



For questions regarding this agenda please contact Pasha Delahunty: [pasha.delahunty@conservancy.co.uk](mailto: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 12 June 2023** at Eames Farm, Thorney Road, Thorney Island.

**Matt Briers CBE, CEO**

### AGENDA

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**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 15 May 2023 (Page 1).

**4. DEVELOPMENT APPLICATIONS**

- a. SB/23/01101/EIA – Land at Hamcroft Main Road Nutbourne Chichester West Sussex (page 6)
- b. SB/23/00942/FUL – G And R Harris, Main Road, Nutbourne, Chichester, West Sussex (page 18)

**5. CHICHESTER HARBOUR AONB PLANNING PRINCIPLES**

To discuss and review a report on PP14, PP15, PP16, PP17 and PP18 (page 30)

**6. TABLE OF DELEGATED DECISIONS**

Report deferred to next meeting.

**7. QUARTERLY REPORT**

Report deferred to next meeting.

## **8. DATE OF NEXT MEETING**

Monday 17 July 2023 at Eames Farm, Thorney Road, Thorney Islands from 10.30am.

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**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 15 May 2023 at Eames Farm, Thorney Road, Thorney Island.

#### **Present**

Alison Wakelin (Chairman), Pieter Montyn, John Goodspeed, Adrian Moss, Lance Quantrill, Sarah Payne, Nicolette Pike.

#### **In attendance**

Iona Turner (Observer).

#### **Officers**

Linda Park (LP), Richard Austin, Matt Briers, Pasha Delahunty (Minutes).

*The meeting started at 10:30am*

### **1.0 WELCOME AND APOLOGIES FOR ABSENCE**

- 1.1 The Chairman welcomed Matt Briers to the meeting. Iona Turner was attending the meeting as an observer.
- 1.2 Apologies for absence were received from Jackie Branson, Heather Baker, Jane Dodsworth and Steven Lawrence.

### **2.0 DECLARATIONS OF INTEREST**

- 2.1 There were no declarations of interests for items listed on the agenda. The Chairman reminded Members that declarations can be made during the meeting as well, if it becomes apparent that an interest does need declaring.

### **3.0 MINUTES**

- 3.1 The Committee considered the unconfirmed minutes and the Executive Officer reported that the reference to Havant Borough Council in minute 4.47 was incorrect and should have instead been Chichester District Council.
- 3.1 **Resolved** – That, subject to the correction in 3.1 above, the minutes of the Committee meeting held on 6 March 2023 be approved as a correct record and that they be signed by the Chairman.

### **4.0 DEVELOPMENT APPLICATIONS**

#### **4.a. SB/00700/FUL – Sandhead, Rookwood Lane, West Wittering**

- 4.1 The Principal Planning Officer (LP) presented her report to members on the application for a sea defence. The property is located on Rookwood Lane which is a small cluster of houses in a rural area between West Itchenor and West Wittering. The existing sea wall was made of timber posts with gabions, with tamarisks leaning over the shoreline along part of its length. . Photos show that an earth embankment directly behind the defences leads up to a patio wall at the top.

- 4.2 Permission for a replacement dwelling has been obtained and the applicant is arguing that the sea defences need to be strengthened and increased in height to protect the property. The current dwelling is set closer to the shoreline and sits on a smaller plot of land than some of the neighbouring properties. The Planning Officer shared details of the sea defences of neighbouring properties where gabions and timber have been used.
- 4.3 Pictures and diagrams of the proposed new sea defence shared with the group show a metre high wall with gabion cages behind, stepped up to a second higher wall – again with gabion cages behind. The 2.5 metres proposed defence wall would end at the level of the current patio wall. The stepped approach removes the earth embankment.
- 4.4 The Planning Officer outlined that her recommendation is to object to the application based on PP10, the landscape impact on shoreline defences. She further explained that while like for like replacements can be approved, that is not the case with this application. The use of concrete will not provide a natural appearance to the shoreline. The current sea defence has a natural appearance.
- 4.5 On the question of the nature conservation impact, the ecologist has also commented that further details are needed about the proposed plans. The Council have also flagged ecological issues. LP confirmed that while pre-application advice was sought for the dwelling itself, none had been obtained for the sea defence.
- 4.6 A member shared that West Wittering Parish Council have raised an objection based on the urbanisation and character of the AONB. While the West Wittering neighbourhood plan is still under development, this property is being used as an example of the urbanisation of the area.
- 4.7 Members were interested to see what Natural England will say about the application. While there is a concern about the erosion of this part of the harbour and the need to safeguard houses, a balance needs to be sought. Homeowners need to know that if you buy on the harbour, you have a responsibility to preserve the landscape and views. All members agreed that the stark stepped concrete wall being proposed was not favourable or in keeping with the area and discussed the need to strengthen the proposed objection.
- 4.8 A member suggested that if the council were minded to approve the application, would it be prudent to include in the recommendation that, if concrete were used it should then follow the example set by the Solar Coastal Partnership where textured concrete or tiles were tested to lessen the effect of the concrete by allowing organisms and plants to grow on the surface.
- 4.9 The group expressed concerns about what would happen to either end of the proposed sea defence (as set out in paragraph 7.3 of the report). The proposed drawings were found to be disingenuous given that the neighbouring properties were not properly represented.
- 4.10 Members confirmed to LP that the height of the proposed defence was not specifically the issue as the impact on the wildlife and ecology was not related to the height. The group suggested that the applicant should engage with CHC for constructive feedback and were disappointed that the new replacement property was not moved back from the shoreline in the first place. They were mindful that other neighbouring sea defences may have been built when other planning principles were being followed and should not be used as examples to what was happening now as the current position is to have a natural looking shoreline.
- 4.11 A member suggested that the study conducted on the use of habitat tiles/living walls on Portsea Island has positive results. Planting to soften the appearance of

the sea defence were also referenced. LP confirmed that the council directed the applicant to obtain planning permission for the dwelling before the sea wall which is why this is now before the committee.

- 4.12 **Action Point** – The Planning Officer was directed to strengthen the objection position to include a reference to urbanisation and to further suggest the applicant liaise with CHC for advice.

#### **Recommendation**

- 4.13 Subject to the strengthening reasons set out above at 4.13, that Chichester District Council, as Local Planning Authority (LPA), be advised that Chichester Harbour Conservancy supports the Planning Officers recommendation set out in the report and **objects** to the proposed application. The decision was unanimous.

*(The observer left the meeting)*

#### **4.b. BI/23/00067/FUL - Russells Garden Centre**

- 4.14 As Principal Planning Officer Steven Lawrence was not present at the meeting, LP presented his report to members. The application is for the redevelopment of the site which is located on the south side of the B2179 between Itchenor and Birdham. The land north of the B2179 is part of the AONB. The current application is for mixed use with 14 dwellings and commercial space which would include retail. While deemed developable, a pre-application made in 2021 failed as the site did not abut the settlement boundary of Birdham. The applicant was advised to conduct a marketing exercise for the property.
- 4.15 The recommendation is that an objection is raised as it is the urbanisation of a site which directly adjoins the AONB. In the report, it was highlighted that in addition to the adverse impact of the AONB landscape setting, the application also fails the first test of the interim policy statement.
- 4.16 One member suggested that from the AONB side looking south, the view might be more attractive than what is currently there as the proposal is for tree planting along the roadside. The CEO cited this as a prime example of the push to build along the boundaries of the AONB and questioned what the area would look like in the future if this trend continued. A comparison with Gosden Green Nursery was made, although that application was within the AONB, similarities can be found.
- 4.17 A member referenced a letter dated 2 May where the West Sussex County Council Local Lead Flood Authority had objected to the application due to the absence of drainage from the site. The highways department also asked for further information with a safety audit suggested and the need for a footway and bus stop noted.
- 4.18 The group discussed the history of the building and what was always a very popular café within the garden centre. While business was damaged during lockdown, there appears to be a local party interested in taking on the running of the café which might help to stimulate the business as a whole. A member shared that another local garden centre has been looking to expand as business has been so robust.
- 4.19 The developers were commended for including electric car charging and solar panels in their plans.
- 4.20 **Action Point** – The Planning Officer was directed to strengthen the objections to include that because the site is not within the settlement boundary, the development constitutes urbanisation of the AONB as the site becomes an extension of the town. A reference to the previously thriving business should be included.

## **Recommendation**

- 4.21 Subject to the strengthening reasons set out above at 4.24, that Chichester District Council, as Local Planning Authority (LPA), be advised that Chichester Harbour Conservancy supports the Planning Officers recommendation set out in the report and **objects** to the proposed application. The decision was unanimous.

## **5.0 CHICHESTER HARBOUR AONB PLANNING PRINCIPLES**

- 5.1 The AONB Manager introduced the three planning principles set out in his report, namely PP11 – Intertidal Structures, PP12 – Limits on Marinas and Moorings and PP13 – Public Access to the Water and New Launch-on-Demand facilities, as distinct but similar. They are seldom cited by the Planning Officers.
- 5.2 The AONB Manager shared that with the one-year extension to the Management Plan due shortly, he has been debating the potential benefits of embedding some of the main planning principles into the plan as policies could carry more weight. Members discussed the implications of this proposal given that the local authorities do not sign up to the planning principles but do the Management Plan and conflicts with the local plan would result in objections. As the one-year extension is not subject to a public consultation, it would be a way to test the planning policy changes before CHC embarks on the next phase of the Management Plan process. All agreed that the landscape of planning matters is changing and that environmental considerations are more mainstream.
- 5.3 Members asked about how enforcement matters were dealt with. The AONB Manager stated that there were occasions such as with intertidal structures where the use of the drone photos has helped, satellite imagery has improved and now allows historic pictures to be compared relatively easily when needed.
- 5.4 Members agreed that the planning guidance could be updated to include more details on the types of sustainable materials that would be suitable to use for sea defences. Habitat tiles could be suggested if appropriate, while concrete given as an example of a poor material. Biodiversity gain versus loss could also strengthen a planning argument. In contrast, Salterns Lock was raised as an area which might require the use of concrete.
- 5.5 The group further suggested that guidance relating to the domestication and urbanisation of foreshores should also be included in the plan and could sit with coastal sea defences.
- 5.6 The AONB Manager shared that he would like the remaining 6 principles to be reviewed by July with the redrafting of the management plan scheduled for the autumn.

## **6.0 TABLE OF DELEGATED DECISIONS**

- 7.1 Members considered the Delegated report as submitted with the agenda documents. The Planning Officer (LP) shared that Planning Officer SL's decisions had not been entered on the table. A new database system has been introduced which will streamline the reporting process at CHC. No questions were asked by Members.

## **7.0 QUARTERLY REPORT**

- 7.1 Members considered the Quarterly report as submitted with the agenda documents. The Planning Officer (LP) shared that of the 63 applications listed in the report only 3 are conflicting. The CHC aims to keep the rate of conflicts at 5% or below. The conflicts were all properties in Bosham.

- 7.2 **Action Point** – Include quarterly report updates for the next few planning meetings.
- 7.3 The CEO updated the group on a recent meeting with the leader of Hampshire County Council where they discussed the need for policy changes. The aims, ambitions and objectives for the AONB need to be addressed and this includes focusing on obtaining statutory consultee status.
- 7.4 Another area that the CEO sees as a priority is enforcement. This includes foreshores, garden extensions and the spaces around buildings. The question of a softer edge around the AONB, where building density was lessened was suggested.
- 7.5 **Action Point** – Members asked that the CEO provide an update on the status of the letter sent to Michael Gove from Gillian Keegan at the next Conservancy meeting.

## **8.0 DATE OF NEXT MEETING**

- 8.1 The next Planning Committee meeting is scheduled for Monday 12 June 2023 at Eames Farm, Thorney Road, Thorney Island from 10.30am.

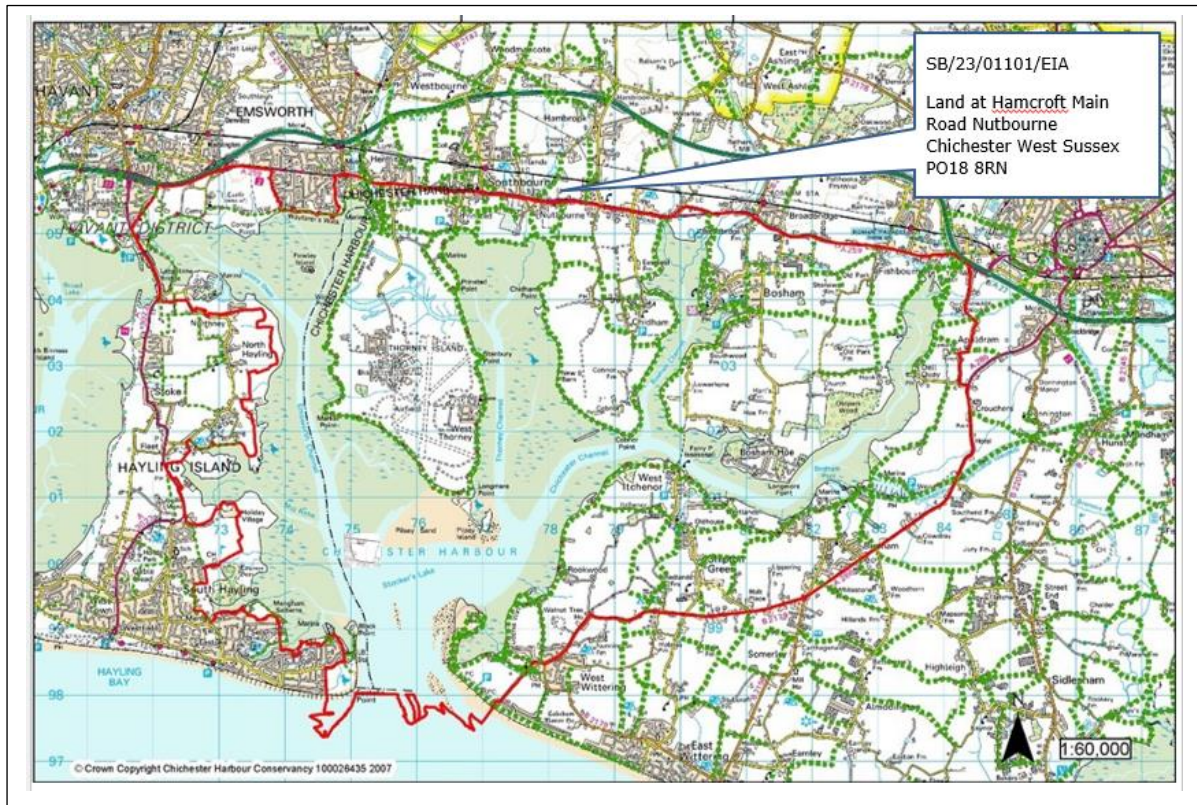
*Meeting closed at 11.53am*

Chairman

**Local Planning Authority planning application reference:** SB/23/01101/EIA

**Site:** Land at Hamcroft Main Road Nutbourne Chichester West Sussex PO18 8RN

**Proposals:** Screening Opinion required to determine whether a proposed forthcoming full planning application for the development of the site with 140 dwellings with associated parking and landscaping should be subject of Environmental Impact Assessment (EIA), and therefore accompanied by an Environmental Statement



**RECOMMENDATION** - That Chichester District Council, as local planning authority be advised that Chichester Harbour Conservancy considers that the scale, nature, and composition of the development **REQUIRES** the submission of a comprehensive EIA Environmental Statement (ES) to support any formal planning application, specifically looking at –

- the setting of the Chichester Harbour AONB;
- ecological impact to any protected species at the site; and,
- capacity issues relating to wastewater and also the design and capacity of any Sustainable Urban Drainage Systems to be proposed to ensure that stormwater surges are fully attenuated and do not contribute to downstream pollution of Chichester Harbour.

## 1.0 Introduction

1.1 This is not an application for planning permission. Rather, the applicant is asking the Council whether it considers significant environmental effects would be likely to result from the intended development, having regard to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.



- 1.2 The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. Although the site is not within the AONB, it is immediately opposite it on the north side of the A249 (Main Road) and therefore affects the AONB's setting.
- 1.3 In the on-going Public Inquiry into 200 dwellings on two related Appeal sites in Chidham, the Council has agreed with the Appellant that it cannot currently demonstrate a 5 year housing land supply within the district. The Council adopted an interim position statement for Housing Development in November 2020 as part of an action plan to speed up the delivery of housing in the District outside the South Downs National Park.

**2.0 The site and the character of the area**

2.1 An inverted 'L' shape, these are a collection of several paddocks (4.95 ha) with a grade 3 agricultural land classification, sat outside the Chichester Harbour AONB and not currently, or proposed to be, within any defined settlement boundary within Southbourne Parish. Further agricultural land adjoins to the east beyond a tree belt. To the west, the lower part of the site is abutted by an open piece of land associated with a recent housing development (collectively formerly known as Nellies field, but now known as Meadow View), with the upper part backing onto the Ham Brook (outside this site), with a motor vehicle breakers yard beyond that G & R Harris. That latter site is the subject of a Planning Appeal and further revised application for housing, also being considered at this meeting. To the north of the site is the Havant to Chichester railway line. The aerial photograph below indicates a thick tree belt to that boundary, protected by a Woodland TPO. The nearest part of the South Downs National Park is just over 1km to the north-west. The north-west corner of the site would be within a Strategic Wildlife Corridor proposed under emerging local plan policy NE4. Public footpath No.257 runs along the western boundary and provides links to the AONB.



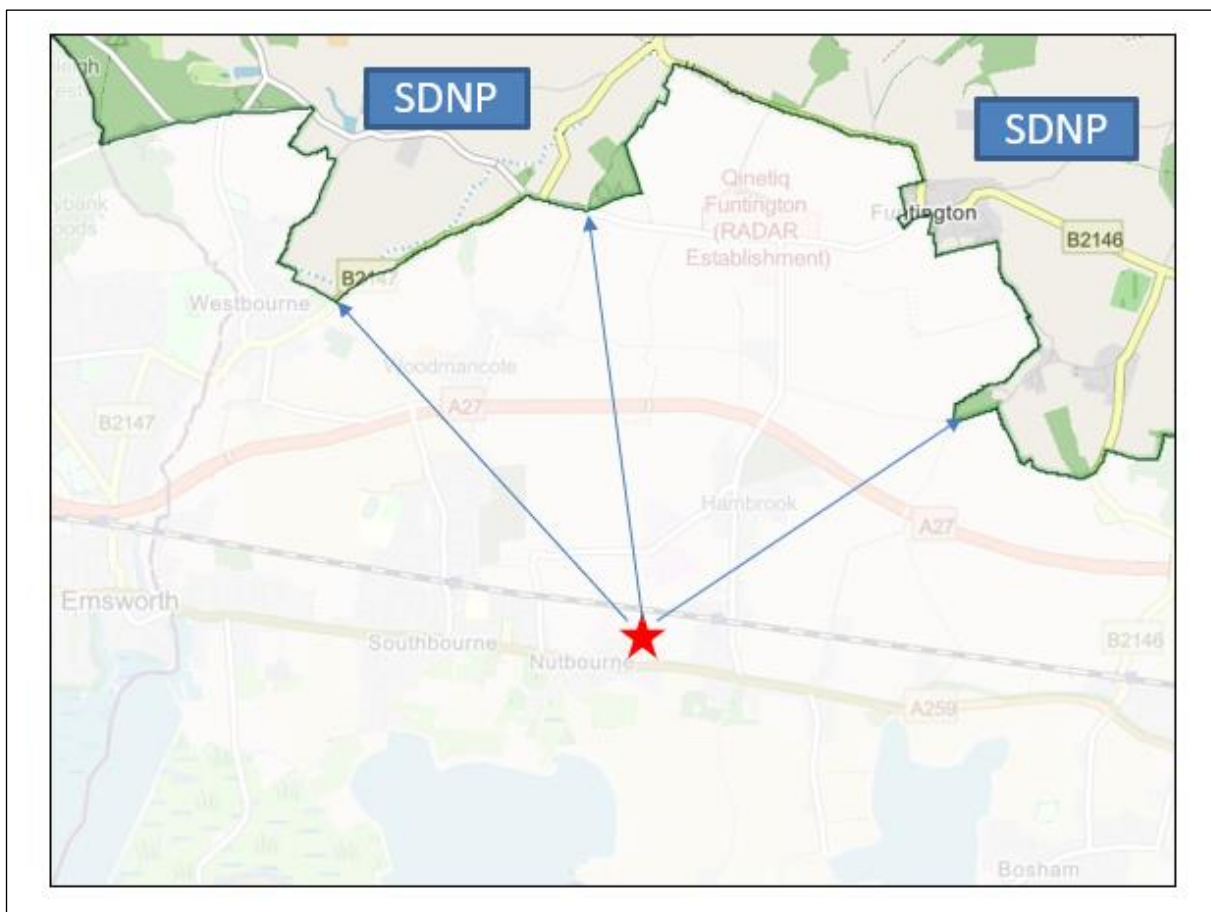
2.2 Some photographs of the site and its immediate setting are shown below.



2.3 In terms of the Conservancy's (recently refreshed) Landscape Character Assessment, the site lies within character zone H1 – Havant to Chichester Coastal Plain, which exhibits the following relevant key landscape characteristics –

- Flat, coastal plain on brickearths, sands and gravels.
- Open arable farmland, with strong rectilinear field patterns. Small hedged paddocks associated with the villages.
- Pockets of orchards, enclosed coastal grazing marsh and small copses are distinctive features around Nutbourne, Prinsted, Fishbourne and Langstone.
- Linear historic settlements follow, or are located in close proximity to the Roman Road line of the A259.
- Dense urban development of Havant, Chichester, Emsworth and Southbourne. Occasional views from south of the A259 to the harbour.

Pressure for new housing and intrusive development are seen as the key issues for this character area, with sensitivity to change reported as moderate to high.

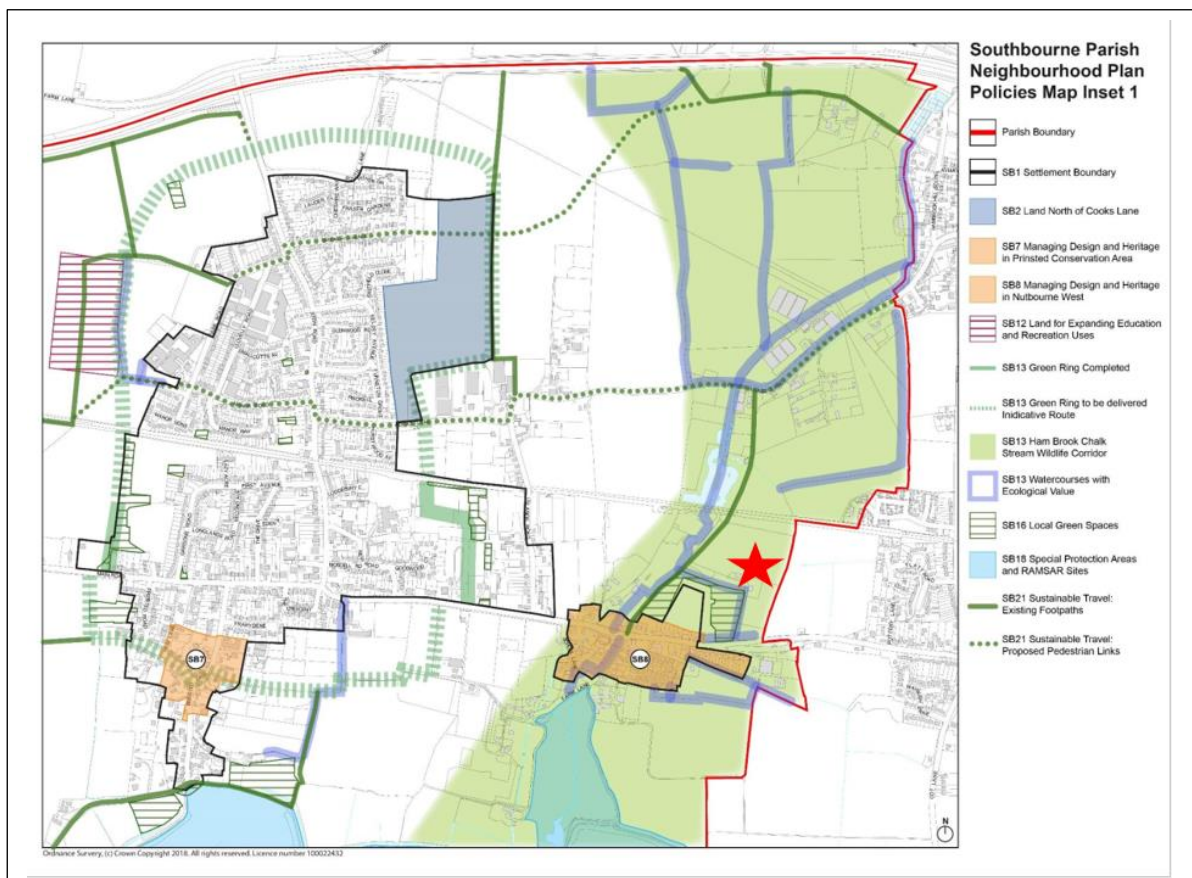


2.4 In terms of the Council's own landscape capacity study, refreshed in 2018, the site sits outside but immediately east of sub-area 85 (Nutbourne West-Nutbourne East Coastal Plain). This area is said to have medium/high visual sensitivity to landscape change, medium landscape sensitivity, yielding a medium/high landscape character sensitivity, medium/high landscape value and thus a low landscape capacity for new development, affording long views to Chichester Harbour which need to be conserved.

2.5 The Council’s most recent 2021 Housing and Economic land availability assessment (HELAA), the application site is given the identification code of HSB0009 and labelled ‘developable’. The Council’s site assessment note for the site is shown below.

<b>HELAA ID</b>		<b>Site Address</b>		<b>Settlement</b>		<b>Parish</b>	
HSB0009		Land at Hamcroft		Nutbourne		Southbourne	
<b>Site size (gross)</b>		<b>Existing Use</b>		<b>PDL</b>	<b>Proposed Use</b>		
6.1ha		Paddocks with dwelling		Part	Residential		
<b>Site Description</b>							
Agricultural/equestrian land, with dwelling and stables. Railway line to the north. Woodland to north and trees to south western boundaries. Access from the A259. Public right of way and Ham Brook to western boundary.							
<b>Suitability</b>							
The site is adjacent to existing development under construction. It is potentially suitable subject to detailed consideration on matters including flood risk, tree and landscape impact.							
<b>Availability</b>							
The promoter updated the site details in 2018. The site is considered to be available.							
<b>Achievability</b>							
There are no known constraints that would make development unachievable in principle. The site is under option to a developer. The promoter has submitted a concept masterplan for c.95 dwellings and estimates development within the first phase.							
<b>Deliverability/Developability</b>							
There is a reasonable prospect that development would be deliverable during the Plan period.							
<b>Yield</b>				<b>Estimated timescales for delivery</b>			
<b>Proposed (or estimated)</b>	<b>Source</b>	<b>Net area/ floorspace</b>		<b>1 – 5 years</b>	<b>6 – 10 years</b>	<b>11 – 15 years</b>	
95 dwellings	Promoter	3.6ha		50	45	0	

2.6 At the current time the Southbourne Neighbourhood Plan is under review, with revisions of its defined settlement boundary (See below) not showing the application land to be included (October 2022 pre-submission, modified version looking up to 2029).



- 2.7 Policy A13 from the emerging Reg 19 Local Plan sets out that a minimum of 1050 dwellings should be constructed in the Southbourne Parish area up to the year 2039. Paragraph 3.16 sets out –

*“3.16. Southbourne is a 'Settlement Hub' with a good range of services and facilities, and rail connectivity. As a sustainable settlement, Southbourne has been identified as a location suitable for a comprehensively masterplanned mixed use development of 1,050 dwellings, with local employment, education provision and appropriate community facilities. The Plan identifies a broad location for development (BLD) at Southbourne, which means that the development site boundary will be determined at a later stage, either through a site allocations development plan document or through the neighbourhood plan.”*

Strands 7, 10, 13 and 15 of that emerging Policy setting out –

*“7. 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”*

&

*“10. Provide mitigation to ensure the avoidance of adverse effects on the SPA, SAC and Ramsar site at Chichester Harbour including contributing to any strategic access management issues, loss of functionally linked supporting habitat and water quality issues relating to runoff into a European designated site”.*

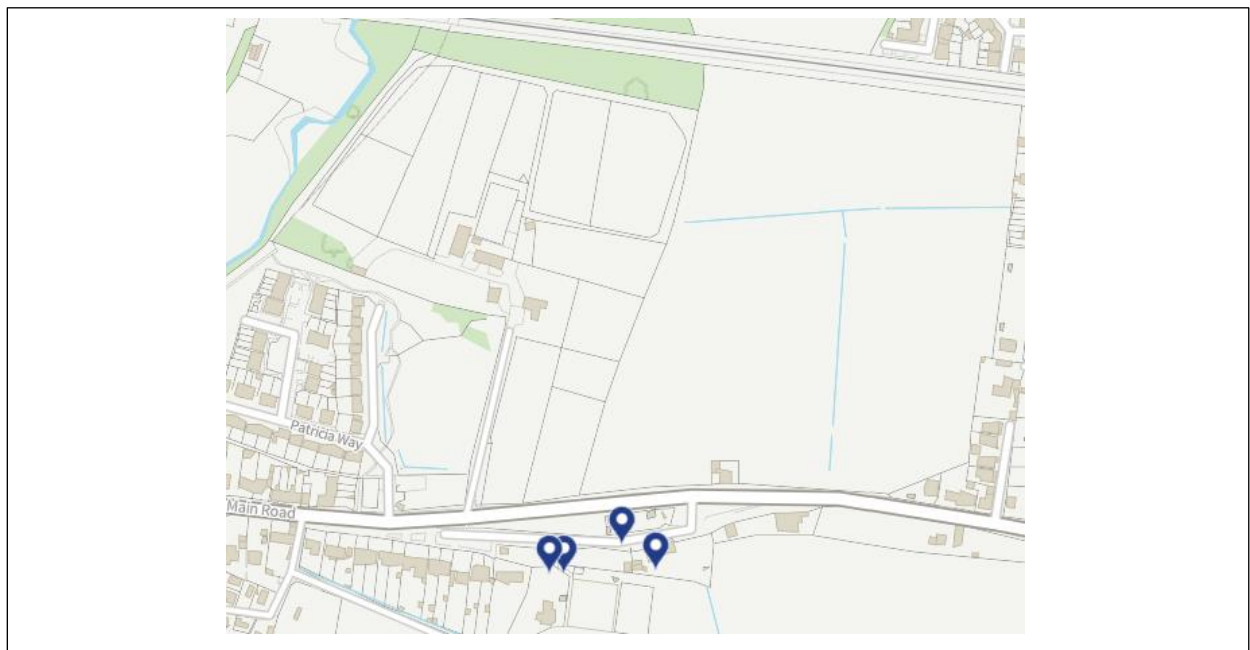
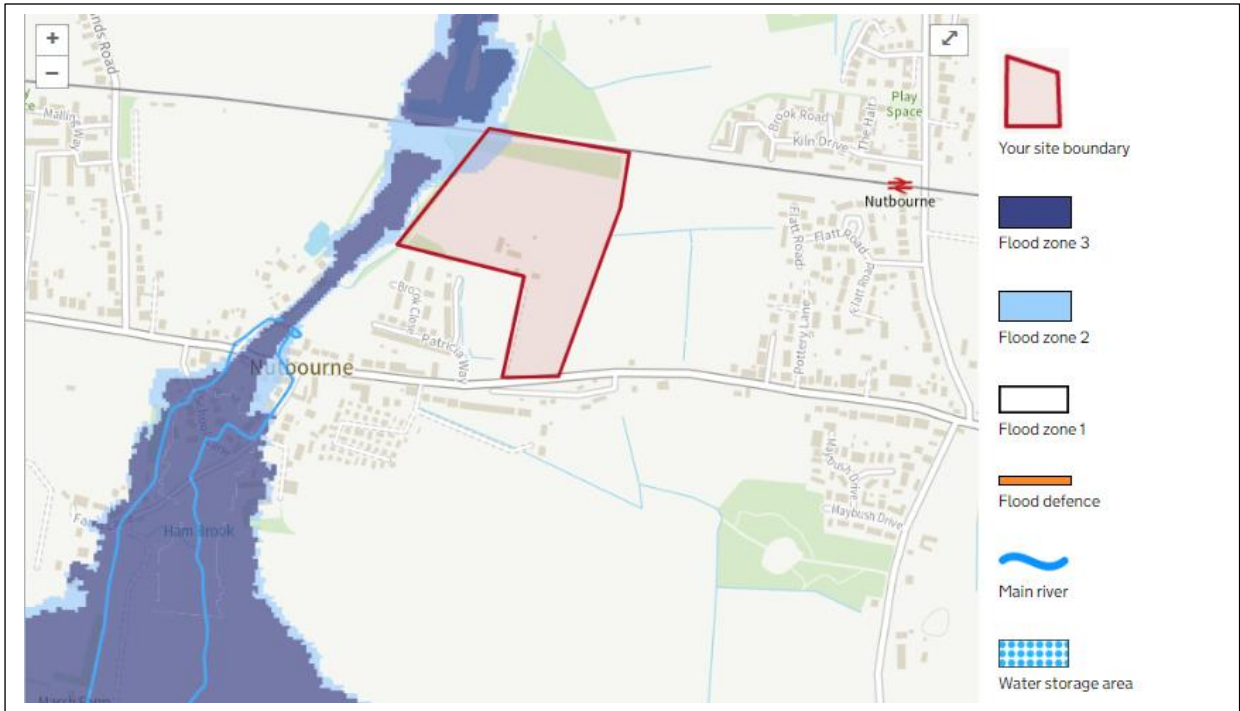
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*“13. Ensure sufficient capacity within the relevant wastewater infrastructure before the delivery of development as required”*

&

*“15. Maintain the character and integrity of existing settlements and provide clear separation between new development and neighbouring settlements including through the definition and protection of landscape gaps”*

- 2.8 Discussions have been held with Southbourne and Chidham and Hambrook Parish Councils and a public exhibition held to canvass opinion on the proposed development.
- 2.9 The site lies mostly in EA Flood Zone 1 (least risk), with a small area in the north-west corner in Zone 2 (see next page).
- 2.10 The following Grade II Listed buildings lie south, opposite the site - The Thatched Cottage, Mere Cottage, Wayside Cottage, Cedar Tree and Black Cat Cottage (see next page).



Nearest Listed Buildings shown above

### 3.0 Site history

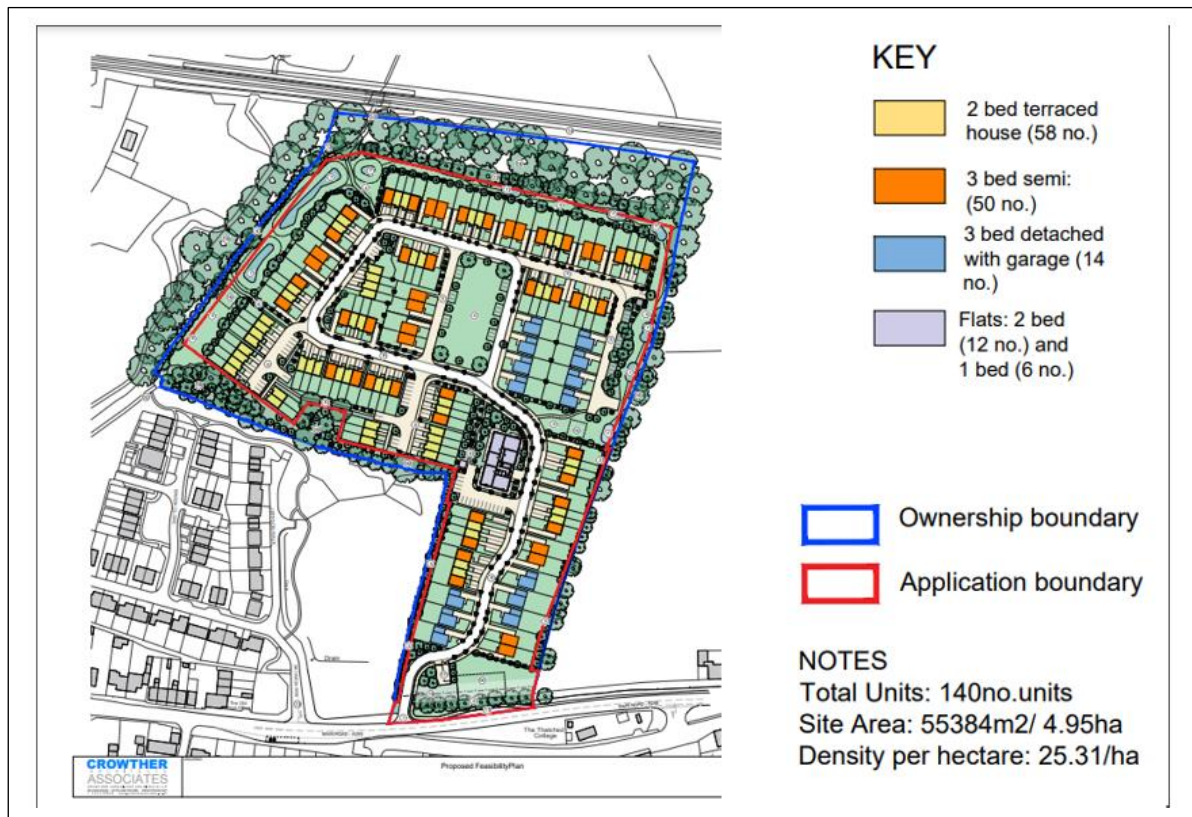
- 3.1 05/04107/COU – Change of use from agriculture to vehicle haulage yard – Refused 5.1.2005.
- 3.2 13/00402/FUL – Proposed use of agricultural land for equestrian purposes, menage and headland rides and the erection of stable barn – Conditional permission 1-7-2013.

- 3.3 13/03114/DOC – Discharge conditions 4-6, 8, 10-11, 13 & 14 from permission 13/00402/FUL – Discharged 23.12.2013.
- 3.4 15/00434/OUT - Proposed erection of 21 dwellings (5 no. 1 bed roomed flats, 4 no. 2 bed roomed flats, 2 no. 2 bed roomed houses, 5 no. 3 bed roomed houses, 5 no. 4 bed roomed houses with on-site open space. Outline application for access and layout (scale, appearance and landscaping reserved matters) Refused (under Officer delegated powers) 16.6.2015; no Appeal lodged.



- 3.5 16/03231/ELD - Existing lawful development for use of dwelling house in breach of condition 3 of planning permission 84/0090/SB (for agricultural workers dwelling) – Granted 23.1.2016.

#### 4.0 Proposals



- 4.1 Up to 140 dwellings with associated access (to Main Road) and landscaping are intended the indicative layout suggesting 18 being flats and the rest houses, although precise mix not yet finalised. A mixture of 1, 2 and 3 bedroom properties are proposed.
- 4.2 Existing mature trees are to be retained and not to be shown within the 'red line' of any planning application to be made.
- 4.3 In addition to the housing landscaping including public open space is proposed, with surface water drainage works.
- 4.4 Vehicle and bicycle parking would be provided to meet the adopted WSCC parking standards (2019).
- 4.5 The project does not fall within Schedule 1 of the Regulations.
- 4.6 In terms of Schedule 2 to the relevant regulations, the site is not located within any specified 'sensitive area'. The project is classed as an 'urban development project', under Section 10 (b) of the aforementioned Schedule. The second column of this Schedule lists some thresholds as guidance to local planning authorities. The applicant considers that none of the stated thresholds would be exceeded and concludes that the proposals would not constitute EIA development.
- 4.7 The proposals are 'dwellinghouse development', do not exceed 150 dwellings being proposed and on a site less than 5 ha. The third column of the Schedule includes



a consideration that significant effects might result from developing a previously non-urbanised area. However, it refers to a figure of 1,000 dwellings in this regard with anything below "unlikely" to require an EIA. The fourth column advises that key issues to consider are the physical scale of such development, potential increase in traffic, emissions and noise.

4.8 The Local Planning Authority is still able to make a determination that an Environmental Statement ought to be submitted, if it still considered 'significant effects' could be caused by the development or in-combination effects of proposals (with the obvious example of the housing proposals at the adjoining G & R Harris site and the fact that Ham Brook is one of only 200 chalk streams in the country, before it for its determination. If this were the case, the relevant headings of –

- Characteristics of the development;
- Location of the development; and,
- Types and characteristics of potential impact

- would fall to be considered.

## **5.0 Discussion and conclusions**

### 5.1 Procedural matters

5.1.1 An Environmental Impact Assessment (EIA) is a process to assess the environmental consequences (positive or negative) of a planned project prior to the decision to move forward with the proposed action. The purpose of the assessment is to ensure that decision makers consider the wider surrounding environmental impacts when deciding whether to proceed with a project.

5.1.2 The Environmental Impact Assessment has been defined as "the process of identifying, predicting, evaluating, and mitigating the biophysical, social, and other relevant effects of development proposals prior to major decisions being taken and commitments made".

5.1.3 Regulation 4(2) states that the EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on the following factors – (a) population and human health; (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC; (c) land, soil, water, air and climate; (d) material assets, cultural heritage and the landscape; (e) the interaction between the factors referred to in sub-paragraphs (a) to (d).

### 5.2 Landscape

5.2.1 Some photographs taken around the site on 2.6.2023 are shown above. There are some longer views from public footpath 257, but these do not go to the setting of the AONB. There are some views looking back towards the Chichester Harbour AONB from the Meadow View development. Notwithstanding the indicative layout showing the western boundary line of Lelandii Cyprus trees retained, these are not covered by a TPO and would badly shade the residential gardens backing on to them. It is considered likely that these would be felled, opening up clear views of the AONB setting and developing a greenfield site would have a profound and irreversible effect on the open rural character of the land.

### 5.3 Pollution potential and impact to the Chichester Harbour SPA/SAC/Ramsar/SSSI designations

- 5.3.1 The Conservancy remains very concerned about this aspect. Natural England has reported that the Chichester Harbour SSSI is in declining unfavourable condition. Although a complex matter, it concludes that this partly due to stormwater surges, where the nearest WWTW is more likely to discharge untreated wastewater into Chichester harbour during heavy rainfall events. Southern Water has a poor record in this regard and although the Government has recently announced at £10 billion investment to be made in England in improving such infrastructure, such investment is not programmed and probably a long way off being implemented.
- 5.3.2 Your Officers do not consider these wastewater impacts and their potential to harm Chichester Harbour to have been properly thought out. It is such impacts, which arguably need to be taken with other developments in the wider area, that need to be properly part of an Environmental Statement.



**SRL for 12.6.2023 CHC Planning Committee:** comments requested by 19.5.2023, with the Council obliged to respond on or before 16 June 2023, unless an extension of time is agreed with the applicant (whose agent considered a response should be made by 11 May 2023).

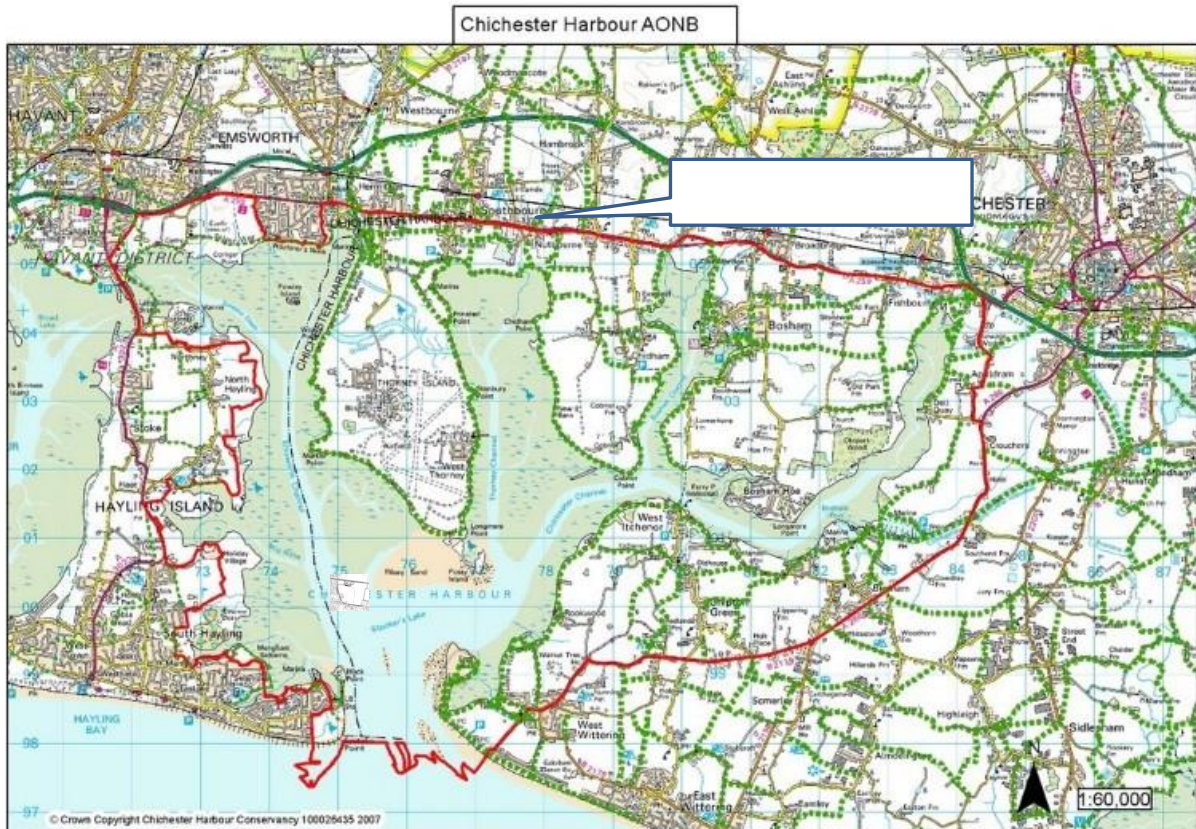
Local Planning Authority planning application reference: **23/00942/FULEIA**

**Site: G And R Harris Main Road Nutbourne Chichester West Sussex PO18 8RL**

**Proposals:** Demolition and mixed use development comprising 103 no. dwellings and a Children's Nursery, together with associated access, parking, landscaping (including provision of Wildlife Corridor) and associated works.

**Conservancy case officer:** Linda Park

Application details on LPA webpage – <https://publicaccess.chichester.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RTGVRDERK5U00>



## RECOMMENDATION

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

- The proposed development of this scale on the edge of the AONB (which in the context of the AONB would constitute 'major development') is premature and contrary to the intentions of emerging Local Plan Policy H2 as the location of a site within the Southbourne Broad Location for Development should be "identified through either the Neighbourhood Planning process or a subsequent Site Allocation DPD", as a strategy agreed and adopted by the Council and local community that has undergone the rigorous tests of examination;
- Development of this fragmented site not directly adjoining existing settlement boundaries/existing built development would begin to erode and undermine the countryside gap between Southbourne and Nutbourne West,

contrary to AONB Management Plan Policy 1 and paragraph 1.10, Planning Principle PP04, as well as Local Plan Policies 43 and 48;

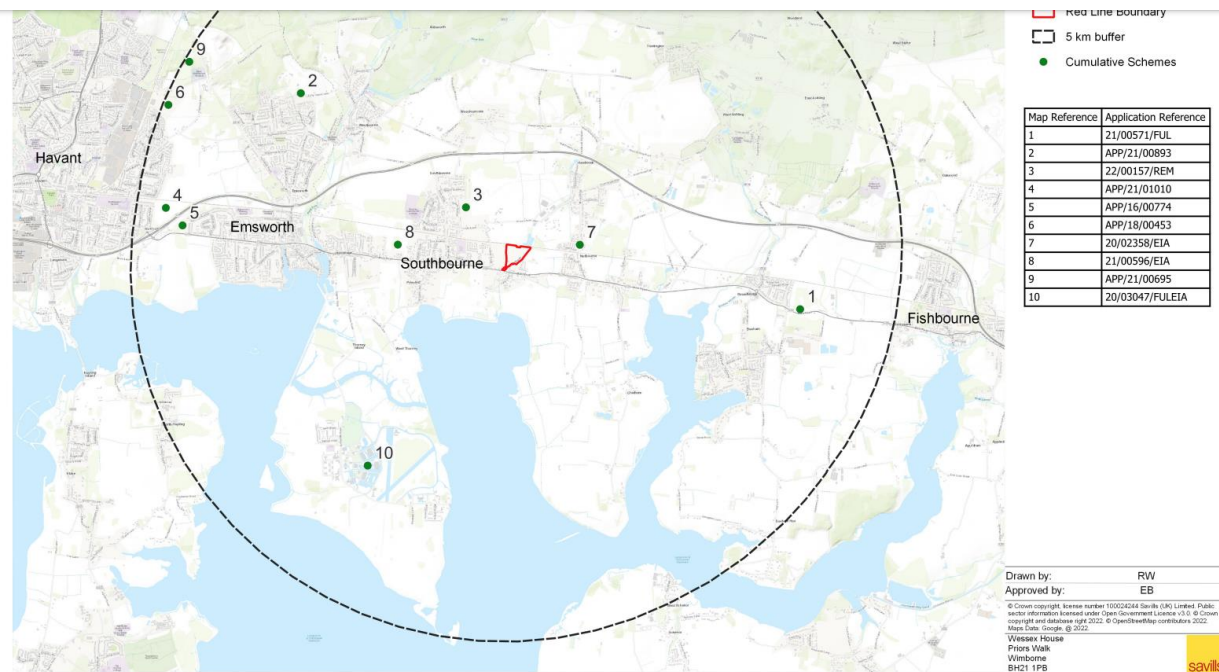
- There is not capacity at Thornham Waste Water Treatment Works to accommodate flows from the proposed development, with no guarantee that the necessary upgrades will be made within 2 years of a grant of planning permission; and the proposed grassland mitigation would not be a suitable form of mitigation. As such, the proposals are premature until such time as adequate sewerage infrastructure can be provided, and risks a likely significant effect on the designated sites and on water quality in Chichester Harbour and increased localised foul flooding.

## Conservancy Officers' comments and reasoned justification

### 1.0 Site description

- 1.1 The application site relates to land to the north of the A259 and AONB boundary, comprising open countryside/agricultural land in the western part, and 'Harris Scrapyard' (a breakers yard) in the eastern part of the site. The site is broadly triangular, opening out to the north of ribbon development adjacent to the A259 (including 'Chichester Caravans') and sporadic housing to the north of this.
- 1.2 The site lies outside any settlement boundary, with Nutbourne to the south and Southbourne to the west. The entrance to the site directly adjoins the AONB boundary.
- 1.3 Views into the site from the AONB are limited, with the ribbon housing development and the caravan showroom site in combination with trees and hedgerows preventing clear views into the site.

Below: The site within the context of Chichester Harbour:



Below: Aerial view of the site:



Below: Views from A259/AONB boundary:





- 1.4 A recently constructed new housing development of 55 dwellings sits to the southeast of the site ('Nellies Field', now called 'Patricia Way'), whereby a public footpath runs between this development and the application site, northwards from the A259/AONB boundary. There is substantial tree and hedgerow screening on the eastern boundary of the site adjoining this footpath, which borders the Ham Brook, an existing chalk stream and wildlife corridor.

Below: Footpath adjacent to east boundary of site with new housing adjacent:



## 2.0 Site history

- 2.1 A screening opinion as to whether an Environmental Impact Assessment would be required was submitted to the LPA in January 2022, and the Conservancy was consulted, commenting that the scale, nature, and composition of the development required the submission of a comprehensive EIA Environmental Statement (ES) that singularly covers all linked consortium development proposals located to the north of Main Road, A259 at Southbourne and adjacent but outside the AONB protected national landscape designation boundary in line with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.
- 2.2 An application for '*Demolition and mixed use development comprising 112 no. dwellings and a Children's Nursery, together with associated access, parking landscaping (including provision of wildlife corridor) and associated works*' was submitted in May 2022 (SB/22/01283/FULEIA). The Conservancy objected on the following grounds:-

- *The proposed development of this scale on the edge of the AONB (which in the context of the AONB would constitute 'major development') is premature and should form part of the formal review of allocations through the Local Plan Review and Southbourne Parish Neighbourhood Plan, as a strategy agreed and adopted by the Council and local community that has undergone the rigorous tests of examination;*
- *Development of this fragmented site not directly adjoining existing settlement boundaries would begin to erode and undermine the countryside gap between Southbourne and Nutbourne West, contrary to AONB Management Plan Policy 1 and paragraph 1.10, Planning Principle PP04, as well as Local Plan Policy 43;*
- *There is not capacity at Thornham Waste Water Treatment Works to accommodate flows from the proposed development, with no guarantee that the necessary upgrades will be made in the near future; and the applicant has not demonstrated that the proposed private waste water treatment plant (which would discharge into the Ham Brook and Chichester Harbour SAC/SPA/Ramsar) would not have a likely significant effect on the designated sites and on water quality in Chichester Harbour;*
- *The applicant has not demonstrated how the proposed development would protect and enhance the Ham Brook chalk stream and wildlife corridor, as there is some conflicting information across the various plans and ecological statements submitted. This wildlife corridor links Chichester Harbour AONB and the South Downs National Park and should be expanded and enhanced rather than modified as part of a built development.*

2.3 Various amendments were made during the application, including a reduction in the number of houses from 112 to 103. The application has not been determined by the Council, and subsequently, an appeal against non-determination of the revised scheme has been submitted.

2.4 Not relating to the application site itself, but two nearby housing developments have been granted and recently built, 'Nellies Field' to the southeast of the site for 55 dwellings (16/03803/FUL) now called 'Patricia Way' leading to two cul-de-sacs), and 'Loveders Mobile Home Park' to the west for 157 dwellings (14/02800/OUT) now called 'Priors Orchard'. The Conservancy did not object to either application, subject to securing the public open space and its future maintenance, planting, ecological mitigation/enhancement measures, and a recreational disturbance payment.

### **3.0 Proposed development**

3.1 Running alongside the appeal against non-determination of the previous application, full planning permission is again sought for the development of the site with housing, specifically for the demolition of one dwelling (fronting Main Road) and the existing scrapyards buildings, and the erection of 103 dwellings and a children's nursery, including the provision of landscaping and a wildlife corridor.

3.2 The new housing would be situated on what is mostly currently an open field, with the area occupied by the scrapyards being proposed as green space.



- 3.3 Again, the new access road to the site would lead off Main Road where an existing detached dwelling sits ('Willow Green', a Victorian villa) to the west of the existing scrapyard driveway entrance, and would lead past several existing dwellings, where the new children's nursery would be located within a gable-roofed building with the first floor within the roof, before reaching the main housing development to the north. This would form a broadly square shape, with soft landscaping including informal open space and two large attenuation basins to the east of the housing, with communal allotments and a community orchard to the north between the housing and the railway line. The housing would be a mix of two and three-storey properties with pitched roofs.
- 3.4 Changes from the original scheme include the reduction from 112 dwellings to 103 dwellings, the removal of the private on-site waste-water treatment plant, the enlargement of the attenuation ponds, the play area relocated further from the wildlife corridor at the eastern side of the site, and improvements to the street scape and parking arrangements. The previous application and current proposed layouts are shown below:-

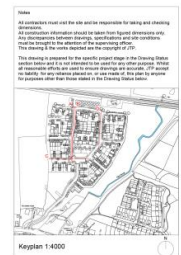
Original application proposed layout (112 dwellings - SB/22/01283/FULEIA):



Current proposed site layout (103 dwellings):



Typical house designs (centre block within site shown below):



Rev	Date	Description	Drawn	Checked
01	18.02.21	Initial design	HA	AKS
02	18.02.21	Design Development - Block A & B	DMPT	AKS
03	18.02.21	Planning Submission	HA	AKS
04	23.04.21	Planning Submission	HA	AKS

Client: **METIS HOMES**

#### 4.0 Related Planning Policy framework

National Planning Policy Framework (NPPF) (Revised July 2021), paragraphs 11 (7 footnote 7), 176, 177, 180-182

National Planning Practice Guidance (NPPG) (2014 onwards)

Chichester Local Plan: Key Policies (2014-2029), Policies 33, 43, 44, 45, 48, 49, 50

Chichester Harbour Management Plan 2019-2024

CHC Planning Principles (adopted by CHC 17.10.16 onwards), PP01, PP04, PP09

Chichester Harbour Landscape Character Assessment (CBA update 2019)

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

Southbourne Neighbourhood Plan September 2015

#### **4.1 Key issues:**

##### **4.1.1 Principle of the development**

4.12 The Conservancy's Planning Principle PP04 states that the Conservancy is unlikely to object to proposals for new dwellings affecting the AONB where the applicant can demonstrate that all of the following criteria have been addressed:-

- The proposed development is within existing settlement boundaries; and
- That sufficient headroom capacity exists in wastewater treatment works infrastructure to serve the development or the applicant has devised adequate alternative on-site facilities and storage to allow controlled release into the public sewer; and
- Recreational disturbance is adequately and appropriately mitigated to the satisfaction of the Conservancy and in accordance with the relevant Local Plan policy or policies; and
- The statutory requirement for biodiversity net gains will be met.

4.13 Paragraph 1.10 of the AONB Management Plan, under Policy 1 'Conserving and Enhancing the Landscape', states that the planning system should be utilised to help conserve the landscape and its setting, including safeguarding the countryside and countryside gaps surrounding the AONB, for the benefit of future generations.

4.14 Other relevant planning principles include PP01 which states that the Conservancy shall give great weight to the protection of the landscape, the conservation of nature and the special qualities of Chichester Harbour as defined in the Management Plan and Landscape Character Assessment, and will oppose any application that, in its opinion, is a major change or will cause material damage to the AONB or which will constitute unsustainable development.

4.15 These principles are reflected in NPPF paragraphs 176 and 177, whereby major development within AONBs should be refused other than in exceptional circumstances; and also in Local Plan Policies 43, 44, 45, 48 and 49.

4.16 The site is not allocated within the adopted Southbourne Parish Neighbourhood Plan 2014-2029, whereby various housing site allocations have been made, based upon the existing Chichester Local Plan Policy 20 ('Southbourne Strategic Development') which planned for 300 new homes, and supporting community uses, open space and green infrastructure. These allocations include various sites, under Policy 2 of the Neighbourhood Plan, to meet this requirement, many of which have been developed, including 'Loveders Mobile Home Park' (157

dwelling), 'land north of Alfrey Close' (125 dwellings), 'Land at Gosden Green' (25 dwellings) and 'Land at Nutbourne West' [or 'Nellies Field'] (55 dwellings). These developments, in addition to other recently granted developments, already significantly exceed the total of 300 dwellings as set out in the adopted Local Plan and Neighbourhood Plan.

- 4.17 A recent proposed review of the Southbourne Parish Neighbourhood Plan 2019-2037 (SPNP) included a larger-scale broad allocation at Policy SB2 'land east of Southbourne village' for 1,250 dwellings including community facilities and a 'Green Ring', based on the Chichester Local Plan Review (Preferred Approach) Policy AL13. This shows the 'approximate development area subject to detailed masterplanning' on a map, which extends into part of the application site, with the area to the south and east identified as a 'green space and biodiversity gain opportunity area'.
- 4.18 The Inspector concluded in March 2022 that the SPNP 2019-2037 failed to meet the required tests as it is not in general conformity with the strategic policies contained in the development plan. He commented that the SPNP proposed a major strategic allocation (1,250 dwellings), quite inconsistent with the Local Plan (300 dwellings) and not in conformity with it. The proposed allocation of 1,250 dwellings would 'result in a step change for the village not dissimilar to the transition of a large village to a small town'.
- 4.19 The emerging Local Plan indicates a 'Broad Location for Development' within Southbourne Parish of 1,050 dwellings in the period 2021-2039 (reduced from the previous 1,250), "*with the allocation of a site within the BLD to be identified through either the neighbourhood planning process or subsequent Site Allocation DPD.*" As such, the location is still not indicated at this stage.
- 4.19 The submitted application argues that the current proposal has been brought forward in a form that is consistent with the wider master planning approach in the promotion of land under Policy SB2, and that the comprehensive development of this wider land area would not be prejudiced by this planning application.
- 4.20 The Chichester Local Plan Review is still at the Regulation 19 stage following a consultation on the proposed Submission Plan until March 2023, and therefore its contents still carry limited weight prior to the examination. As such, the strategy for Southbourne set out in the Local Plan Review has not yet been agreed. The SPNP 2019-2037 has been withdrawn due to the findings of the Inspector, and therefore carries no weight. The current application therefore remains to be considered, in the view of Conservancy Officers', under the relevant Development Plan policies, the adopted Southbourne Parish Neighbourhood Plan 2015-2029, and the NPPF as well as the AONB Management Plan Policies including the Conservancy's Planning Principle PP04.
- 4.21 Whilst it is accepted that there is a need for housing sites to come forward outside the settlement boundaries (indeed various recent sites which form part of the adopted Southbourne Parish Neighbourhood Plan 2015-2029 have come forward, the Conservancy did not object, and have since been built); the Conservancy's view is that this should take place as part of the Local Plan Review and Neighbourhood Planning process. The current application is a speculative proposed development on a fragmented part of a wider site which was promoted

through the SPNP 2019-2037 but this Plan failed to proceed and therefore should not have significant weight in the planning decision-making process.

- 4.22 The proposals fail to meet the first criteria of PP04 that development should be located within settlement boundaries. The site does not directly adjoin a settlement boundary either, and appears as a fragmented, isolated development in between the settlement areas of Southbourne and Nutbourne West. As viewed against current development plan policies, the proposals would conflict with Local Plan Policy 45 ('development in the countryside') and goes well beyond the aims of Policy 20 ('Southbourne Strategic Development'), which allocates land at Southbourne for 300 homes and supporting facilities, this number having already been exceeded by recent developments.

#### **4.3 Impact on the landscape of Chichester Harbour AONB**

- 4.31 The site is fairly enclosed and is therefore not exposed in the wider AONB landscape, due to its location to the north of existing ribbon housing development, and surrounding mature trees and hedgerows. Whilst the new entrance road into the site would be clearly visible from the AONB, it is judged that the proposed housing would only be glimpsed from limited parts of the A259 / AONB boundary, given the distance and intervening development/screening.
- 4.32 On balance therefore, it is not considered that the proposed development would be overly prominent, intrusive or would have a significantly harmful impact on the natural beauty or rural setting of the AONB, given these factors. Additionally, it is considered unlikely that the development would be visible within wider landscape views from the shoreline or Harbour further to the south, for the same reasons, subject to the retention and supplementation of tree and hedgerows surrounding the site.
- 4.33 There is concern however that the proposed development, given its isolated position in relation to the existing settlement boundaries, would begin to erode the countryside gap between Southbourne and Nutbourne West, leading to perceived coalescence of these settlements. This would set a worrying precedent for the development of land directly to the east and to the west as well as to the south, which cumulatively would lead to the actual coalescence of Southbourne and Nutbourne West and would be damaging to the rural setting of the AONB in such close proximity to its boundary. The cumulative impact of such development would, in the view of Conservancy Officers, conflict with the primary purpose of the AONB to 'conserve and enhance' the natural beauty of the landscape.

#### **4.4 Waste water treatment and recreational disturbance**

- 4.41 The proposals have been revised to omit the previously proposed private wastewater treatment plant, and it is now proposed to connect to the public sewers which connect to Thornham Waste Water Treatment Works, which discharge into Chichester Harbour SPA.
- 4.42 The application states that Southern Water have confirmed that there is currently insufficient capacity within their foul drainage network to accommodate the foul flows from the development and that they have an obligation to provide a connection to their network 2 years after planning permission is granted. It is

stated that whether upgrades have been made by this point or not, the development will be able to connect, and alternative drainage arrangements will be made ('tankering' which Southern Water would be responsible for) if the upgrades have not been made by the 2-year deadline from the grant of planning permission. As such, the LPA would need to include suitable conditions to ensure that the development is not occupied ahead of network reinforcement, in order to avoid the risk of localised foul flooding from the sewer network.

- 4.43 The application has identified mitigation land (north of Common Road, Chichester, currently a pig farm) to offset the increase in total nitrogen. It is stated that this land use will cease and a rewilding project will be undertaken to convert the site to grassland which will be managed through mechanical cutting twice a year. This will be secured through a suitable legal agreement in perpetuity to ensure the change in land use is maintained. The application states that the mitigation site is located within the Bosham river catchment which discharges into the Solent, and is therefore in a suitable location to provide Nutrient offsetting for the proposed development.
- 4.44 Conservancy Officers have been advised by Chichester District Council that grassland/meadow is not suitable for the purposes of mitigation to ensure nutrient neutrality (as advised by Natural England), as any scheme must meet the basic tests of certainty, delivery, enforceability and the need for securing the adopted measures in perpetuity to ensure it is effective mitigation. Natural England has advised that grassland/meadow proposals are likely to be challenging for the competent authorities to monitor and secure in perpetuity, which makes it more difficult to meet the requirements of the Habitats Regulations. As such, the Council and Natural England prefer woodland, or designated public open space.
- 4.45 With regard to recreational disturbance, the presence of 112 new dwellings in such close proximity to the AONB and the shoreline footpaths at the head of the Nutbourne / Prinsted channel has the potential to significantly add to recreational disturbance in the area. A financial contribution to the Solent Mitigation Strategy would be required to help off-set this increased pressure on the designated sites, in accordance with Local Plan Policy 50.

#### **4.5 Impacts on ecology and the existing wildlife corridor**

- 4.51 The application includes various ecological surveys and appraisals considering the impact of the proposed development on nature conservation interests. The Conservancy's Ecologist commented in response to the previous application that it is unclear how the wildlife corridor and indeed the chalk stream will be protected or enhanced by the proposals, as there was some conflicting information across the various plans and statements submitted.
- 4.52 Additional information relating to ecology has since been submitted, including a response to the concerns and comments raised by the Council's Environment Officer regarding Bats and lighting, and screen planting between the buffer zone (attenuation ponds) and the dark corridor (the stream). This wildlife corridor provides an important habitat network and foraging/commuting route for various species, linking the AONB and the National Park.

- 4.53 The application states that no street lighting is proposed in the eastern part of the site along the wildlife corridor or on the eastern extent of the residential curtilage which helps to create a dark corridor. It is stated that this will be further enhanced and protected by the planting of additional trees along the eastern boundary of the residential curtilage between the development and open space at c.10m intervals (including species beneficial to dormice). It is argued that this dark corridor will provide continual connectivity to habitats present within the wider landscape and an additional level of protection as a dark corridor for commuting and foraging bats and dormice. It is proposed to provide 20 bat boxes and 5 dormouse nest boxes. The total width of the corridor, including retained woodland and the Hambrook ranges from 33.02m to 108.83m.
- 4.54 If the proposal is approved, mature hedges, mature trees and other features that support the functioning of the wildlife corridor should be retained as well as the provision of supplementary planting, and sensitive lighting (including the absence of street lighting to the eastern side of the site) should be secured through conditions to safeguard the Ham Brook and wildlife corridor.

#### **4.6 Conclusion**

- 4.61 Whilst the direct impacts of developing this site on the wider AONB landscape would be limited in terms of views and impact on the setting of the AONB; we are concerned that the development of this fragmented site which does not relate well to the existing settlement boundaries / built development would be premature and would begin to erode and undermine the countryside gap between Southbourne and Nutbourne West.
- 4.62 Conservancy Officers consider that a development of this scale, which, in AONB terms would constitute 'major development', in such close proximity to the AONB, should form part of the formal review of allocations through the Local Plan Review and Southbourne Parish Neighbourhood Plan, as a strategy agreed and adopted by the Council and local community, and which has undergone the rigorous tests of examination.
- 4.63 Furthermore, there are concerns regarding the lack of wastewater infrastructure to serve the development, and in this regard the application is also considered to be premature, as the necessary upgrades have not yet been carried out by Southern Water and there is no guarantee that these will be in place in the 2-year time-frame from any grant of planning permission.
- 4.64 In addition, the proposal to change a pig farm well to the north of the site into an area of grassland also appears to be unsuitable for the purposes of mitigation to ensure nutrient neutrality, as any scheme must meet the basic tests of certainty, delivery, enforceability and the need for securing the adopted measures in perpetuity to ensure it is effective mitigation. These shortcomings pose the risk of seriously affecting the condition of Chichester Harbour SPA and the Harbour's water quality, as well as potential localised foul flooding, until the proper infrastructure is in place and suitable mitigation secured.
- 4.65 The Conservancy therefore maintains its objection to the scheme on the above grounds.

## **CHICHESTER HARBOUR CONSERVANCY**

### **PLANNING COMMITTEE**

**12 JUNE 2023**

### **REVIEWING PLANNING PRINCIPLES 14, 15, 16, 17 AND 18**

#### **REPORT BY THE AONB MANAGER**

##### **1.0 Introduction**

- 1.1 The Planning Principles were last reviewed in 2018. It was resolved at the Planning Committee meeting of 7 March 2022 that the Members would review the Planning Principles at each meeting as a standing item until complete, and in order.
- 1.2 Section 2, 3, 4, 5, and 6, of this report reproduce Planning Principles 14, 15 and 16, 17, and 18, verbatim from the Management Plan, with comments from the AONB Manager in Section 5.
- 1.3 Ideally, the review of the Planning Principles needs to be completed by 17 July 2023. The revised text will go into the next iteration of the Chichester Harbour Management Plan (2024-25).
- 1.4 Members are invited to comment and make suggestions to help inform the revisions as they start to take shape.

##### **2.0 PP14: Horse/Pony Grazing and Related Structures**

- 2.1 The Conservancy is unlikely to object to applications for horse and/or pony grazing provided that the proposal does not have an adverse impact on the landscape or any nature conservation interests.
- 2.2 The Conservancy is unlikely to object to horse/pony-related structures that are:
  - Sensitively sited so as not to be obtrusive in the AONB landscape; and
  - Simple in appearance and modest in scale; and
  - Constructed using a palette of natural materials with a muted finish.

##### Reasoned justification

- 2.3 The use of agricultural land for horse and pony grazing can have a detrimental effect on the character of the AONB, erode its rural qualities and interfere with its recorded use by wildlife. This is particularly true where paddocks are poorly managed, fields are subdivided with inappropriate fencing or where horse shelters are prolific, poorly constructed and not maintained. These together with other paraphernalia such as jumps and horse equipment stored outside of the buildings can have a detrimental impact, particularly in exposed locations.
- 2.4 The Conservancy may ask the LPAs to attach conditions to control the overall appearance of the development, which may include asking for a restriction on the outside storage of equipment and the use of post and rail fencing rather than plastic.

##### **3.0 PP15: Signage Requiring Express Advertisement Consent**

- 3.1 The Conservancy is unlikely to object to applications for signage where:



- The proposal relates well to the setting of the host building(s) or where the signage is positioned on buildings so as to respect the elevational composition of the building and avoid visual clutter; and
- Opportunities are sought for a single, co-ordinated sign at the common entrance to shared business premises; and
- The proposal is not harmful to the rural character of the AONB.

#### Reasoned justification

- 3.4 Chichester Harbour AONB is a Special Area of Advertisement Control as established by an Order on 27 November 1997, where the AONB falls within Chichester District. Special justification will be needed for directional signage not commissioned through the local Highways Authority. It is considered that with the advent of satellite navigation and good mapping on the internet, excessive directional signage is unnecessary and unduly clutters the highway network in the AONB, possibly also distracting drivers, which could have an adverse highway safety impact on non-vehicle users of the highway.
- 3.5 Proposals should be of a size which does not dominate the setting or elevation of a building. The top of any projecting signage to a shop front should generally be contiguous with the top of any fascia signage. The use of wooden, hand painted and non-illuminated signage, avoiding the use of garish or day-glow colours is unlikely to be objected to.
- 3.6 Where an applicant can provide written justification for the need for illumination (e.g. for health and safety reasons), external illumination by cowled/trough down lighting will be preferred. The housing for such down lighting should be colour finished, rather than bare metal, with matte black powder coating as a favoured option.
- 3.7 The Conservancy will use the recommendations of the Institute of Lighting Engineers for lit and unlit zones, especially to preserve the sense of darkness, remoteness and tranquillity outside defined settlement boundaries..

#### **4.0 PP16: Renewable Energy**

- 4.1 Micro-renewable energy installations are understood to be small scale and typically located adjacent to residential properties and/or small businesses. The Conservancy is likely to support proposals for micro-renewable energy installations under the following criteria:
- To be sited discreetly or out of view from public vantage points; and
  - As far as practicable, to minimise their impact on the appearance of the installation on the site and/or building; and
  - To be unobtrusive in relation to the wider landscape setting; and
  - To operate at noise levels not exceeding 10dB(A) above background noise levels, within 50 metres of the installation.
- 4.2 The Conservancy is likely to object to all other sized renewable energy installations due to the potential detrimental visual and/or other impacts on the landscape of the AONB.

#### Reasoned justification

- 4.3 Permitted development rights for micro-generation are currently set out in the Town and Country Planning (General Permitted Development) England Order

2015. The LPA can advise on whether works are, or are not, permitted development.

- 4.4 As the scale of the renewable energy installations increases, so does the potential for visual and other impacts on the AONB. In certain circumstances, the long-term impacts of the technologies may be capable of being adequately mitigated and applicants would be required to provide further details of any such proposed mitigation.
- 4.5 The scale of renewable energy installations will be assessed in terms of their height, site coverage and bulk in their immediate context. With respect to wind turbines, any adverse impact can be experienced over considerable distances. In addition, large wind turbines or large installations of turbines are likely to have impacts on nature conservation interests and the tranquillity of the AONB. Given the scale of these technologies it is unlikely that their wider impacts could be successfully mitigated.

## **5.0 PP17: Telecommunication Development**

- 5.1 The Conservancy is unlikely to object to applications for prior approval or planning permission for telecommunications development within and adjacent to the AONB, where the application includes evidence to demonstrate the following:
- There is an essential need for the development in the proposed location; and
  - Evidence that the potential for mast sharing and/or undergrounding has been thoroughly explored and it is explained why these options are not possible; and
  - That other, less sensitive locations have been fully considered and why these have been discounted; and
  - The height, colour and design of the development have been designed to reduce visual impacts; and
  - Details of natural, or appropriate other screening is included.

### Reasoned justification

- 5.2 Telecommunication development, especially masts, can have a detrimental impact on the wider landscape of the AONB, whether they are located within or adjacent to the AONB boundary. Applicants are encouraged to consider reducing the impacts of these often intrusive vertical features in the landscape and will need to demonstrate the need for the mast or masts in the location proposed, including information regarding existing signal coverage.

## **6.0 PP18: Access Infrastructure**

- 6.1 Proposals to improve infrastructure related to walking, cycling and ease of use of public transport are likely to be supported by the Conservancy.

### Reasoned justification

- 6.2 The AONB designation was awarded in part because it was recognised that the environment of Chichester Harbour should be protected for the nation and future generations to enjoy. However, road access around the Harbour can often become congested at peak spring and summer periods.
- 6.3 The Conservancy supports the ability of the public to make informed decisions about sustainable travel choices when visiting and moving around the AONB, and will seek to reduce reliance on use of private motor vehicles.

- 6.4 Local Transport Plans produced by Hampshire County Council and West Sussex County Council seek to achieve an improvement in modal shift to walking, cycling and use of public transport. The Conservancy will work with its partners to promote new initiatives to achieve these changes.
- 6.5 To improve integrated access within the AONB, the Conservancy will support initiatives that are sensitively executed, with minimum visual impact in the wider landscape, so as to retain the rural character of many of the highways passing through and across the AONB, including:
- New and improved bus stops and shelters, including the introduction of real time information systems; and
  - Safer pedestrian and cyclist connections between new developments and local amenities such as shops, schools and bus stops; and
  - Replacement/new wayfinding signage to encourage walking and cycling in the AONB.

## **7.0 Comments**

- 7.1 Planning Principles 14, 15, 16, 17 and 18 are seldom cited by the Principal Planning Officers because relevant planning applications are few and far between.
- 7.2 It is worth considering whether we should retain these Principles at all since they do not add value to our analysis nor supplement the policies in the Local Plan.
- 7.3 With regards to PP16, the Conservancy might even want to be more encouraging of micro renewables in response to the climate emergency.

## **8.0 Recommendation**

- 8.1 Members are recommended to discuss the paper and advise Officers on any changes as agreed by the Committee.
- 8.2 All Planning Principles will be collectively edited during the summer of 2023.

**Richard Austin**  
**AONB Manager**

**Steve Lawrence/ Linda Park (Job Share)**  
**Principal Planning Officers**