that some marine businesses have been unable to continue operating. Whilst the pandemic undoubtedly has had an adverse effect, this relates to a wide range of sectors and not specifically marina-related enterprises. It is also relatively recent, and the longer-term effects are still not clear.

7. In order to consider how the units in question are faring it is relevant to look at levels of vacancy and the marketing that has been undertaken to secure marine-based tenants. The Council's decision refers to Appendix E in the LP, which relates to marketing requirements in connection with various policies. These do not include policy 43 and I am not convinced that the provisions of Appendix E are particularly pertinent in the present case. Of more relevance is the MP and the marketing expectations in the planning principle PP02.
8. At the time of my site visit, 4 units were vacant. The Council accepts that a satisfactory period of marketing has been undertaken for 2 of them, unit D7 and unit A2. The former has been empty since February 2019 and is over twice the size of the other units, being about 600 m² including the mezzanine. Unit A2 was vacated in April 2020, which was just after the first COVID-19 lockdown. It is understood that a tenant has now been found, albeit that this operator is concerned about whether its business would fully accord with the terms of the planning condition. It is not clear at the moment whether this occupation will take place. Unit C5 has been vacant since January 2021. It is appreciated that the Council's Economic Development Officer supports the establishment of a gin distillery here, but it does not appear that there has been any attempt to attract a marine-based occupier. The other vacancy is unit D5, which has only been empty since March 2022. I observed a letting board outside, but insufficient time has elapsed to conclude that a suitable tenant could not be secured.
9. The Appellant refers to the tenant of unit C3a who has triggered a break clause and 4 others where the leases expired in April 2022. However, none of these units were vacant at the time of my visit and there is no information that the leases have not been renewed or that marketing is being undertaken. In these circumstances it seems to me that apart from unit D7 and possibly unit A2, there is insufficient evidence to justify the Appellant's assertion about long term vacancy indicating a lack of demand. I can appreciate that such vacancy is not beneficial to the vitality and viability of the marina enterprise as a whole or this group of business uses in particular. In such circumstances there could therefore be justification for adopting a more flexible approach for unit D7 and possibly unit A2 in accordance with PP02 in the MP. This suggests that a mix of marine related business use and other appropriate commercial or employment uses should be explored. The Appellant in its representations advocates such a mix and indicates that there are many tenants to whom it would be of interest. Unit A2 was specifically mentioned in this respect.
10. The proposal as it stands would allow any of the units to be operated as B2, B8 and E class¹ uses without any marketing at all. I acknowledge that the likelihood is that the present operator would wish to retain some marine-based uses to support the main operation of the site as a marina. However, the extent of change would be vested in the business decisions of the Appellant rather than the public interest. The MP and SPD indicate that once a change has occurred, a marine-based use is unlikely to be re-established. In any event, the business model may change over time and a greater diversity of offer may be sought to attract a wider customer base. Furthermore, planning permissions run with the land, and it is not unreasonable to surmise that the Appellant may not be the owner in perpetuity. The proposed condition would

¹ These classes of use reflect changes to the Use Classes Order when it was amended in 2020.

allow a wide range of uses that have no connection to Chichester Harbour, the waterside or the AONB.

11. For all of the above reasons, I conclude that the condition is reasonable and necessary and that its variation as proposed would be detrimental to the local economy and fail to conserve the character of the Chichester Harbour AONB. This would be contrary to policy 43 in the LP and policy 23 in the NP, which seem to me to be the most important policies in this case. The proposal would also fail to accord with the policy and principles in the MP and the SPD, which are material considerations to which I give significant weight in this case.
12. I have had regard to the fact that the Appellant is clearly an experienced and successful operator of marinas and boatyards who is concerned about the long-term future and viability of Chichester Marina. I am also aware that other of its operations do not have similar restrictions in place and that the level of vacancy there is relatively low in terms of floorspace. However, Chichester Harbour is a unique estuarine AONB environment. It therefore justifies a rather different degree of planning protection to the Appellant's other marina sites such as Port Solent. It should also be pointed out that unit D7 is a much larger unit and therefore accounts for a relatively large proportion of the overall vacant floorspace. The Appellant implies that unless the condition is varied as proposed there could be a significant economic impact on its business. However, there is no specific evidence to be satisfied that its viability is under threat or that the vitality of the marina overall would be significantly impacted.
13. It is acknowledged that no external changes would necessarily be required to the buildings. However, the importance of the marine-based enterprises relates to the character of the AONB. There is no allegation that the natural beauty of the landscape would be harmed by the appeal proposal.
14. The Appellant has referred to a number of other development plan policies that would not be offended, including policies 26 and 46 in the LP. Reference is also made to paragraph 81 of the National Planning Policy Framework, which supports economic growth and local business opportunities. As already commented, there is little to indicate that the proposed variation to the planning condition is required to meet these objectives. A number of different legal judgements has been raised but, for the reasons I have given neither these nor the other material considerations cited by the Appellant indicates that the decision should be made otherwise than in accordance with the development plan.
15. I have considered all other matters raised in the written representations but found nothing to change my conclusion that the appeal should not succeed.

Christina Downes

INSPECTOR

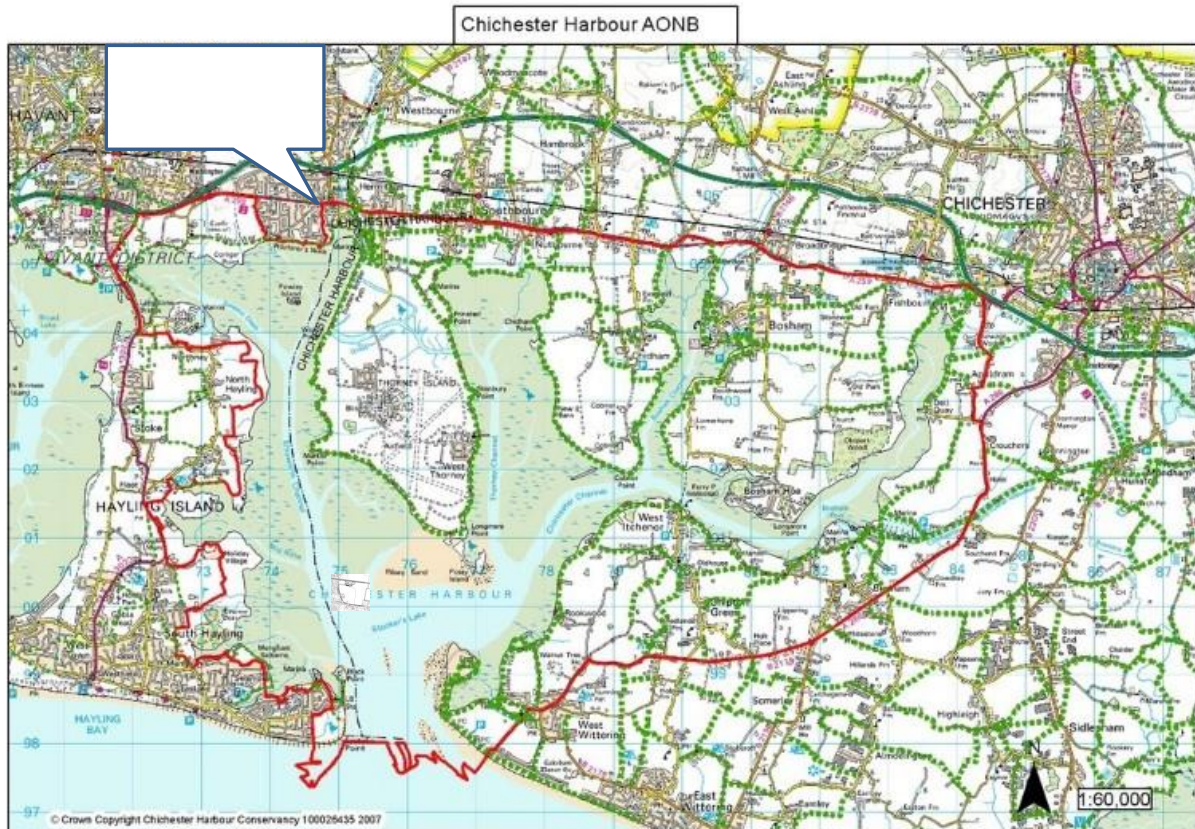
Local Planning Authority planning application reference: **APP/22/01136**

Site: Fiscal House, 2 Havant Road, Emsworth, PO10 7JE

Proposals: Alterations, extensions and change of use to the Single storey offices from B1a to residential. Alterations to APP/21/01120 at Fiscal House to allow for pedestrian access and the reallocation of parking. Erection of 1no. dwelling to the rear.

Conservancy case officer: Linda Park

Application details on LPA webpage – https://planningpublicaccess.havant.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=DCAPR_254739



RECOMMENDATION

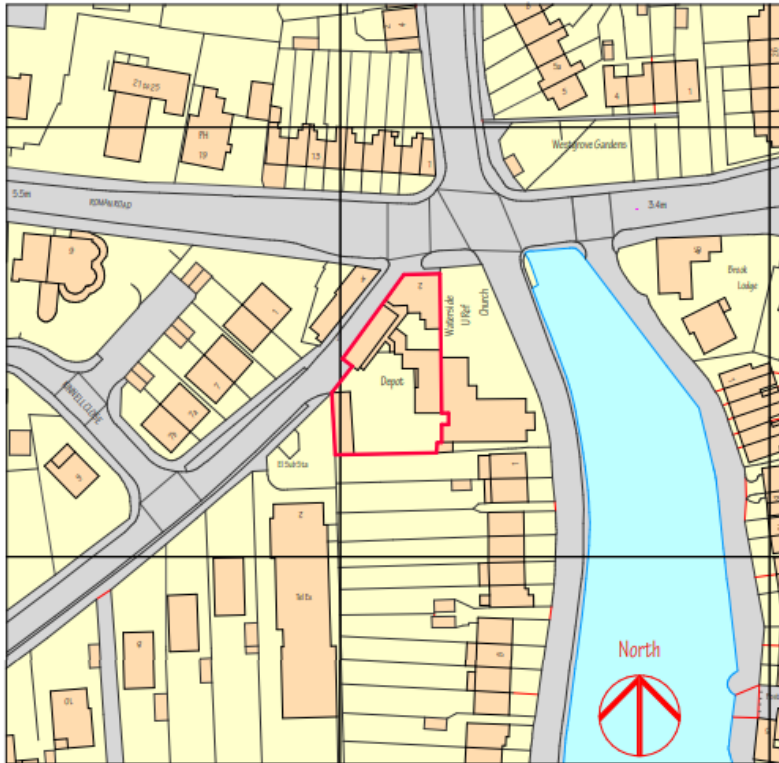
- (a) That Havant Borough Council, as Local Planning Authority (LPA) be advised that Chichester Harbour Conservancy raises an **objection** to the proposed development for the following reason(s):-

The proposed new dwellings would be excessively tall and bulky with overly striking and contemporary designs which would increase their visual impact on this prominent corner site on the edge of the AONB and Emsworth Mill Pond. The result would be a visually intrusive development, which would detract from the setting and the special character and qualities of the AONB and the Emsworth Conservation Area, contrary to Policies CS11, CS12 and CS16 of the Havant Core Strategy, and Policies 1 and 2 of the AONB Management Plan.

Conservancy Officers' comments and reasoned justification

1.0 Site description

- 1.1 The site relates to a prominent corner site close to the top of the Emsworth Mill Pond, fronting onto the A259 (Havant Road), within the built-up area. The buildings are currently a Solicitor's office, with the main two-storey building fronting onto Havant Road, and a large flat roofed extension which extends rearwards abutting the edge of Warblington Road. The site also includes two outbuildings within a sizeable car park.



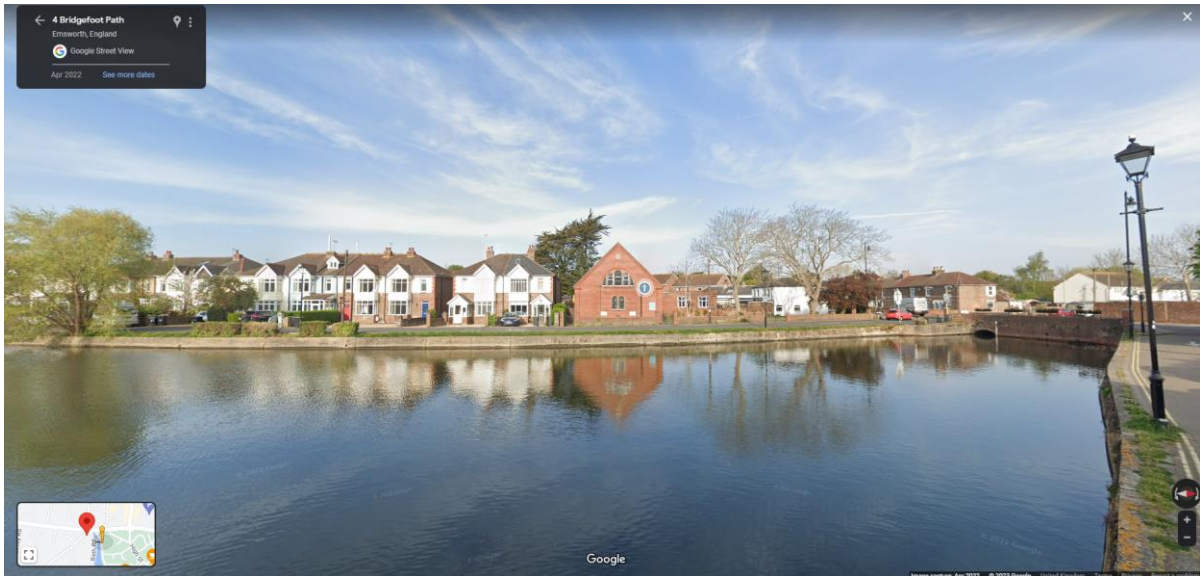
- 1.2 The site has a dilapidated, unkempt appearance particularly from the rear when viewed from Warblington Road. The site lies just outside the AONB, but within the Emsworth Conservation Area.
- 1.3 The site adjoins the Waterside United Reformed Church and its grounds, which front onto the Mill Pond. To the south there is housing, and a British Telecom depot.



Above - View from Havant Road (AONB boundary)



Above - View from Warblington Road



Above - View across Emsworth Mill Pond towards the Church with the site beyond

2.0 Site history

- 2.1 Permission was granted for a change of use of the main two-storey building from B1a (offices) to residential including part demolition of existing building and formation of a new residential garden and re-allocation of parking under application APP/21/01120.
- 2.2 The Conservancy was not consulted on this application.
- 2.3 The approved site plan for this application is shown as 'site plan as existing' under the current application, which is somewhat misleading, as the existing site has not been changed as shown.

3.0 Proposed development

- 3.1 The current application seeks permission to convert and extend the remainder of the building (the single-storey element) from B1a (office use) to a 3-bedroom dwelling, adding an additional storey, and additionally, to erect a detached dwelling within the southern part of the plot.
- 3.2 The single-storey element would become a detached dwelling and would have a first floor and asymmetrical pitched roof added, with a contemporary design with a zinc roof and a mixture of western red cedar cladding and render to the elevations.
- 3.3 The new detached dwelling within the southern part of the plot would have a parking under croft with two stories of accommodation above (three bedrooms on the top floor). It would be of a contemporary design with a double pitched roof finished in zinc, with zinc cladding and render to the elevations.



Above - Proposed site plan



Above - Proposed single-storey building extension/conversion



Above - Proposed new detached dwelling in southern part of site

4.0 **Related Planning Policy framework**

National Planning Policy Framework (NPPF) (Revised July 2021), paragraphs 11, 176, 180-182

National Planning Practice Guidance (NPPG) (2014 onwards)

Havant Borough Core Strategy (2011) Policies CS11, CS12, CS16

Havant Allocations Plan (2014) Policies DM20, DM24

Emsworth Conservation Area Character Appraisal (2010)

Chichester Harbour Management Plan 2019-2024

Chichester Harbour Landscape Character Assessment (CBA update 2019)

CHC Planning Principles (adopted by CHC 17.10.16 onwards), PP01, PP04

Joint CH AONB Supplementary Planning Document (SPD) (2017)

4.1 **Key issues: Impact on Chichester Harbour AONB and the Emsworth Conservation Area**

4.1 This site is in a prominent corner position very close to the boundary of the AONB, and close to the top of the popular Emsworth Mill Pond. There are clear views of the site from both Havant Road and Warblington Road, as well as from the Mill Pond itself and from Bridgefoot Path which runs along the eastern edge of the Pond.

- 4.2 Whilst the existing single-storey extension and rear car park, gates and outbuildings are unattractive and currently detract from the Conservation Area and the special character and qualities of the AONB; there is concern regarding the proposed striking, contemporary designs for both of the new dwellings, in combination with the proposed height.
- 4.3 It is disappointing that the application includes no supporting statement or consideration of the impact on the Emsworth Conservation Area or the AONB. The proposed elevations for the new detached dwelling to the southern end of the site indicate that the proposed new (effectively three-storey) dwelling would be significantly higher than the adjacent United Reformed Church, which would mean that it would be clearly visible behind the church across the Mill Pond.
- 4.4 There is no objection in principle to the creation of new dwellings within the built-up area in accordance with Planning Principle PP04 and the relevant Local Plan Policies; however, development should not detract from the setting of the AONB or the character and appearance of the Conservation Area. The proposals are considered to be excessively high and the designs overly unusual and striking which would increase their visual impact. The result would be a visually intrusive development, which would detract from the setting and the special qualities of the AONB and the Emsworth Conservation Area, contrary to Policies CS11, CS12 and CS16 of the Havant Core Strategy, and Policies 1 and 2 of the AONB Management Plan.
- 4.5 With regard to the criteria of Planning Principle PP04 relating to recreational disturbance and wastewater treatment, these issues could be addressed through financial contributions (for example, the application sets out that it would contribute to Havant Borough Council's nitrogen mitigation scheme). Given that this application would result in a net increase of only 2 dwellings and is situated within the built-up area, it is not considered that an objection could be sustained on these grounds in this instance.
- 4.6 There would be no significant impact on biodiversity given that the site is entirely built on or hard-surfaced at present. The proposals include small areas of planting around the proposed dwellings and therefore could present opportunities for biodiversity gains. However, for the reasons above, an objection to this application is recommended.

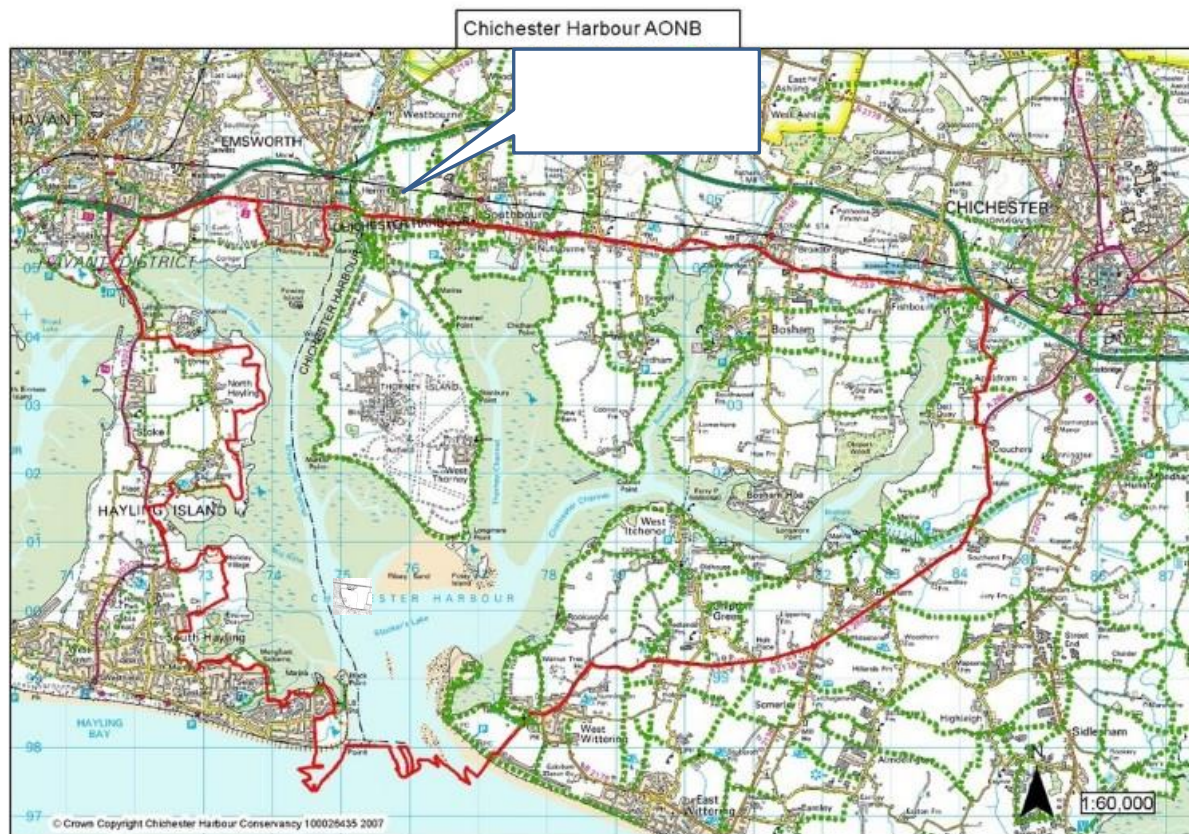
Local Planning Authority planning application reference: **23/00024/OUT**

Site: Land To The North Of Penny Lane Penny Lane Hermitage PO10 8HE

Proposals: Erection of up to 84 dwellings with associated parking, public open space, drainage and alterations to access (all matters reserved except for access).

Conservancy case officer: Linda Park

Application details on LPA webpage – <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RO0RA0ERHSE00>



RECOMMENDATION

(a) That Chichester District Council, as Local Planning Authority (LPA) be advised that Chichester Harbour Conservancy raises **no objection** subject to the following:-

- **The houses be limited to two-storeys in height;**
- **Financial contribution to the Bird Aware scheme be secured to address additional recreational disturbance caused by the development;**
- **Further Bat survey work be carried out as required by the Council's Environment Officer;**
- **Suitable conditions be included to secure enhancements to the existing wildlife corridor to the west, in particular, to safeguard existing trees/hedgerows and the existing Bat and Reptile populations using the area.**

Conservancy Officers' comments and reasoned justification

1.0 Site description

1.1 The site relates to a wide but relatively shallow arable field located directly to the north of residential development at Hermitage, and abutting the railway line to

the north. An area of woodland lies directly to the west, and a further arable field directly to the east. The site lies 300 metres to the north of the AONB (A259), and is separated from the AONB by intervening residential development.

- 1.2 A public footpath runs along the southern, western (leading across the railway line) and eastern boundaries of the site, the eastern path leading from the AONB along Tuppeny Lane and onto the site.



Above: The location of the site (red outline) with footpaths shown dashed and the AONB shown in yellow



Above: The site (ploughed field) shown looking south-west towards the Harbour



Above: The site looking north from the public footpath along the southern boundary



Above: Looking west along the southern boundary of the site with residential gardens backing onto the site



Above: View northwards along Penny Lane towards the site

2.0 Site history

- 2.1 The Conservancy was consulted on an Environmental Impact Assessment Screening opinion (SB/22/02061/EIA) in August 2022 for 85 dwellings on the site. No formal comments were made, given the separation and visual screening from the AONB and the short timescale given for comments.
- 2.2 The application states that a pre-application enquiry was made to the District Council in summer 2021 and that at the time the Council confirmed the proposals would not be acceptable in principle, due to the Council benefitting from a 5-year housing land supply and concerns that the proposals would be contrary to emerging Southbourne Neighbourhood Plan 2. It is stated that the Council found that the proposals were acceptable in other respects, and that no fundamental objections were made in relation to the scheme in design or technical terms.

3.0 Proposed development

- 3.1 This application seeks outline permission for the erection of up to 84 dwellings (a mix of 1, 2, 3 and 4 bedroom dwellings, with 58 market dwellings and 26 affordable dwellings) with associated parking, public open space, drainage and alterations to access, with all matters reserved for future consideration other than access.

- 3.2 The proposed housing would be contained within a green 'buffer' around the edges of the site, in particular the eastern end of the site would be given over to public open space (an equipped area of play, a community orchard, a wildlife pond, and a fitness trail and informal play area).



Above: Proposed site plan showing proposed housing and open space

- 3.3 Native tree planting would be incorporated to the western boundary of the site, described as a 'new landscaped buffer with wild flower meadows to encourage wildlife'.
- 3.4 There are no indicative elevations of the proposed dwellings submitted with the application, although the planning statement reads that the dwellings will be two storeys in height and designed to complement the established development close to the site.

4.0 Related Planning Policy framework

National Planning Policy Framework (NPPF) (Revised July 2021), paragraphs 11, 176, 180-182

National Planning Practice Guidance (NPPG) (2014 onwards)

Chichester Local Plan: Key Policies (2014-2029), Policies 33, 43, 45, 48, 49, 50

Chichester Harbour Management Plan 2019-2024

Chichester Harbour Landscape Character Assessment (CBA update 2019)

Southbourne Parish Neighbourhood Plan 2014-2029

CHC Planning Principles (adopted by CHC 17.10.16 onwards), PP01, PP04

4.1 Key issues: Principle of the development

- 4.1 The site lies outside, but adjoining the settlement boundary of Hermitage, and is therefore within the countryside. Whilst PP04 only supports new residential development outside existing settlement boundaries except in exceptional circumstances; this site lies some 300 metres outside the AONB and is physically separated from it to the north of existing residential development.
- 4.2 Whilst the Conservancy would prefer not to see large new housing developments built close to the AONB, this site is preferable to those adjacent to the boundary and/or clearly visible from the AONB, and does form a relatively logical extension to the existing settlement boundary.
- 4.3 The eastern part of the site forms part of a 'landscape gap' designed to prevent the actual or perceived coalescence of settlements, as identified within the District Council's Landscape Gap Assessment (2019), however, this part of the site is proposed as open space and therefore the application argues that the identified gap would be maintained. From an AONB perspective, it would be difficult to take issue with this argument. The agricultural field directly to the east of the site also forms part of this gap, which is more closely connected with the AONB and therefore this status as a gap will be an important factor in safeguarding this adjacent land from future development.
- 4.4 The woodland directly to the west of the site is identified as part of the strategic wildlife corridor which links Chichester Harbour AONB and the South Downs National Park, as set out in the District Council's 'Strategic Wildlife Corridors – Local Plan Review Background Paper'. The proposed housing itself would lie directly adjacent to this wildlife corridor on the western edge of the development, although the application states that there would be an 'ecology buffer to the western boundary' including enhancement planting to the woodland edge to include native tree and shrub planting, with species rich meadow and mown paths to maintain the existing public footpath.
- 4.5 Given the above considerations, there is no objection in principle to the development of this site as indicated in the submitted application.

4.2 Impact on Chichester Harbour AONB

- 4.21 The physical separation of the site with intervening residential development and planting should prevent any views of the proposed development from the AONB or its wider setting; provided the development is limited to two-storeys as stated in the application.
- 4.22 The main views of the development would be obtainable from the end of Penny Lane and Tuppenny Lane and from the public footpaths surrounding the site, all of which are some distance north of the AONB boundary/A259.
- 4.23 The application includes a Landscape and Visual Impact Assessment, and although it is a shame this doesn't include viewpoints from the footpaths within the AONB to the south of the A259, the conclusions seem fair that there would be no loss of open views into and out of the AONB from the scheme or loss of rural character associated with this, nor impact on rural character in glimpsed views from the A259, towards the hills of the South Downs.

4.24 It is therefore concluded that the proposed development would have a very limited or no landscape impact on the setting of the AONB. Development of this site is therefore preferable in this regard to those sites that are closer to, or have a closer physical relationship with, the AONB, which are far more likely to have the impacts described above.

4.3 **Impact on nature conservation**

4.31 The Conservancy's Ecologist has made the following comments:-

"The proposed development encroaches on the proposed strategic wildlife corridor on its western boundary. Given the proximity of woodland and hedgerow habitat around the boundaries of the site, it is disappointing that there is not further bat survey work undertaken to ascertain bat foraging and commuting activity.

Records of reptiles and amphibians from the site and the nearby area also highlight the importance of the wildlife corridor to already fragmented habitats and species.

If the proposal is permitted then enhancements to improve the wildlife corridor, as well as the existing reptile and bat populations on site should be secured by condition."

4.32 The Council's Environment Officer has raised similar concerns regarding the bat survey work and the strategic wildlife corridor and therefore we would reiterate the concerns raised regarding these issues and would ask that they be addressed through further survey work and suitable conditions.

4.33 With regard to recreational disturbance, a contribution to the Bird Aware Scheme should be secured to ensure that the impacts of increased footfall to the Harbour footpaths is acknowledged and addressed.

4.34 The application includes a Nitrate Assessment which concludes that the development would see a decrease in nitrogen load at the site in comparison with the existing agricultural use for cereal production. The wastewater from the site would be treated at Budds Farm wastewater treatment works.

4.35 As such, the proposals would not be likely to have an adverse effect on the integrity of the designated nature conservation sites within the Harbour, subject to securing the appropriate contribution to Bird Aware.

5 **Conclusion**

5.1 The principle of this development is contrary to PP04 and Local Plan countryside policies; however it is located outside the AONB and is physically removed to the north of existing residential development and as such, would not have a significant impact on the setting of the wider AONB landscape, provided the proposed houses are limited to two-storeys in height.

5.2 The proposed development would maintain the landscape gap between Southbourne and Hermitage by restricting the built element to the central and western parts of the site.

- 5.3 There are some concerns regarding the impact on the strategic wildlife corridor directly to the west and we would expect suitable conditions to be included on any permission granted to secure enhancements to this wildlife corridor including safeguarding the existing trees/hedgerows and the existing bat and reptile populations that use the area.

CHICHESTER HARBOUR CONSERVANCY

PLANNING COMMITTEE

6 MARCH 2023

**THE CHICHESTER LOCAL PLAN, 2021-2039, PROPOSED SUBMISSION
(REGULATION 19)**

REPORT BY THE AONB MANAGER & PRINCIPAL PLANNING OFFICERS

1.0 Introduction

1.1 Chichester District Council is currently consulting on its Local Plan, with a deadline for responses by 17 March 2023. The consultation is very specific in that respondents are only being asked three questions: a) if the Plan has met the legal requirements; b) if it has been positively prepared and is justified, effective and consistent with national policy; and c) if the Council has engaged and worked effectively with neighbouring authorities and statutory bodies.

1. Is it legally compliant?

- The council has set out its revised programme of work in the development of the new Local Plan in the Local Development Scheme prepared in January 2023.
- This document, along with the Statement of Community Involvement (which sets out our strategy for involving the local community in the preparation and revision of the new Local Plan) forms the framework and timetable that we should follow.
- We are also required to provide a Sustainability Appraisal report when we publish a plan. This should show how the Sustainability Appraisal has been carried out, the information we used as part of the process and what the outcomes were. A Sustainability Assessment is a tool for assessing how the plan, when judged against other reasonable options, will help to achieve our environmental, economic and social objectives.
- The new Local Plan should comply with all other relevant requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012, as amended.

2. Is it 'sound'?

Plans are sound if they are:

- Positively prepared - the plan seeks to meet the housing and employment needs of the area, and is informed by agreements with other authorities, so that unmet need is accommodated where it is practical to do so and is consistent with achieving sustainable development.
- Justified - the plan provides an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence.
- Effective - the plan is deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by any statements of common ground; and,
- The plan is consistent with national policy - meaning it will enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework.

3. Does it comply with the Duty to Cooperate?

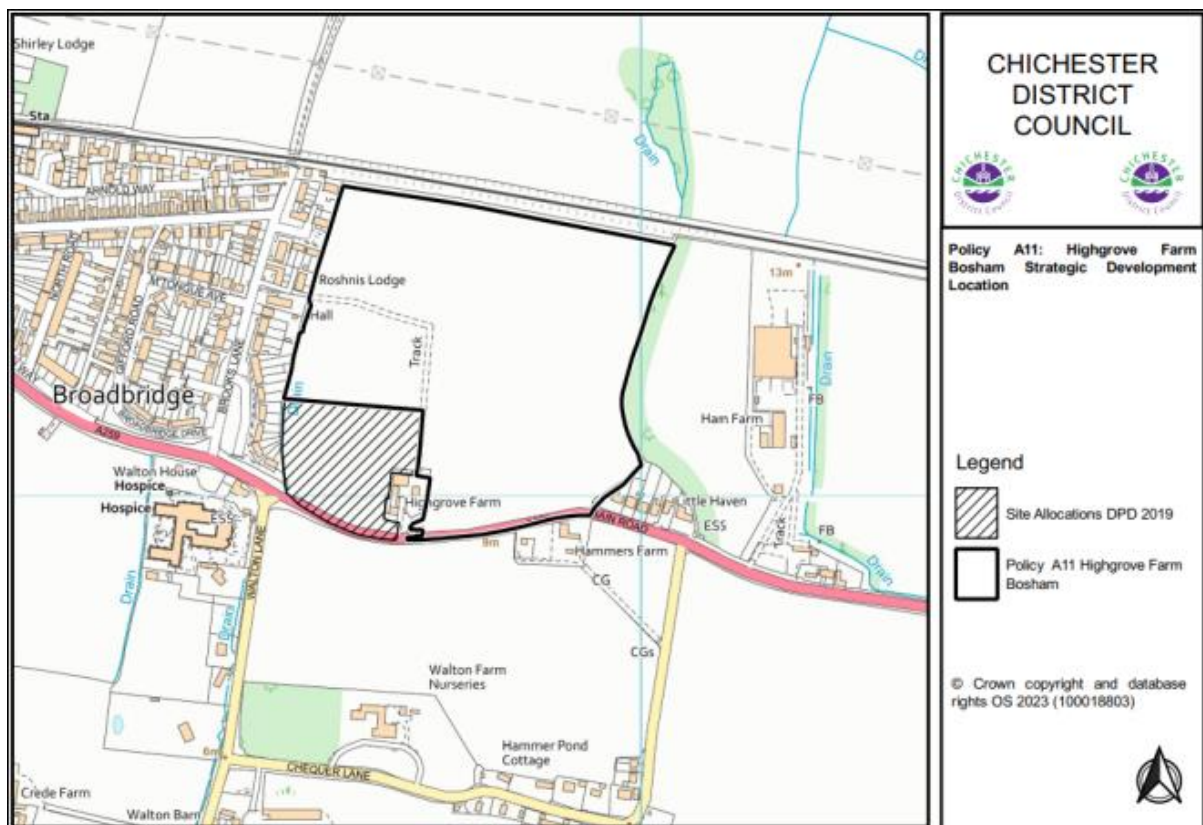
- As part of the plan preparation process, we are required to engage with neighbouring authorities and certain other bodies on strategic matters that cross administrative boundaries. We must provide evidence of how we have complied with that duty. If you do not think that the council has complied with the Duty to Cooperate you must provide evidence of this in your feedback

Source: <https://www.chichester.gov.uk/viewandcommentonthelocalplan>

- 1.2 Responses are best submitted through the Council’s website. Respondents are asked if they support or object to each individual paragraph, and to give the reasons.
- 1.3 In 2018/19, the Conservancy submitted a comprehensive response to the ‘Chichester Local Plan Review 2035 Preferred Approach - December 2018.’ Whilst certain areas of the current consultation positively build upon that document, unfortunately three key allocation sites remain in the new draft Local Plan despite prior objections.
- 1.4 The draft Local Plan does acknowledge the importance of the AONB and the intervisibility with the South Downs National Park (2.22-2.25, 2.29), climate change and sea level rise (2.32), the value of the countryside between settlements (2.42), and high value agricultural land (4.8), and CHaPRoN (4.70).

2.0 Policies A11, A12, and A13

2.1 Policy A11 proposes a minimum of 245 dwellings at Highgrove Farm, Bosham.



Development of this site will need to, "Ensure that key views, particularly of the wider landscape and the South Downs National Park (as identified via the master planning process, any relevant Landscape and Visual Impact Appraisal or the council's Landscape Capacity Study) are protected and that such views are considered as part of the design and layout of the proposed development in order to create attractive views and vistas, particularly from important public spaces"

- 2.2 **Policy A12 proposes a minimum of 300 dwellings in Chidham & Hambrook**, with the exact site still to be determined. The relevant allocation policies and site assessment/selection process will be expected to, "Ensure that the development is well integrated with its surroundings and successfully mitigates the impacts on the wider landscape character, protects existing important landscape features and key views, including any determined through the process of preparing the revised Neighbourhood Plan."
- 2.3 **Policy A13 proposes 1,050 dwellings in Southbourne**, with the exact site to be determined. Development within the broad location will need to "Give detailed consideration of the impact of development on the surrounding landscape, including the South Downs National Park and Chichester Harbour AONB and their settings. Development should be designed to protect long-distance views to the South Downs National Park."

3.0 Chichester Local Plan Review 2035 Preferred Approach - December 2018

- 3.1 This was the Conservancy's response in early 2019 to the proposed allocation at Highgrove Farm, Bosham (the last consultation).

The Conservancy strongly objects to the proposed land allocation a minimum of 250 dwellings at Highgrove Farm, Bosham, for the following reasons:

- It would constitute a major development on the fringe of the AONB.
- The loss of the buffer zone outside the AONB.
- It would breach the policies of the current AONB Management Plan (LS1, BD1) and the emerging new AONB Management Plan (2019-2024).
- It is within the Site of Special Scientific Interest Impact Risk Zone, which affects the SAC, SPA and Ramsar designations.
- The impact on wildlife with inadequate survey data to support the proposal. These surveys should not be left until a planning application is submitted. No mention of impact on nature conservation.
- The detrimental impact on existing long-distance towards Kingley Vale National Nature Reserve and the South Downs National Park (one of the special qualities of the AONB). This inter-visibility is reciprocated; the views towards Chichester Harbour AONB must be protected.
- It contradicts Paragraph 171, footnote 53, of the NPPF (2018) since some of the highest quality agricultural land in the country is found around Chichester Harbour. Footnote 53: "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."
- The urbanisation of the countryside (referring to the forthcoming updated AONB Landscape Character Assessment).
- Unavoidable increased instances light, air, noise, and soil pollution.
- Inadequate wastewater provision and potential impact on water quality, including direct run-off from the site to Chichester Harbour.
- The proposed landscaping and screening would be inadequate mitigation to justify the size of the development.
- It would be contrary to the Spatial Vision outlined in 3.7 (page 24) which states "The relationship between the National Park and significant

natural areas to the south, especially Chichester Harbour Area of Outstanding Natural Beauty will be carefully managed by maintaining and enhancing the countryside between settlements.”

- It would result in the merging of settlements, thereby not maintaining countryside gaps (page 82).

The LPA is advised that Section 85 of the CRoW Act of 2000 requires relevant authorities to have regard to the purpose of AONBs 'in exercising or performing any functions in relation to, or so as to affect, land' in these areas.

As the Statutory Joint Advisory Committee (JAC) for the AONB, proper discussion should have taken place with Chichester Harbour Conservancy before the public consultation on the Local Plan.

3.2 This was the Conservancy's response in early 2019 to the proposed allocation at Chidham & Hambrook (the last consultation).

The Conservancy understands that Chidham & Hambrook Parish Council will provide a map showing their preferred location of the minimum 500 dwellings that are proposed. The absence of this information at the time of the Local Plan consultation makes it difficult for the Conservancy to assess the likely impacts on the AONB. It was therefore resolved to object to the allocation for the following reasons. When the map is published, the Conservancy will reconsider its response. The proposed allocation may:

- Constitute a major development on the fringe of the AONB.
- Affect the buffer zone outside the AONB.
- Breach the policies of the current AONB Management Plan (LS1, BD1) and the emerging new AONB Management Plan (2019-2024).
- Be within the Site of Special Scientific Interest Impact Risk Zone, which affects the SAC, SPA and Ramsar designations.
- Detrimentally impact on wildlife with inadequate survey data to support the proposal. These surveys should not be left until a planning application is submitted. There is no mention of recreational disturbance.
- Detrimentally impact on existing long-distance views towards Kingley Vale National Nature Reserve and the South Downs National Park (one of the special qualities of the AONB). This inter-visibility is reciprocated; the views towards Chichester Harbour AONB must be protected.
- Contradict Paragraph 171, footnote 53, of the NPPF (2018) since some of the highest quality agricultural land in the country is found around Chichester Harbour. Footnote 53: "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."
- Result in the urbanisation of the countryside (referring to the forthcoming updated AONB Landscape Character Assessment).
- Have unavoidable increased instances light, air, noise, and soil pollution.
- Suffer from inadequate wastewater provision and potential impact on water quality.

Have inadequate landscaping and screening mitigation to justify the size of the development.

The LPA is advised that Section 85 of the CRoW Act of 2000 requires relevant authorities to have regard to the purpose of AONBs 'in exercising or performing any functions in relation to, or so as to affect, land' in these areas.

As the Statutory Joint Advisory Committee (JAC) for the AONB, Chichester District Council is hereby invited to re-consult with the Conservancy once the allocation map is published.

- 3.3 This was the Conservancy's response in early 2019 to the proposed allocation at Southbourne (the last consultation).

The Conservancy understand that Southbourne Parish Council will provide a map showing their preferred location of the minimum 1,250 dwellings that are proposed. The absence of this information at the time of the Local Plan consultation makes it difficult for the Conservancy to assess the likely impacts on the AONB. It was therefore resolved to object to the allocation for the following reasons. When the map is published, the Conservancy will reconsider its response. The proposed allocation may:

- Constitute a major development on the fringe of the AONB.
- Affect the buffer zone outside the AONB.
- Breach the policies of the current AONB Management Plan (LS1, BD1) and the emerging new AONB Management Plan (2019-2024).
- Be within the Site of Special Scientific Interest Impact Risk Zone, which affects the SAC, SPA and Ramsar designations.
- Detrimentally impact on wildlife with inadequate survey data to support the proposal. These surveys should not be left until a planning application is submitted. There is no mention of recreational disturbance.
- Detrimentally impact on existing long-distance towards South Downs National Park (one of the special qualities of the AONB). This inter-visibility is reciprocated; the views towards Chichester Harbour AONB must be protected.
- Contradict Paragraph 171, footnote 53, of the NPPF (2018) since some of the highest quality agricultural land in the country is found around Chichester Harbour. Footnote 53: "Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality."
- Result in the urbanisation of the countryside (referring to the forthcoming updated AONB Landscape Character Assessment).
- Have unavoidable increased instances light, air, noise, and soil pollution.
- Suffer from inadequate wastewater provision and potential impact on water quality.
- Have inadequate landscaping and screening mitigation to justify the size of the development.

The LPA is advised that Section 85 of the CRoW Act of 2000 requires relevant authorities to have regard to the purpose of AONBs 'in exercising or performing any functions in relation to, or so as to affect, land' in these areas.

As the Statutory Joint Advisory Committee (JAC) for the AONB, Chichester District Council is hereby invited to re-consult with the Conservancy once the allocation map is published.

4.0 Officer Comments on the 2023 Consultation

- 4.1 It is disappointing that Policies A11, A12 and A13 are proposed for a minimum of 1,795 dwellings close to the boundary of the AONB. Many of the arguments put forward by the Conservancy in 2019 still hold merit in 2023, and considering the

Landscapes Review, and the proposed revisions to the NPPF, perhaps even more so today.

NPPF 176. Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads. The scale and extent of development within all these designated areas should be limited, while **development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.**

- 4.2 Policies A11, A12 and A13 also seem to contradict the earlier passages in the draft Local Plan, for instance draft Policy NE2 (Natural Landscape) says, "There is no adverse impact on the openness of the views in and around the coast, designated environmental areas, including the setting of the Chichester Harbour AONB and South Downs National Park as well as the rural character of the plan area generally." It is not clear how Policy A11 could possibly be delivered and still be consistent with Policy NE2. This creates a sense of confusion which indicates the draft Local Plan is unsound, by the Council's own definition.
- 4.3 With regards to Policies A12 and A13, as before, the Conservancy cannot support these allocations in-principle without knowing more detail as to where the dwellings would be located and the impacts of the development on the AONB.
- 4.4 With regards to the rest of the draft Local Plan, there is nothing else therein that is a high concern, and indeed, much of the accompanying text and draft Policies will serve to help protect Chichester Harbour AONB. The dedicated AONB policy is present and correct, there are references to the Management Plan and the SPD, and the commitment to the Wildlife Corridors remains (although it is understood that the geographical scope is the same as it was in 2018, when the Conservancy encouraged greater ambition in this regard).

5.0 Recommendation

- 5.1 Members are advised to direct the AONB Manager to:
- Support the areas of the draft Local Plan that would have a positive effect on Chichester Harbour AONB.
 - Object to policies A11, A12, and A13, drawing upon and updating the previous reasoning.
 - Request attendance at the Examination in Public to relay concerns about the inclusion of these sites directly to the Inspector.

Richard Austin
AONB Manager

David Rothery
Principal Planning Officer

Linda Park
Principal Planning Officer

Steve Lawrence
Principal Planning Officer

Delegated Decisions Report

From 14/01/2023 to 23/02/2023

Total Cases **46**

No Objection **33**

Pre-App Advice Given **1**

EIA Screen - No ES Sought **0**

Total CHC Delegated **42**

Objection **10**

No Comment Made **2**

EIA Screen - ES Requested **0**

Total CHC Consulted Delegated **0**

Holding Objection **0**

Clarification Requested **0**

EIA Scope - ES Content Required **0**

Total CHC Committee **4**

EIA Scope - ES Content Acceptable **0**

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
16/01/2023	WI/22/02963/FUL	David Rothery	Martlet Cottage , Itchenor Road, West Itchenor, West Sussex, PO20 7DA	Replace permitted dormer window with 3x velux roof windows fitted with night activated black out blinds (Amendments to plans to reflect the change from the approved scheme)	No Objection Other Measures to limit light pollution within the Dark Skies protocol such as working internal screen blinds, Conditions are to be read in conjunction with the overall recommendation and should not be separated.
	CHC Delegated				
17/01/2023	WI/22/02876/FUL	David Rothery	Martlet Cottage, Itchenor Road, West Itchenor, Chichester, West Sussex, PO20 7DA	Replace boundary treatments to site (Amendments to previously permitted north and west elevation boundary treatments)	No Objection Matching Materials / fenestration, Bird Nesting, Bat Roosts, Use of Conditions are to be read in conjunction with the overall recommendation and should not be separated.
	CHC Delegated				

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
18/01/2023	APP/22/01117	David Rothery	5 Seaview Terrace, South Street, Emsworth, PO10 7EN	Variation of Condition 2 (approved plans) of planning permission APP/22/00591 dated 21 September 2022 relating to construction of first-floor front extension, single-storey rear extension, 2x dormer windows, alterations to existing fenestration, new porc	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Measures to limit light pollution within the Dark Skies protocol</p> <p>Conditions are to be read in conjunction with the overall recommendation and should not be separated.</p>
CHC Delegated					
18/01/2023	APP/22/01141	Linda Park	10 Spring Gardens, Emsworth, PO10 7AU	Installation of 6 solar panels on the front roof and 6 solar panels on the back roof.	<p>No Objection</p>
CHC Delegated					
18/01/2023	SB/22/01283/FULEIA	Linda Park	G And R Harris, Main Road, Nutbourne, Chichester, West Sussex, PO18 8RL	This is a second resubmission / amended plans under the same application number. Reduced number of dwellings from 112 to 103. Revised layout/scale/design; amended arboricultural statement, biodiversity net gain report; LVIA and nutrient assessment. Demo	<p>No comment made</p>
CHC Delegated					
18/01/2023	SB/22/03134/LBC	Steve Lawrence	Apple Tree Farm Prinsted Lane Prinsted Southbourne	Extension double glazed garden room and cloak room extension, both to rear elevation, plus various minor internal works. Determination deadline: 16 Feb 2023	<p>No Objection</p> <p>Matching Materials / fenestration</p>
CHC Delegated					
24/01/2023	BO/22/02858/DOM	David Rothery	Southwood Farm, Flint Barn , Shore Road, Bosham, West Sussex, PO18 8QL	Erection of detached single storey boat store	<p>No Objection</p> <p>Matching Materials / fenestration, Cowled Lighting</p> <p>Measures to limit light pollution within the Dark Skies protocol</p> <p>Conditions to be read in conjunction with the overall recommendation and should not be separated.</p>
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
25/01/2023	CHCPREAPP 23/02 FB	Linda Park	6 Mill Close, Fishbourne, PO19 3JW	I live in Fishbourne within the area of outstanding natural beauty, but not within view of the harbour, and am contemplating installing solar panels on my roof for environmental reasons. Could you advise if this requires approval from yourselves, and if s	No Objection
CHC Delegated					
30/01/2023	APP/22/01185	Linda Park	30 Bath Road, Emsworth, PO10 7ER	Proposed replacement outbuilding following demolition of existing boat store, alterations to existing dwelling including removal of 1no. chimney, rear dormer window and replacement rooflights to loft.	<p>Objection</p> <p>Other</p> <p>Proposed rear dormer would be harmful to historic character of property, Conservation Area and AONB.</p>
CHC Delegated					
30/01/2023	BO/22/03005/DOM	Linda Park	Downs View , Bosham Lane, Bosham, West Sussex, PO18 8HG	Single storey extension to northwest and first floor roof terrace	<p>No Objection</p> <p>Lighting plan, Bird boxes to be installed, Bat boxes to be installed,</p>
CHC Delegated					
30/01/2023	APP/22/01219	Linda Park	3 Spinnaker Grange, Hayling Island, PO11 0SJ	Single storey rear extension	<p>No Objection</p> <p>Internal Blinds, Other</p> <p>Wood burner flue be finished in a dark colour or to match house</p>
CHC Delegated					
01/02/2023	CH/22/03075/FUL	Linda Park	St Marys Church, Cot Lane, Chidham, West Sussex, PO18 8SX	Extension to North Aisle to accommodate WC.	<p>No Objection</p> <p>Cowled Lighting, Internal Blinds, Bat Roosts, Other, Bird boxes to be CDC be satisfied foul drainage is satisfactory.</p>
CHC Delegated					
01/02/2023	APP/22/01233	Linda Park	26 King Street, Emsworth, PO10 7AZ	Replacement of 2No sash dormer windows on second floor South elevation from timber sash to upvc sash equivalent. Remaining timber sash windows on South elevation to be retained and renovated. Replacement of 2No sash windows first floor North elevation from	<p>Objection</p> <p>Would fail to preserve or enhance the visual character of the AONB</p>
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
06/02/2023	APP/23/00001	Linda Park	Emsworth Sailing Club 55 Bath Road, Emsworth, PO10 7ES	Installation of vertical solar thermal panels on existing sail shed for heating of existing outdoor swimming pool	No Objection Other Panels to be matt black
CHC Delegated					
06/02/2023	FB/23/00095/TCA	Linda Park	Holmwood Cottage 61 Fishbourne Road West Fishbourne West Sussex PO193JJ	Notification of intention to crown reduce by 2m (all round) on 1. no Magnolia tree.	No Objection
CHC Delegated					
07/02/2023	CH/22/02961/FUL	Steve Lawrence	Land Adjoining A27, Scant Road West, Hambrook, Chidham, West Sussex, PO18 8UA	Variation of Condition 2 of planning permission CH/20/01826/FUL (APP/L3815/W/21/3274502 allowed on appeal 9 Nov 2021) for a mixed use development comprising 118 dwellings (including 36 affordable dwellings), public open space, landscaping and associated w	No Objection Other, SDMP/Bird Aware Solent contributions Taking the specified agricultural land at Lavant June 2020) - out of production in perpetuity to achieve a nitrogen neutral development; and, (c) provision of public open space, as set out in the submitted land use plan, designed to attract use by reside
CHC Delegated					
08/02/2023	BO/22/02993/DOM	Linda Park	1 Garden Cottages, Cambria Close, Bosham, Chichester, West Sussex, PO18 8QZ	Retrospective application for the removal of picket fence on grass boundary along neighbouring driveway and installation of timber slatted fencing. Installation of timber battens onto posts within the car parking area and timber panel fences and posts a	No Objection
CHC Delegated					
08/02/2023	BO/22/03143/DOM	Linda Park	2 Gordon Terrace , Bosham Lane, Bosham, West Sussex, PO18 8HP	Re-roofing and rear extension to existing garage	No Objection Matching Materials / fenestration
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
10/02/2023	APP/22/01148	Steve Lawrence	8 South Street, Emsworth, PO10 7EH	Change of use from Class E (Estate Agency office) to C3 (Dwelling) and minor alterations, including replacement windows, addition of kitchen, bathroom and en-suite show room.	No Objection Other, SDMP/Bird Aware Solent contributions Subject to the applicant entering into a planning obligation to mitigate for the additional nutrient loading and a planning condition requiring implementation with the specified window framework materials, to be painted and maintained white (RAL 9010).
CHC Delegated					
13/02/2023	APP/22/01146	Steve Lawrence	4 Queen Street, Emsworth, PO10 7BL	Change of use from a Class E ground floor shop to a Sui Generis Nail Bar. Painted signage to be replaced on the front elevation.	No Objection Other None
CHC Delegated					
13/02/2023	APP/22/01227	Steve Lawrence	2C Nile Street, Emsworth, PO10 7EE	Addition of new second floor with flat roof lantern, side window, RWP, balcony to rear and removal of chimney.	Objection Other adverse visual impact to the AONB and CA townscape
CHC Delegated					
13/02/2023	CHCPREAPP 23/01-BI	David Rothery	Chichester Yacht Club, Chichester Marina, Birdham PO20 7EJ	PREAPP ENQUIRY - Installation of solar panels on the roof of the sailing club, These would be largely invisible from the ground or harbour. We do require permission from the landlords (Premier), which is in process and are in contact with Chichester Di	Pre-App Advice given Other Subject to appropriate planning conditions to control the materials of construction, the finished appearance, and the scale / coverage of the solar roof panels in order to limit the visual impact on and within the AONB.
CHC Delegated					
14/02/2023	APP/22/01229	Steve Lawrence	Emsworth Dental Surgery, 30 High Street, Emsworth, PO10 7AW	Change of use of first floor from residential (Use Class C3) to Dental Surgery (Use Class E) in association with ground floor Dental Surgery with new internal staircase and internal alterations	No Objection Other None
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
14/02/2023	APP/22/01213	David Rothery	Land and Buildings at, Northney Marina, Hayling Island	Erection of rowing gig boatshed shelter	<p style="text-align: center;">No Objection</p> <p>Other</p> <p>Appropriate planning conditions should be considered and applied by the LPA, to control the materials of construction and the finished appearance.</p>
CHC Delegated					
14/02/2023	APP/22/01212				
CHC Delegated					
14/02/2023	WW/22/03125/TPA	Steve Lawrence	Camber Court Rookwood Lane West Wittering West Sussex	Fell 1 no. Scots Pine tree (1). Reduce north-east sector by up to 4.5m and crown reduce remaining canopy by 2.5m on 1 no. Scots Pine tree (2). Both within Group, G1 subject to WW/68/01127/TPO	<p style="text-align: center;">Objection</p> <p>Other</p> <p>The Scots Pine tree (1) makes a positive contribution to the AONB landscape, especially when viewed from the Harbour and helps to soften built form within the landscape.</p> <p>If the Council's Tree Officer considers the works to tree (2) are not excessive and</p>
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
14/02/2023	APP/22/01201	David Rothery	35 Queen Street, Emsworth, PO10 7BJ	Listed Building Consent for replacement of 4x externally illuminated signs, 1x replacement wall plaque to rear curtilage wall and an A board to front together with external rendering/painting of existing building with replacement lighting fixtures to build	No Objection Appropriate planning conditions to control the signage materials, and the finished appearance together with the standard advertisement conditions applicable should be considered and applied by the LPA. Conditions are to be read in conjunction with the ove
CHC Delegated					
14/02/2023	APP/23/00036	Steve Lawrence	51 High Street, Emsworth, PO10 7AN	First floor extension onto existing outside terrace.	No Objection Other Samples of the external facing materials and confirmation of the altered second floor window configuration and means of opening and that the Tower Street elevation be redecorated once the extension is built, to achieve a uniform appearance
CHC Delegated					
15/02/2023	APP/23/00034	David Rothery	Land and Buildings at, Northney Marina, Hayling Island	Continued use of existing hardstanding for temporary siting of up to 5 years (to 2028) for two temporary portable offices for use by Langstone Pilot Gig Club	No Objection Matching Materials / fenestration, Internal Blinds Conditions are to be read in conjunction with the overall recommendation and should not be separated.
CHC Delegated					
20/02/2023	APP/22/01210	Steve Lawrence	25 Sandy Beach Estate, Hayling Island, PO11 9RG	Demolition of existing two bedroom two storey detached house and detached garage, replacement with new three bedroom three storey detached house with integral single garage and associated external works	Objection Other Overdevelopment of site, third storey harmful to immediate setting of AONB, notwithstanding similar extension at No.20 and others consented elsewhere in the estate.
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
20/02/2023	APP/23/00021	Linda Park	35 North Shore Road, Hayling Island, PO11 0HN	Extend existing outbuilding	No comment made
CHC Delegated					
20/02/2023	BO/23/00134/DOM	Linda Park	The Holt , Bosham Hoe, Bosham, West Sussex, PO18 8EU	Proposed air source heat pump	No Objection
CHC Delegated					
20/02/2023	WI/23/00205/DOM	Linda Park	Seaforth , Spinney Lane, Itchenor, West Sussex, PO20 7DJ	Replacement of existing cladding to all external walls and associated alterations	No Objection
CHC Delegated					
21/02/2023	BO/22/02780/DOM	David Rothery	2 Chequers Cottages , Chequer Lane, Bosham, West Sussex, PO18 8EJ	Erection of two-storey side extension and rear and side single-storey extension and associated external works	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions should be considered and applied by the LPA, to control the materials of construction and the finished appearance, and measures to limit light pollution within the Dark Skies protocol.
CHC Delegated					
21/02/2023	WW/22/03247/DOM	David Rothery	Wix Corner, Redlands Lane, West Wittering, West Sussex, PO20 8QE	Variation of condition 2 from planning permission WW/21/02047/DOM dated 29 September 2021 for the construction of single storey rear extension with first floor terrace and replacement detached domestic garage following demolition of freestanding garage sh	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions should be considered and applied by the LPA, to control the materials of construction and the finished appearance, and measures to limit light pollution within the Dark Skies protocol.
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
21/02/2023	AP/22/03016/DOM	David Rothery	Apuldram Manor Farm, Appledram Lane South, Appledram, West Sussex, PO20 7EF	Removal and reinstatement of roof tiles to main roof; repair, reinforcement and refurbishment of existing main roof structure	<p>No Objection</p> <p>Matching Materials / fenestration</p> <p>Appropriate planning conditions should be considered and applied by the LPA, to control the materials of construction and the finished appearance.</p>
	CHC Delegated				
21/02/2023	FB/22/02622/DOM	Steve Lawrence	Pendrills Mill Lane Fishbourne West Sussex	Proposed single storey timber framed replacement garage outbuilding with associated landscaping and proposed internal and external alterations to reinstate existing loft room.	<p>No Objection</p> <p>Other</p> <ul style="list-style-type: none"> •Implementation with facing and roofing materials as previously required under condition 7 to decision 21/02209/DOM; •Built form being demolished to be fully removed from the site; •Annexe accommodation to remain ancillary to the main dwelling at all
	CHC Delegated				
21/02/2023	FB/22/02623/LBC	Steve Lawrence	Pendrills Mill Lane Fishbourne West Sussex PO19 3JN	Proposed single storey timber framed replacement garage outbuilding with proposed internal and external alterations to reinstate existing loft room.	<p>No Objection</p> <p>Other</p> <ul style="list-style-type: none"> •Implementation with facing and roofing materials as previously required under condition 7 to decision 21/02209/DOM; •Built form being demolished to be fully removed from the site; •Annexe accommodation to remain ancillary to the main dwelling at all
	CHC Delegated				
21/02/2023	WI/22/02637/FUL	David Rothery	Martlet Cottage , Itchenor Road, West Itchenor, West Sussex, PO20 7DA	Variation of condition 2 (approved plans) from planning permission WI/21/01676/FUL dated 9 September 2021 for replacement dwelling and combined garage and annex and new swimming pool (Amendments to plans to reflect the adjustment to previously permitted s	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Measures to limit light pollution within the Dark Skies protocol</p>
	CHC Delegated				

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
21/02/2023	BO/22/03057/DOM	David Rothery	1 Fairfield Close, Bosham, West Sussex, PO18 8JQ	Installation of roof lights, infill open porch walls, fenestration changes, extend outbuilding to convert from domestic garage to home office/garden room, and erection of fence and gates to southern boundary	<p align="center">No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions should be considered and applied by the LPA, to control the materials of construction and the finished appearance.</p>
CHC Delegated					
22/02/2023	BO/23/00003/TPA	Steve Lawrence	Southfield Industrial Park Delling Lane Bosham West Sussex	Fell 40. no. Poplar trees (quoted as G1) and fell 3 no. Beech trees (quoted as T11, T12 and T13) within Area, A1, subject to 99/00088/TPO.	<p align="center">Objection</p> <p>Removal of poplar trees will leave commercial units very exposed in the landscape, given that it would take many years for the new tree planting to establish. It is accepted that the poplar trees canopies do interfere with and could potentially be damaged</p>
CHC Delegated					
22/02/2023	BO/22/03074/FUL	Steve Lawrence	Broadbridge Business Centre, The Crate Cafe, Delling Lane, Bosham, West Sussex, PO18 8NF	Retrospective application for change of use from sandwich bar to cafe and bar with associated containers, seating areas, toilets and boundary treatments .	<p align="center">Objection</p> <p>Other</p> <p>(i)Quality of roofing materials and metal panelled fencing sought for retention not considered to be of sufficient high quality for development within an AONB. (ii)The playing of amplified music at the extended hours sought would be harmful to the pea</p>
CHC Delegated					

Recomm Date	Reference	CHC Officer	Site	Application Details	Recommendation
23/01/2023	WI/22/02717/FUL	Linda Park	Old House Farm, Itchenor Road, West Itchenor, Chichester, West Sussex, PO20 7DH	Change of use of barn (modified constructed under WI/95/00234/PNO dated 6 March 1995) to dwelling and associated works.	Objection No justification for loss of agricultural buildings, no economic uses considered or business case to justify isolated dwelling in the countryside. Enclosing effect of fencing/hedging and residential curtilage harmful to open character of countryside and
CHC Committee					
23/01/2023	FB/22/02821/FUL	Linda Park	112 Fishbourne Road West Fishbourne West Sussex PO19 3JR	Demolishment of existing dwelling replaced with 5 no. apartments and change of use of existing outbuilding to create 1 no. two-bedroom dwelling with alterations to fenestration, 1 no. bike/bin store, alterations to access, parking, landscaping and associa	Objection Adverse impact on character / visual amenity of the AONB
CHC Committee					
24/01/2023	BI/22/03176/FUL	David Rothery	Orchard House , Lock Lane, Birdham, West Sussex, PO20 7BA	Construction of replacement detached dwelling, with rear garden pool house and shed outbuildings and associated works	No Objection Matching Materials / fenestration, Tinted / non reflective glazing, Natural / neutral coloured cladding, no light or pale colours. Coated non-reflective glass Retention of all boundary hedgerows, planting shrubbery and trees and replacement of any part of the hedgerow or planting as existing which is removed with a hedg
CHC Committee					
24/01/2023	SB/22/02787/FUL	David Rothery	New Life Christian Church , Main Road, Southbourne, West Sussex, PO10 8HA	Construction of replacement church hall building, landscaping, car parking and associated works, following demolition of existing church meeting hall and temporary reception structure	Objection Light spillage/pollution, Over dominant visual and physical impact No demonstration that no harm is caused to the AONB. Site within open countryside. Proposal visually intrusive. Excessive light spill from glazing. The energy generation / carbon footprint to run the large structure has not been adequately quantified to d
CHC Committee					

Quarterly Report

From 01/10/2021 to 31/12/2021

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
01/10/2021	APP/21/00426	Steve Lawrence	Driftwood Cafe 44 High Street, Emsworth, PO10 7AW	Single storey rear extension and timber shed storage.	No comment made	Permit	
01/10/2021	APP/21/00614	Steve Lawrence	Cemetery, Church Lane, Havant	Crown reduce height of 1No. Willow (T1 on plan) by 2 metres and spread by 2 metres, leaving crown height of 8 metres and crown spread of 6 metres; fell 4No. dead Elms (TG1 on plan), fell 12No. dead Elms (G2 on plan), fell 1No. dead Maple (T2 on plan); fe	No comment made	Permit	
01/10/2021	WI/21/02083/FUL	Steve Lawrence	West Block, Itchenor Park Farm Itchenor Park Itchenor	Change of Use of former dairy (West Block) to Class E(g)i, ii and iii use.	No comment made	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
04/10/2021	APP/21/00922	David Rothery	41 South Street, Emsworth, PO10 7EG	Tree works to mimosa tree (T1) crown reduction and thin, bay tree (T2) crown raise and shaping, apple trees (G1) crown raising, height reduction and clear dead wood	<p>No Objection</p> <p>Bird Nesting, Bat Roosts</p> <p>Appropriate planning conditions to ensure that no works should be carried out during the bird nesting season (April to September) or if there is evidence of bat roosting (hibernation or maternity roosts) should be considered by the LPA.</p>	Permit	Yes
04/10/2021	APP/21/00740	David Rothery	11 Langstone High Street, Havant, PO9 1RY	Installation of rooflight to rear roof slope (Listed Building)	<p>No Objection</p> <p>Matching Materials / fenestration, Tinted Glazing, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and the need to limit light emission from the glazing area should be considered by the LPA.</p>	Permit	Materials incl in plans
04/10/2021	APP/21/00928	David Rothery	Warblington Cemetery, Church Lane, Havant	Tree works to canopy lift all trees within cemetery to a height of 2m, over footpaths and burial plots	<p>No Objection</p> <p>Bird Nesting, Bat Roosts</p> <p>Appropriate planning conditions to ensure that no works should be carried out during the bird nesting season (April to September) or if there is evidence of bat roosting (hibernation or maternity roosts) should be considered by the LPA.</p>	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
04/10/2021	APP/21/00937	David Rothery	23 Bath Road, Emsworth, PO10 7EP	Tree works to fell apple tree	<p data-bbox="1415 148 1783 228">No Objection Bird Nesting, Bat Roosts</p> <p data-bbox="1415 308 1783 499">Appropriate planning conditions to ensure that no works should be carried out during the bird nesting season (April to September) or if there is evidence of bat roosting (hibernation or maternity roosts) should be considered by the LPA.</p>	Withdrawn	
06/10/2021	APP/21/00721	David Rothery	15A Salterns Lane, Hayling Island, PO11 9PH	Addition of first floor to existing bungalow with balcony to north; installation of flue to east elevation. (Revised application).	<p data-bbox="1415 523 1783 563">No comment made</p> <p data-bbox="1415 571 1783 603">Other</p>	Permit	
06/10/2021	APP/21/00874	David Rothery	22 Wittering Road, Hayling Island, PO11 9SP	Two storey extension to replace existing porch with size reduction to existing first floor balcony (South West). Recladding and renovation works to existing dwelling.	<p data-bbox="1415 818 1783 858">No comment made</p> <p data-bbox="1415 866 1783 898">Other</p>	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
07/10/2021	APP/21/00781	Steve Lawrence	1 Queen Street & 2 King Street, Emsworth, PO10 7BJ	Demolition of outbuilding and erection of rear extension and outbuilding, removal and replacement of roof including flat roof link, internal alterations to ground and first floors together with door and window alterations.	No comment made Other None	Permit	
10/10/2021	APP/21/00536	Steve Lawrence	Tournerbury Farm, Tournerbury Lane, Hayling Island, PO11 9DL	Part alternative to permission APP/17/00207. Construction of vehicular track from the public highway to Tournerbury Woods Estate for the purpose of avoiding agricultural operations in Tournerbury Farm	No Objection Other •Retention of western field boundary hedgerow alongside proposed track, with consideration given to the council making a formal hedgerow order on it, to ensure its retention; •Specified proposed planting to line to eastern side of track to be planted	Permit	Planting cons included
12/10/2021	CH/21/02361/FUL	David Rothery	Cockleberry Farm, Main Road, Bosham, Chichester, West Sussex, PO18 8PN	Erection of 10x dwellings and associated works including landscaping and access alterations following demolition of warehouse buildings and stables and removal of container storage, residential caravans/park homes	No Objection Other Planning Committee 11 October 20 resolved the following – Please note that the resolution differs in tone and emphasis to the Officer recommendation in the report. No adverse impact on the setting of the AONB, but concerns about the number of such specul	Refuse	Loss of employment land / residential units. Drainage issues. No legal S106 agreement in place

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
12/10/2021	BO/21/02471/FUL	Steve Lawrence	Unit 6, Southfields Industrial Estate, Bosham, Chichester, West Sussex, PO18 8NW	Construction of a replacement industrial (class B1, B2, B8 & E) unit.	Other Objection Considered harmful to a more tranquil, rural part of the AONB and potential adverse impact to occupiers of neighbouring properties; Whereas higher door openings might be desirable from a marketing point of view, the increase in height and bulk of the prop	Permit	
12/10/2021	BI/21/02539/FUL	Steve Lawrence	Wheelhouse, 16 Greenacres, Birdham, PO20 7HL	Demolition of existing 1 no. dwelling, garage and construction 1 no. dwelling, garage and swimming pool. (Variation of 2 from planning permission BI/19/03050/FUL - Substitution of amended plans).	Other Holding Objection Lightspill from north-facing windows in hours of darkness has an adverse effect on this darker locality within Chichester Harbour and that a replacement dwelling should secure a betterment to enhance the natural beauty of the AONB. As such, If Council Of	Permit	Dusk to dawn blinds
13/10/2021	WI/21/02031/DOM	Steve Lawrence	Byways , Pier Point Road, Itchenor, PO20 7AQ	Proposed single storey front, rear and side extensions. Demolition of 2 no. existing shed outbuildings.	Other No comment made None	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
14/10/2021	BO/21/02401/DOM	Steve Lawrence	Spindrift House, Bosham Hoe, Bosham, PO18 8ET	Proposed two storey rear/side extension, fenestration and external finish changes including 2 no. new dormer windows in existing single-storey roof and 2 no. new dormer windows in existing main roof. Replacement of existing garages and boat store outbuild	No comment made Other	Permit	
16/10/2021	WI/21/02059/DOM	Steve Lawrence	Mulberry Cottage, Shipton Green Lane West Itchenor PO20 7BZ	Detached garage with store/home studio over for ancillary use in connection with Mulberry Cottage.	Holding Objection Other Objection to be removed if building depth reduced, single dormer substituted for the three rooflights shown, retention of established beech hedge and use of complimentary facing and roofing materials. No separate dwelling should be formed and the accommo	Permit	
17/10/2021	WW/21/01926/ELD	Steve Lawrence	Old Malthouse Cottage, Rookwood Road, West Wittering, Chichester, West Sussex, PO20 8QL	Existing lawful developmet certificate for the use of agricultural land as garden curtilage for the last 17 years.	Objection Other Intervening use on part of the site, so not possible for LPA to grant a Certificate of Lawfulness	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
18/10/2021	SB/21/01902/DOM	David Rothery	22 Gordon Road, Southbourne, PO10 8AZ	Construction of ridged roof two dormer windows within the front roof slope of the dwelling	No Objection	Permit	
18/10/2021	WW/21/02403/DOM	David Rothery	Yellow Hammers, Roman Landing, West Wittering, PO20 8AS	Revision to loftroom rooflights, windows and dormers Variation of condition 2 from Planning Permission WW/17/02500/DOM to Replace thatched roof covering with cedar shingle with associated dormer changes, new dormers and roof lights to suit loft conversion	No Objection Matching Materials / fenestration, Internal Blinds, Other Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Yes
18/10/2021	WI/21/02286/DOM	David Rothery	Windsong, Itchenor Road, West Itchenor, PO20 7DA	Construction of first floor rear (west) extension	No Objection Matching Materials / fenestration, Internal Blinds, Other Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
18/10/2021	APP/21/00981	David Rothery	South Lodge, Wade Lane, Havant, PO9 2TB	Single storey rear extension.	No Objection Other Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Materials con included
18/10/2021	BO/21/01957/DOM	David Rothery	The Retreat, Moreton Road, Bosham, PO18 8LL	Construction of replacement and higher boundary wall and vehicular entrance gates	No Objection Matching Materials / fenestration, Other Appropriate planning conditions to control the materials of construction, and the finished appearance, should be considered by the LPA.	Refuse	Excessive height and length
19/10/2021	WI/21/02061/DOM	Steve Lawrence	Meadow Cross, The Street, Itchenor, PO20 7AE	Single storey rear extension and linked garage outbuilding with accommodation over for ancillary use in connection with Meadow Cross.	No Objection Matching Materials / fenestration, Outbuildings for ancillary use only	Permit	Materials condition included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
19/10/2021	FB/21/02209/DOM	Steve Lawrence	Pendrills, Mill Lane, Fishbourne, Chichester, West Sussex, PO19 3JN	Proposed internal and external alterations and repairs, construction of a new single storey extension, demolition of an existing single storey extension and replacement with new glazed entrance, proposed new car barn.	No Objection Ancillary use only, Other, Use of specified materials •Built form being demolished to be fully removed from the site; •Solar panels to be fitted to not have bare aluminium edging, but rather be the type with dark edging; •Watching brief to be prepared/documentated to help establish the history of the bui	Permit	Materials con included
19/10/2021	CH/21/00037/DOM	Steve Lawrence	Copperfield, Main Road, Bosham, Chichester, West Sussex, PO18 8PL	Proposal of new rooflight to west elevation. New dormer with Juliette balcony to south elevation and to lower cill on existing dormer to south elevation.	No Objection	Permit	
19/10/2021	SB/21/02460/FUL	David Rothery	306 Main Road, Southbourne, Emsworth, West Sussex, PO10 8JN	Change of Use of first floor accommodation with alterations and conversion to form a residential flat with two-bedrooms	No Objection Matching Materials / fenestration, Internal Blinds, SDMP/Bird Aware Solent contributions	Pending	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
19/10/2021	APP/21/00930	David Rothery	Northney Marina, Northney Marina, Hayling Island	Proposed siting and relocation of existing temporary portacabin style units for office and community use together with associated ground works (temporary use for 3 years)	<p>No Objection</p> <p>Tinted Glazing, Internal Blinds, Other, Dark, muted finish, Non-reflective glass</p> <p>Suggested considerations: - - a temporary period not in excess of 31 October 2024 (or 3 years from determination date) shall apply to the siting and use of the unit as described in the application submission - removal of the units and reinstatement of</p>	Grant temporary permission	Yes
20/10/2021	CH/21/02289/FUL	Steve Lawrence	Land On The East Side Of, Cot Lane, Chidham, PO18 8SP	Proposed new vehicle access off Cot Lane	<p>No Objection</p> <p>Other</p> <p>Subject to new soft planting to replace the hedgerow to be lost by forming the access as set out in the agent's email dated 21-9-2021</p>	Permit	Yes
20/10/2021	BI/21/01547/DOM	Steve Lawrence	Farne House, Court Barn Road, Birdham, PO20 7BQ	Proposed two storey rear extension, single storey side extension and alterations involving partial demolition of existing house.	<p>No comment made</p> <p>Other</p> <p>None - application withdrawn</p>	Withdrawn	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
20/10/2021	BO/21/02395/DOM	Steve Lawrence	Ferrybarn, Smugglers Lane, Bosham, Chichester, West Sussex, PO18 8QW	Proposed extensions and alterations to Ferry Barn and the addition of a pool house	Other Objection Consolidation of built form forward of the general rear build line facing the Harbour. Crowded roofscape presented to Smugglers Lane caused by proposed roof alterations.	Permit	
20/10/2021	WW/21/02102/FUL	Steve Lawrence	East Head, Snow Hill, West Wittering, West Sussex	Recycle up to 3000 tonnes of shingle/sand from the northern tip of East Head to form a low shingle bank behind the beach around the hinge.	Other No Objection Subject to compliance with submitted method statement for implementation	Permit	Yes
20/10/2021	BO/21/02515/LBC	Steve Lawrence	Corner Cottage , High Street, Bosham, PO18 8LS	Removal of part of existing garden wall to enable enlargement of existing access.	Other, Use of specified materials No Objection Replanting of a cherry tree as annotated on the submitted plan to heavy nursery standard.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
20/10/2021	BO/21/02627/DOM	David Rothery	Cut Mill Cottage, Main Road, Bosham, PO18 8PL	Construct first-floor extension over existing single-storey flat-roof accommodation, together with associated alterations	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Suggested considerations: - - schedule of external construction materials and finishes to be agreed in writing with LPA. - any and all glazed windows / rooflights / doors should be fitted with working internal screen blinds to reduce light spillage</p>	Permit	Yes
20/10/2021	BO/21/02626/FUL	David Rothery	Windrush, High Street, Bosham, PO18 8LS	Installation of replacement first floor windows	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included
20/10/2021	CH/21/02690/DOM	David Rothery	Ivydene Cottage, Ivydene Crescent, Chidham, PO18 8TR	Erection of single storey rear extension and associated works	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
20/10/2021	BO/21/02587/DOM	David Rothery	Laurel Cottage, Walton Lane, Bosham, PO18 8QB	Erection of single-storey rear/side extension, installation of door and window to side elevations and internal alterations	<p>No Objection</p> <p>Internal Blinds, Other</p> <p>Suggested considerations: - - schedule of suitable external construction materials and finishes to be agreed in writing with LPA. - any and all glazed windows / rooflights / doors should be fitted with working internal screen blinds to reduce light</p>	Permit	Yes
22/10/2021	BO/21/01995/DOM	Steve Lawrence	3 St Benedicts , Bosham Lane, Bosham, PO18 8HG	Extension at first floor above existing garage to provide additional living accommodation with new external door at ground floor.	<p>No Objection</p> <p>Matching Materials / fenestration</p>	Permit	Yes
25/10/2021	CH/21/02567/FUL	Steve Lawrence	Land Attached To Maybush, Cot Lane, Chidham, PO18 8SP	The erection of a barn for machinery storage.	<p>No Objection</p> <p>Lighting plan, Bird boxes to be installed, Bat boxes to be installed, Use of specified materials</p> <p>No habitable accommodation to be formed in any part of the building at any time</p>	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
25/10/2021	APP/21/00992	Steve Lawrence	5 John King Shipyard, King Street, Emsworth, PO10 7AY	Alterations to the south / harbour facing frontage, via enlarged fenestration. A replacement balcony in a central location. Additions to the north side of the house comprising an infill of the current courtyard area, creating an additional habitable room	No Objection Matching Materials / fenestration, Other With brickwork salvaged to re-use in the Harbour elevation and strict adherence to the method statement for working on the foreshore, with pads to be placed between scaffolding and the beach.	Permit	Matching materials
25/10/2021	APP/21/00996	David Rothery	20 Nile Street, Emsworth, PO10 7EE	Construction of slate roof as replacement roof to glass conservatory roof [Also see APP/22/00246 a revised submission for this proposal]	No Objection Matching Materials / fenestration	Permit	Yes
25/10/2021	SB/21/02689/DOM	David Rothery	The Warren, Nutbourne Park, Nutbourne, PO18 8TX	Erection of single-storey ridged-roof rear extension and construction of front bay window and full frontage porch canopy with wrap-around roof to include a side extension, following removal of rear conservatory and front conservatory	No Objection Matching Materials / fenestration, Internal Blinds Suggested considerations: - - schedule of suitable external construction materials and finishes to be agreed in writing with LPA. - any and all glazed windows / rooflights / doors should be fitted with working internal screen blinds to reduce light	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
26/10/2021	WI/21/02307/FUL	David Rothery	The Ship Inn, The Street, Itchenor, PO20 7AH	Replacement of rear window with double doors, demolition of chimney stack, and internal alterations	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes
26/10/2021	CH/21/02474/DOM	David Rothery	Fairhaven, Main Road, Chidham, Chichester, West Sussex, PO18 8TP	Construction of single-storey detached domestic single garage and garden room/home workshop to replace existing garage - Variation of conditions 2 (alterations to the size of structure) and 3 (change of materials to match those of the main house) from Pla	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included
26/10/2021	CH/21/02572/DOM	David Rothery	6 Chidham Place Main Road Chidham PO18 8TP	Construction of single-storey external store and extension of canopy to front porch	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
26/10/2021	BI/21/02063/DOM	David Rothery	Westways, Crooked Lane, Birdham, PO20 7HB	Construction of dormer to front and rear roof slopes to enable loft conversion	<p>No Objection</p> <p>Matching Materials / fenestration, Cowled Lighting, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes
26/10/2021	BO/21/02846/FUL	David Rothery	Trippit Villa Sunnyway Bosham PO18 8HQ	Variation of Condition 2 from Planning Permission BO/21/01678/FUL - Part 'M' ramp provision to front door of Plots 1 & 2, alterations to garage doors, minor alterations to fenestration, window and Juliet balcony switched to master bedroom to Plot 2.	<p>No Objection</p> <p>Matching Materials / fenestration, Cowled Lighting, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes
02/11/2021	CH/21/02873/FUL	David Rothery	The Granary Barn, Steels Lane, Chidham	Regularise the Change of Use of land and the restoration of the granary building to provide holiday accommodation and associated works (RETROSPECTIVE)	<p>Objection</p> <p>Other, No contribution to Solent Bird Aware Initiative, Light generation from new glazed areas, Tourist accommodation units inappropriate use of countryside space. Waste</p> <p>Refusal Overview: This application contravenes the Joint Chichester Harbour AONB SPD, and AONB Planning Principles guidance AONB PP01: Protected Landscape, AONB PP06: Conversion of Buildings Inside and Outside of Defined Settlements, AONB PP08: Tourist</p>	Permit with S106	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
04/11/2021	WI/21/02065/DOM M	Steve Lawrence	Walnut Tree Cottage, Itchenor Road, West Itchenor, Chichester, West Sussex, PO20 7AB	Demolition of rear extension. Proposed single storey front, rear and side extensions, two storey front extension, loft conversion and detached garage with sail loft.	No comment made Other None	Permit	
08/11/2021	BI/21/02858/FUL	David Rothery	Court Barn , Court Barn Road, Birdham, PO20 7BQ	Replacement dwelling, outbuilding with self-contained annex accommodation, and associated works	No Objection Matching Materials / fenestration, Tinted Glazing, Cowled Lighting, Internal Blinds, Ancillary use only, Other, Landscaping plan, Non-reflective glass. Ancillary use for Roof design shall include bat tiles to assist wildlife, Consider applying a condition to repair any damage to the poor state of Court Barn Lane that may result from works traffic	Permit	Enhancements for bats included
09/11/2021	BI/21/02780/DOM	David Rothery	Bay Tree House , Westlands Estate, Birdham, PO20 7HJ	Single-storey side extension to enable conversion of garage to habitable space, fenestration and facing material changes, together with construction of replacement domestic double garage and front boundary wall and gates	No Objection Matching Materials / fenestration, Cowled Lighting, Internal Blinds Appropriate planning conditions to control materials of construction, finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
09/11/2021	APP/21/00883	David Rothery	Salt Shack Cafe, Northney Marina, Hayling Island, PO11 0NH	Retention and regularisation of single-storey cafe and external terrace area (RETROSPECTIVE) Note: Expiry date is one day after the date of the notification	No Objection Other, Use of specified materials Use not in excess of 5 yrs, then removal / reinstatement of land; permanent solution to be applied for; no external lighting; use as a café for prep, sale, consumption of food within Town&Country Planning Use Class E(b); Opening hours to be controlled.	Permit	Lighting con included
10/11/2021	APP/21/01038	David Rothery	51 Bath Road, Emsworth, PO10 7ES	Construction of open sided entrance porch, conversion of integral domestic garage to habitable accommodation, together with garage door replaced with window	No Objection Matching Materials / fenestration, Cowled Lighting, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Materials con included
10/11/2021	SB/21/01165/DOM	David Rothery	Spinmill Prinsted Lane Prinsted Southbourne	Single-storey rear and side ridged roof extension to replace smaller rear/side flat roof extension	No Objection Matching Materials / fenestration, Cowled Lighting, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
10/11/2021	APP/21/01100	David Rothery	7 Queen Street, Emsworth, PO10 7BJ	Rear ground-floor fenestration alterations and lowering of basement floor level	<p>No Objection</p> <p>Matching Materials / fenestration, Cowled Lighting, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Not specified
11/11/2021	APP/21/00857	Steve Lawrence	Land at Sinah Lane, Hayling Island	Variation of conditions 2 and 5 of Planning Permission APP/20/01093 (Erection of 195No. dwellings, associated open space, pumping station, sub-station and formation of new vehicular access off Sinah Lane. Change of use of land from agricultural to a Wade	<p>No Objection</p> <p>Other</p> <p>Subject to the planning condition No.'s 3, 5, 7, 9, 12-13, 20-21 and 25 to APP/20/01093 being re-stated as performance conditions where details have been submitted and approved.</p>	Withdrawn	
12/11/2021	BI/21/02693/FUL	Steve Lawrence	Harbour House, 22 Greenacres, Birdham, PO20 7HL	Demolition of existing dwelling and construction of a new dwelling, detached garage with annexe accommodation, swimming pool, boat house and workshop - Variation of Condition 1 of planning application BI/20/00223/FUL to formerly regularise minor amendment	<p>Objection</p> <p>Other</p> <p>Objection: Conservancy Officers consider those original glazing details in the winter lounge and those facing the Harbour ought to be provided in place of what has been built, in accordance with the approval under 20/00223/FUL to comply with the guidance</p>	Withdrawn	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
15/11/2021	BO/21/02932/DOM	David Rothery	May Cottages , Shore Road, Bosham, PO18 8JB	Single-storey flat roof detached garden room and replacement timber garden shed	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included
15/11/2021	SB/21/02598/FUL	David Rothery	Land To South Of Kia Ora Nursery, Main Road, Southbourne, West Sussex,	Change of Use of land from agricultural to equestrian use for the keeping of 2x horses and the formation of 2x stables within the existing and retained agricultural building	<p>No Objection</p> <p>Matching Materials / fenestration</p> <p>Appropriate planning conditions to control the subdivision of the field into paddocks and the method of fencing should be considered by the LPA.</p>	Permit	Not CHC cons but multiple environmental conditions imposed
18/11/2021	BO/21/02674/FUL	Steve Lawrence	Southfield Industrial Park, Delling Lane, Bosham, Chichester, West Sussex, PO18 8NN	Vehicle access to site widened. 17 no. new parking spaces. 1.8m high dark green security fencing added around site perimeter. Enhancements to landscaping, biodiversity and evergreen hedge screening. Tree stumps along Delling Lane removed.	<p>No Objection</p> <p>Other</p> <ul style="list-style-type: none"> •Soft planting not to conflict with junction sight lines; •Soft planting not later than the first planting season following fencing and to be maintained / replaced •Bollard lighting to parking spaces on timer switch to extinguish post 20.00 hours daily 	Permit	Not specified

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
22/11/2021	CH/21/01712/FUL	Steve Lawrence	Land Adjacent To Paddock View, Drift Lane, Bosham, Chichester, West Sussex, PO18 8PR	Change of use of land to travellers caravan site consisting of 2 no. pitches and associated development.	Other Subject to the Council being satisfied that the applicant has gypsy status and a Bird Aware Solent ecological mitigation contribution from the applicant.	Refuse	No evidence applicants are nomadic, waste water issues, environment and mitigation matters insufficient
22/11/2021	SB/21/02980/DOM	Steve Lawrence	23 Slipper Road, Southbourne, PO10 8BS	Proposed front and rear roof dormers, single storey infill extension, glazed veranda and alterations to existing fenestration following demolition of existing dormer.	Other Subject to approval of facing and roofing materials	Permit	Yes
22/11/2021	APP/21/01111	David Rothery	8 Coastguard Cottages, Langstone Road, Havant, PO9 1RG	Erection of single-storey flat-roof side extension to replace extension and lean-to shed to east elevation	Matching Materials / fenestration, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
22/11/2021	FB/21/02045/DOM	David Rothery	6 Old Park Lane Fishbourne Chichester West Sussex	Part two-storey and part single-storey rear extension and detached garage	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes
22/11/2021	APP/21/01018	David Rothery	81 Eastoke Avenue, Hayling Island, PO11 9QP	Erection of a single domestic garage to the frontage boundary	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Withdrawn	
22/11/2021	SB/21/02526/DOM	David Rothery	Gaff Rig , Thornham Lane, Southbourne, PO10 8DD	Enclosure and ridge roof alteration of doorway porch	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
22/11/2021	WW/21/03078/FUL	Steve Lawrence	Ellanore House , Ellanore Lane, West Wittering, PO20 8AN	Demolition of the existing dwelling and the construction of a 2 storey house with detached garage, conversion of outbuilding into annexe and landscaping works	Holding Objection Other Mass of garage not justified as need for office - study proposed in house. Contrary to Policies 43-45 of ALP	Permit	
22/11/2021	SB/21/02082/FUL	Steve Lawrence	Land Adjacent To Plot 8 Priors Leaze Lane Hambrook Chidham	Change of use of land from agricultural to 2 no. travelling showmen plots	Holding Objection Other Development not explained clearly. No key to symbols. No ecological enhancement plans. No details of caravan structures or equipment to be stored. Drainage solution not clear. No Bird Aware Solent contribution.	Refuse	Contrived and illogical extension of the existing Travelling Showpeople development, environmental considerations.
22/11/2021	CH/21/01714/FUL	Steve Lawrence	Plot A Pond Farm Newells Lane West Ashling	1 no. additional travellers caravan pitch consisting of 1 no. mobile home and 1 no. touring caravan and associated works, within red line of existing consent CH/19/02880/FUL.	No Objection Other Subject to the Council subject to a Bird Aware Solent mitigation contribution from the applicant, approval of foul and surface water drainage and some further tree planting.	Permit with S106	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
22/11/2021	CH/21/02905/FUL	Steve Lawrence	Land Adjacent To Plot A Pond Farm North Newells Lane West Ashling Chichester West Sussex PO18 8DF	The use of land as a travellers caravan site consisting of 2 no. pitches and associated development.	<p>Other</p> <p>Objection</p> <p>Contrary to Policy 45 of local plan. If approved</p> <ul style="list-style-type: none"> •Bird Aware Solent mitigation contribution from applicant, •approval of foul and surface water drainage •further tree planting. 	Permit with S106	Yes
22/11/2021	CH/21/02052/FUL	Steve Lawrence	Land To The East Of Paddock View Drift Lane Bosham Chichester West Sussex PO18 8PR	Change of use of land to a travellers caravan site consisting of 1 no. mobile home, 1 no. touring caravan and associated development.	<p>Other</p> <p>No Objection</p> <p>Subject to the Council being satisfied that the applicant has gypsy status, a Bird Aware Solent ecological mitigation contribution from the applicant and some replacement tree planting.</p>	Refuse	No evidence of applicants nomadic status, poor site design, environmental factors
23/11/2021	SB/21/02363/DOM	David Rothery	Slipper Mill Cottage 53 Slipper Road Southbourne PO10 8BS	Construct single-storey rear and side extension and 3x dormers to main roof	<p>Matching Materials / fenestration, Internal Blinds</p> <p>No Objection</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Refuse	Excessive size, incongruous and privacy of neighbours issues.

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
23/11/2021	SB/21/03049/DOM	David Rothery	Harbour View 35 Slipper Road Southbourne PO10 8BS	Two-storey flat-roof side extension to facilitate wheelchair lift	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included
24/11/2021	BO/21/02956/DOM	David Rothery	Dolphin House , Delling Lane, Bosham, PO18 8NN	Erect freestanding domestic garden greenhouse	<p>No Objection</p> <p>Matching Materials / fenestration</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance should be considered by the LPA.</p>	Permit	Yes
24/11/2021	APP/21/01161	David Rothery	57 High Street, Emsworth, PO10 7AN	Formation of enclosed roof garden with associated alteration to fenestration	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
24/11/2021	SB/21/03191/DOM	David Rothery	The Manor House , Prinsted Lane, Prinsted, Southbourne, PO10 8HR	Construct single-storey rear extension orangery with glazed link to listed building together with detached free-standing car port	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Yes
24/11/2021	APP/21/01197	David Rothery	South Winds, Woodgaston Lane, Hayling Island, PO11 ORL	Tree works subject to TPO 0567 for 9x Oak trees (T1-T9 on plan - line of oaks adjacent to drive way) crown raise to 4m clearance	No Objection Other Appropriate planning conditions to ensure that no works should be carried out during the bird nesting season (April to September) or if there is evidence of bat roosting (hibernation or maternity roosts) should be considered by the LPA.	Permit	Yes
24/11/2021	BO/21/03131/DOM	David Rothery	Cedarcroft Sunnyway Bosham PO18 8HQ	Construct single-storey and two-storey extensions with glazed first-floor Juliette balcony to the south, extensive re-glazing and other alterations to the external appearance	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
25/11/2021	BO/21/03140/FUL	Steve Lawrence	Cove House , Smugglers Lane, Bosham, PO18 8QP	Demolition of existing dwelling and outbuildings, erection of two storey detached dwelling including indoor swimming pool and detached garage - (variation of condition 16 of planning permission BO/20/02389/FUL - ensure floor levels are referenced as 'Fin	No Objection Other Provided that all other previous planning conditions to 20/02389/FUL are reimposed.	Permit	Yes
26/11/2021	BO/21/03141/FUL	Steve Lawrence	Cove House , Smugglers Lane, Bosham, PO18 8QP	Demolition of existing dwelling and outbuildings, erection of two storey detached dwelling including indoor swimming pool and detached garage - (variation of condition 2 of planning permission BO/20/02389/FUL - alterations to master bedroom windows config	Other Rooflights in master bedroom, ensuite, wardrobe, boot room lobby - light spill to night sky (CHC PP09). Proposed blackout blinds - unenforceable by LPA. Suggest window in courtyard wall for wardrobe.	Permit	
29/11/2021	BI/21/03037/FUL	David Rothery	Houseboat Karibuni, Chichester Marina, Birdham, Chichester, West Sussex, PO20 7EJ	Replacement houseboat and installation of H column cored and grouted anchoring system, and associated works	No Objection Cowled Lighting, Internal Blinds, Ancillary use only, Bird Nesting, Other, Materials as indicated on submitted application forms / agreed by LPA Schedule of materials to be in muted colours Outbuildings is to remain ancillary to the domestic use of the houseboat	Refuse	Increase in size not acceptable

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
29/11/2021	BO/21/03212/DOM	David Rothery	2 Harbour Villas , Shore Road, Bosham, PO18 8HZ	Replacement porch (RETROSPECTIVE)	<p>No Objection</p> <p>Matching Materials / fenestration</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance should be considered by the LPA.</p>	Permit	Yes
29/11/2021	WI/21/03159/DOM	David Rothery	Sanderlings , Spinney Lane, Itchenor, PO20 7DJ	Erect domestic garden tennis court and varied heigh enclosure fence	<p>No Objection</p> <p>Matching Materials / fenestration, Other</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Yes
29/11/2021	SB/21/02832/DOM	David Rothery	7 Roundhouse Meadow, Southbourne, PO10 8BD	Construct single-storey side extension to link with extended domestic garage	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
29/11/2021	BO/21/02597/DOM	David Rothery	Eastwood, Delling Lane, Bosham, Chichester, West Sussex, PO18 8NR	Erect replacement detached freestanding car barn and store	No Objection Matching Materials / fenestration Appropriate planning conditions to control the materials of construction, the finished appearance should be considered by the LPA.	Permit	Yes
29/11/2021	APP/21/01199	David Rothery	7 Frobisher Gardens, Emsworth, PO10 7AS	Erection of flue chimney above the roof slope to serve wood burning stove	No Objection Matching Materials / fenestration Appropriate planning conditions to control the materials of construction, the finished appearance should be considered by the LPA.	Withdrawn	
30/11/2021	BO/21/03257/DOM	David Rothery	Fantails, The Drive, Bosham, Chichester, West Sussex, PO18 8JG	Erect replacement porch roof canopy	No Objection Matching Materials / fenestration Appropriate planning conditions to control the materials of construction, the finished appearance should be considered by the LPA.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
01/12/2021	BI/21/02822/DOM	David Rothery	Tideways , Lock Lane, Birdham, PO20 7BB	Construct single-storey rear corner extension and form first-floor balcony terrace with associated alterations	<p>No Objection</p> <p>Matching Materials / fenestration, Tinted Glazing, Cowled Lighting, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	CHC materials con plus other mitigation measures
01/12/2021	SB/21/03199/DOM	David Rothery	31 Main Road Southbourne Emsworth West Sussex	Single storey rear extension and associated alterations.	<p>No Objection</p> <p>Matching Materials / fenestration, Internal Blinds</p> <p>Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.</p>	Permit	Materials / fenestration cons included
03/12/2021	BI/21/03007/FUL	Steve Lawrence	Pict Fenn Court Barn Road Birdham PO20 7BQ	Replacement of the existing single family dwelling house with attached garage and separate outbuildings with a new single family dwelling house with separate outbuildings and associated landscaping works.	<p>No Objection</p> <p>Ancillary use only, Tree safeguarding, Bird Nesting, Bat Roosts, Other, Landscaping plan, Continued maintenance of development, Lighting plan, Use of Archaeological finds recorded; installation of wastewater treatment plant, reed bed, green roofs; details of potting shed; all existing structures demolished / removed; driveway of permeable materials; delivery of energy statement, approval of solar panel</p>	Permit	Partial

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
03/12/2021	AP/21/03117/DOM	Steve Lawrence	Quay Cottage, Dell Quay Road, Dell Quay, Appledram, Chichester, West Sussex, PO20 7EE	Demolition of existing single garage/store and construction of replacement single storey building, side extension and new tree planting.	No Objection Other, Use of specified materials New tree planting being implemented in the first planting season following the substantial completion of the building, replacing any tree which might fail within 5 years of planting.	Permit	No
06/12/2021	BO/21/03172/DOM	Steve Lawrence	Longmore Bosham Hoe Bosham PO18 8EU	Proposed demolition of storage outbuildings and proposed replacement utility barns. (Variation of conditions 2 and 5 of permission BO/18/03052/DOM - wall cladding to be changed to vertical oak cladding. Roof to be changed to western red cedar shingle tile	No Objection Tree safeguarding, Other, Outbuildings for ancillary use only, Use of specified materials Existing outbuildings to be demolished and removed from the site.	Permit	Yes
08/12/2021	WI/20/03252/FUL	Steve Lawrence	The Ship Inn, The Street, Itchenor, PO20 7AH	Retrospective erection of a garden pergola / outbuilding for serving food and beverages.	No Objection Other Remaining open, hard surfaced parts of the site being kept available for the parking and turning of motor vehicles; and consideration be given to restricting the hours of use of the rear pub garden, 22.00 hours being a suggestion.	Permit	Yes

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
15/12/2021	APP/21/01204	Steve Lawrence	Sparkes Marina, 38 Wittering Road, Hayling Island, PO11 9SR	Engineering works to reinforce ground slab to facilitate launching of boats	Other No Objection •Non-percussive piling measures being employed; •Works not being carried out over the winter period; and, •Approval of a Construction Environment Management Plan, to control noise disturbance and prevent pollution of Chichester Harbour.	Permit	Yes
15/12/2021	FB/21/03354/FUL	Steve Lawrence	98 Fishbourne Road West Fishbourne PO19 3JL	Erection of 5 no. age restricted bungalows, with access, parking, landscaping and associated works (Variation of condition 2 from planning permission FB/18/03401/FUL - Change of roof materials for plots 7 and 8).	No Objection	Permit with S106	
17/12/2021	APP/21/01203	Steve Lawrence	26 Bracklesham Road, Hayling Island, PO11 9SJ	Proposal Second storey extension with balcony. Replace first floor rear balcony and spiral stairs. Installation of external cladding, reduction of existing detached garage and increase height of front wall and gates	Other Objection Incongruous addition and roof form, harmful to the streetscene of Bracklesham Rd and Seafarers Walks and wider setting of the AONB.	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
20/12/2021	BO/21/03380/FUL	David Rothery	Trippets , Harbour Road, Bosham, PO18 8JE	Variation of Condition 6 (landscaped boundary enclosure) on planning permission BO/19/02200/FUL dated 13 November 2019 - replacement two-storey house with detached garage/boat shed and new outdoor swimming pool	No Objection Matching Materials / fenestration Appropriate planning conditions to control the materials of construction and the finished appearance should be considered by the LPA.	Permit	Yes
20/12/2021	APP/21/01178	David Rothery	19 Queen Street, Emsworth, PO10 7BJ	Erection of ground floor front elevation wall and windows to be set forward to match first floor projection through the removal of pier supports to recessed canopy together with fenestration changes to front and rear and alteration to finished wall materi	No Objection Matching Materials / fenestration Appropriate planning conditions to control the materials of construction and the finished appearance should be considered by the LPA.	Permit	Yes
20/12/2021	APP/21/01241	David Rothery	3 Seafarers Walk, Hayling Island, PO11 9TA	Conversion of integral double garage into sunroom; addition of front raised ground-floor sun terrace; replacement cladding and render to front elevation; new and replacement windows and doors; replacement of metal railings with glass balustrade to first f	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions to control the materials of construction and the finished appearance, together with measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Materials con included

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
20/12/2021	APP/21/01293	David Rothery	High Jinks, 38 Bath Road, Emsworth, PO10 7ER	Tree works within Emsworth Conservation Area to pollard back to previous pollarding points of one Willow	Other No Objection Appropriate planning conditions to ensure that no works during the bird nesting season or if evidence of bat roosting.	Permit	Yes
20/12/2021	WW/21/03256/DOM	David Rothery	The Gables Summerfield Road West Wittering PO20 8LY	Erection of single and two storey rear extensions and single storey side extension with associated alterations, new porch and external alterations, replacement garden store / study and new open air domestic swimming pool	No Objection Matching Materials / fenestration, Internal Blinds	Permit	Yes
20/12/2021	APP/21/01302	David Rothery	41 South Street, Emsworth, PO10 7EG	Installation of internal staircase to replace 2 old internal staircases	Other No Objection Appropriate planning conditions to control the development are for the LPA to decide upon.	Permit	N/A
21/12/2021	BO/21/03102/ELD	David Rothery	Walton Farm , Walton Lane, Bosham, PO18 8QB	Existing lawful development 2 no. biomass boilers.	Other No comment made No suggested considerations are offered as the proposal is for Lawful Development Certificate for an existing use.	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
21/12/2021	BO/21/03394/DOM	Steve Lawrence	Longmore , Bosham Hoe, Bosham, PO18 8EU	Proposed Boat Shed (renewal of Planning Permission BO/18/03314/DOM).	Other Loggia is ornamental and unnecessarily raises the height of the structure in this prominent location.	Permit	
21/12/2021	BO/21/03429/DOM	David Rothery	Willoughby House , Taylors Lane, Bosham, PO18 8EP	Alterations to ground floor fenestration on west and north elevations	No Objection Matching Materials / fenestration, Internal Blinds Appropriate planning conditions to control the materials of construction, the finished appearance, and measures to limit light pollution within the Dark Skies protocol should be considered by the LPA.	Permit	Material con included
21/12/2021	WI/21/03183/DOM	Steve Lawrence	Church Hill Cottage , Itchenor Road, West Itchenor, PO20 7DL	Single storey rear extension	Other Remove rooflights;reduce roof pitch, lower than single storey ridge, no higher than existing dormer; truncate gable end to plain clay tiled, hipped roof to match main roof.	Permit	

Date Sent to LPA	Reference	CHC Officer	Site	Application Details	Recommendation	LPA Decision	CHC Conditions Included
21/12/2021	BO/21/02949/DOM	David Rothery	Taylors, Hoe Lane, Bosham, PO18 8ER	Erection of single storey front (east) extension and boathouse replacement	No Objection Matching Materials / fenestration, Internal Blinds	Permit	Yes
23/12/2021	WW/21/03425/DOM	Steve Lawrence	21 Locksash Close, West Wittering, PO20 8QP	Demolition of conservatory and erection of single storey rear extension.	No Objection	Permit	