

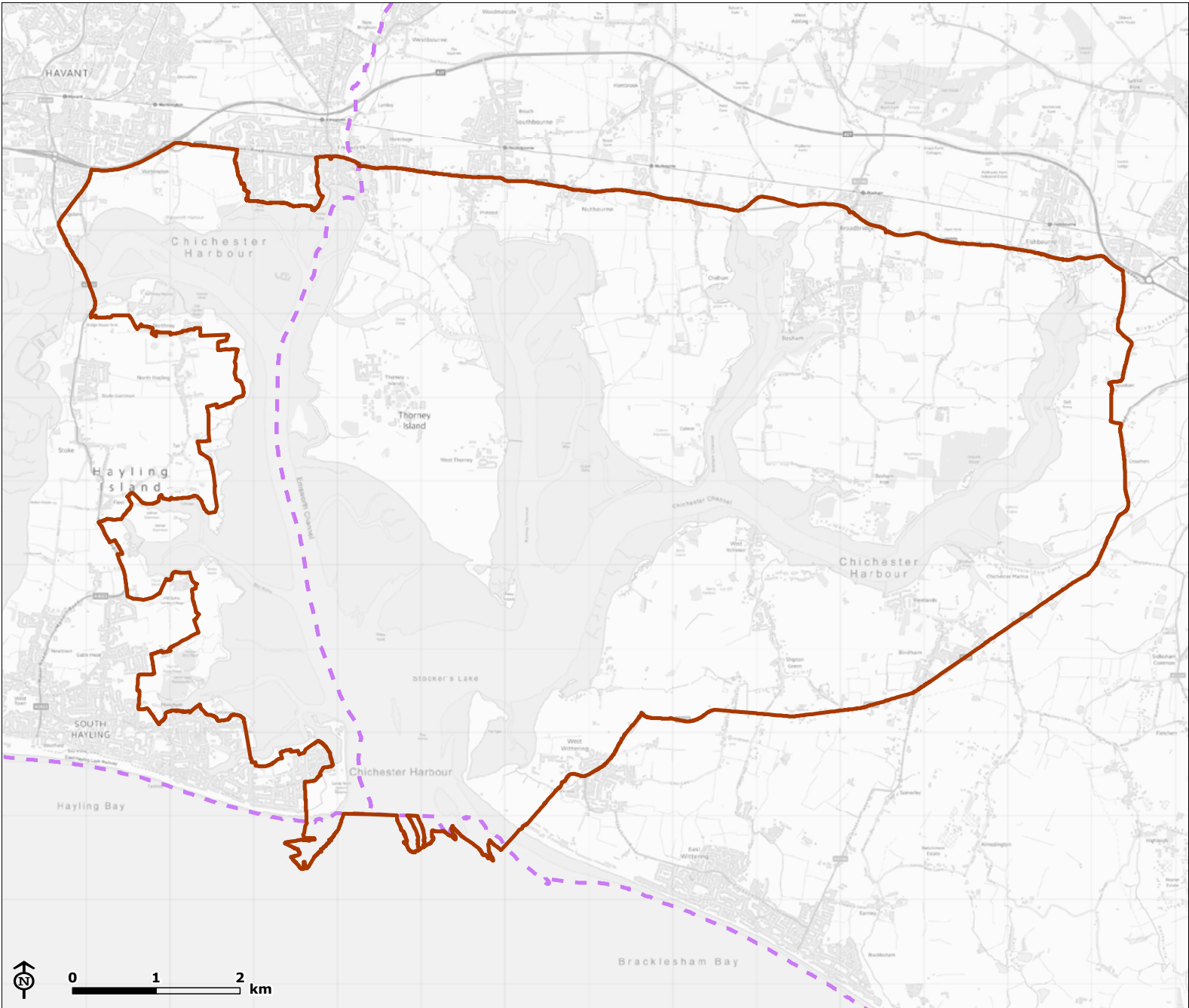
Chichester Harbour Planning Principles 2019 - 2024



Enjoying, Protecting, Enhancing



CHICHESTER
HARBOUR
CONSERVANCY



Chichester Harbour

- Area of Outstanding Natural Beauty (AONB)
- Local Government Administrative Boundaries

Map Scale @ A4: 1:65,000



Introduction

Chichester Harbour is a nationally important landscape, with habitats and wildlife of international importance. Consequently, we all have a duty to conserve and enhance the Area of Outstanding Natural Beauty (AONB) for the benefit of future generations. The planning system is arguably the most important way in which we can deliver this duty, by making sure that all developments are appropriate to the character and setting of this protected landscape. It is for this reason that the Conservancy is fully supportive of the emerging Wildlife Corridors around the AONB.

Responding to a planning application can sometimes be a daunting task. For larger development applications, there are often dozens of documents uploaded to the planning portal, including the description of the works, various site plans (existing and proposed), access statements, etc. However, we also need to consider how the application will impact on the character of the neighbourhood, any privacy concerns, whether it will be visible from long distances, and whether it will detrimentally affect archaeology, habitats and wildlife, and if so, how the developer is proposing to manage those impacts. We are also conscious of the growing problem of light pollution at Chichester Harbour AONB, so we need to make every effort to make sure any approved plans do not add to the night blight.

Chichester Harbour Conservancy has developed 19 Planning Principles to help guide how the Conservancy is likely to respond to any given planning application. We are now encouraging local people, parish councils and residents' associations, to use these Planning Principles to help inform their thinking as well. However, the Planning Principles are only a starting point. They should be read in conjunction with the policies in the Chichester Harbour Management Plan (2019-24), the adopted Neighbourhood Plan, the Local Plan as published by the Local Planning Authority, and the National Planning Policy Framework and Guidance. This list is not exhaustive. There are other material planning considerations that might be a factor, for instance any relevant Supplementary Planning Documents (SPDs) and how a proposed development may affect the Chichester Harbour AONB Landscape Character Assessment.

Ultimately, all responses to planning applications need to show how any given application is compliant, or otherwise, with the Local Plan, and clearly set out the rationale. We hope you will find this document helpful. Thank you for your continuing support of the AONB.



Ann Briggs
Chairman
Chichester Harbour
Conservancy



Chichester Harbour Policies

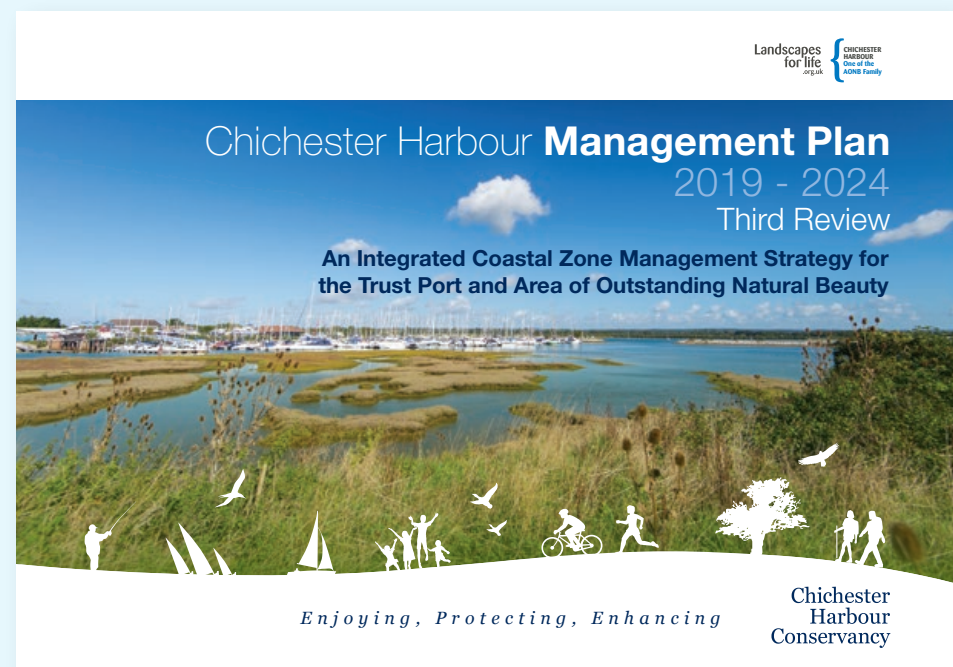
There are 15 policies in the Chichester Harbour Management Plan. These are material planning considerations.

- Policy 1** Conserving and Enhancing the Landscape
- Policy 2** Development Management
- Policy 3** Diversity of Habitats
- Policy 4** Safety on the Water
- Policy 5** Facilitating Navigation
- Policy 6** Water Quality
- Policy 7** Catchment Sensitive Farming
- Policy 8** Thriving Wildlife
- Policy 9** Health and Wellbeing
- Policy 10** Enjoying Sailing and Boating
- Policy 11** Excellence in Education
- Policy 12** Connecting People with Nature
- Policy 13** Prosperous Economy
- Policy 14** Marine Litter Pollution
- Policy 15** Historic Environment and Heritage Assets

The Chichester Harbour Management Plan (2019-24) and the 19 Planning Principles were subject to a full public consultation before being adopted. Both of these documents will be reviewed and updated by 2025.

Please refer to the Chichester Harbour Management Plan (2019-24) for further information about the wording of the policies, and how the Conservancy and its partners are helping to deliver the overall Plan.

<https://www.conservancy.co.uk/page/management-plan>



Planning Considerations

In June 2000, Nick Raynsford (then Planning Minister), made a statement in the House of Commons confirming that AONBs are equivalent to National Parks in terms of their landscape quality, scenic beauty and planning. In planning terms, this meant that AONBs should be strongly protected. However, over 76% respondents surveyed by Chichester Harbour Conservancy in 2018 felt that development pressure was the single biggest threat to the future of the Area of Outstanding Natural Beauty (source: Chichester Harbour Residents and Visitors Survey 2018). These threats include inappropriate and unauthorised developments, over intensive developments (especially on the fringe of the Harbour), and the trend towards the construction of excessively large replacement harbourside properties.

In order to help address this high level of concern, Chichester Harbour Conservancy developed 19 Planning Principles, designed to interpret and supplement the adopted development management policies of the relevant Local Planning Authority (LPA). These were prepared to promote and reinforce local distinctiveness in the AONB and offer those seeking planning permission greater certainty on which to make their decisions. It is anticipated that this greater clarity will strengthen relationships between the LPAs, developers, voluntary organisations and the general public which in turn will strengthen the delivery of the Management Plan, which is a material planning consideration.

The key objectives for the Planning Principles are to be seen from the perspective of the Conservancy's responsibilities, recognising that these are consistent with, and seek to interpret, adopted statutory land use policies as they relate to development in the AONB. 'Development' here is defined as constituting development under the provisions of the Town and Country Planning Act 1990, as amended. The AONB is tightly regulated, and a range of permissions and consents may be required before a development can take place.

Planning law prescribes circumstances where consultation must take place between an LPA and certain organisations, prior to a decision being made on an application. The organisations in question are under a duty to respond to the LPA within a set deadline and must provide a substantive response to the application in question. The type and location of development will determine whether particular organisations or persons are consulted. For example, in Chichester Harbour, 'statutory consultees' include Hampshire County Council, West Sussex County Council, Natural England and the Environment Agency.

Applications for Development	
Local Planning Authority: Planning Permission	The Local Planning Authority will advise on whether or not a planning application is required. They will consider the various impacts of proposals on the AONB.
Marine Management Organisation (MMO): Marine Licence	A marine licence must be obtained for all construction works below mean high water springs. The MMO will ensure that proposals adhere to the latest national marine planning policies.
Natural England: Consent	Natural England will consider the potential impacts of the proposal on the conservation designations.
Environment Agency: Flood Defence Consent	The Environment Agency will look to ensure that proposed works do not inadvertently increase flood risk, damage flood defences, or harm the environment, fisheries or wildlife.
Historic England: Listed Building Consent and Scheduled Monument Consent, and a Licensing Scheme for Protected Wreck Sites	Historic England is tasked with protecting the historical environment of England by preserving and listing historic buildings, ancient monuments and advising central and local government.
Chichester Harbour Conservancy: Works Licence	Under the Chichester Harbour Conservancy Act of 1971, the Conservancy has the right to veto any works in the Harbour below mean high water springs, even if all the other permissions and consents are in place.

Chichester Harbour Conservancy is defined as a 'non-statutory consultee' in planning law. LPAs engage with non-statutory consultees to identify clearly the types of developments within the local area in which they have an interest, so that any formal consultation can be directed appropriately, and unnecessary consultation avoided. In the coming years, Chichester Harbour Conservancy will lobby Government to become a 'statutory consultee'. If successful, this means there will be legal requirement for the LPAs to consult with the Conservancy on all applications inside the AONB, with an additional formal duty placed on the Conservancy to respond. Chichester Harbour Conservancy also aspire to be recognised as a special case in the National Planning Policy Framework, like the Broads Authority, which also has similar purposes around navigation, recreation and nature conservation.

As a general principle of design in the environment, all proposals should be informed by a clear process of contextual analysis, understanding the site, its features and surroundings. More particularly within the AONB, this will include an understanding of where the finished development will be seen from in the wider landscape, whether from land or water, both within and adjacent to the AONB.

Overall, it is the natural landscape and trees/vegetation which should predominate in rural/coastal locations. Theoretical design principles should be used to prepare design and access statements to support planning applications. Where proposed development is likely to have an adverse impact either on landscape character or visual amenity, a Landscape and Visual Impact Assessment (LVIA) should also be provided.

The Chichester Harbour Landscape Character Assessment should be referenced by developers when formulating proposals. As part of making their Local Plans, Havant Borough Council and Chichester District Council commissioned their own landscape capacity/sensitivity studies to help determine where new development might most appropriately be accommodated.

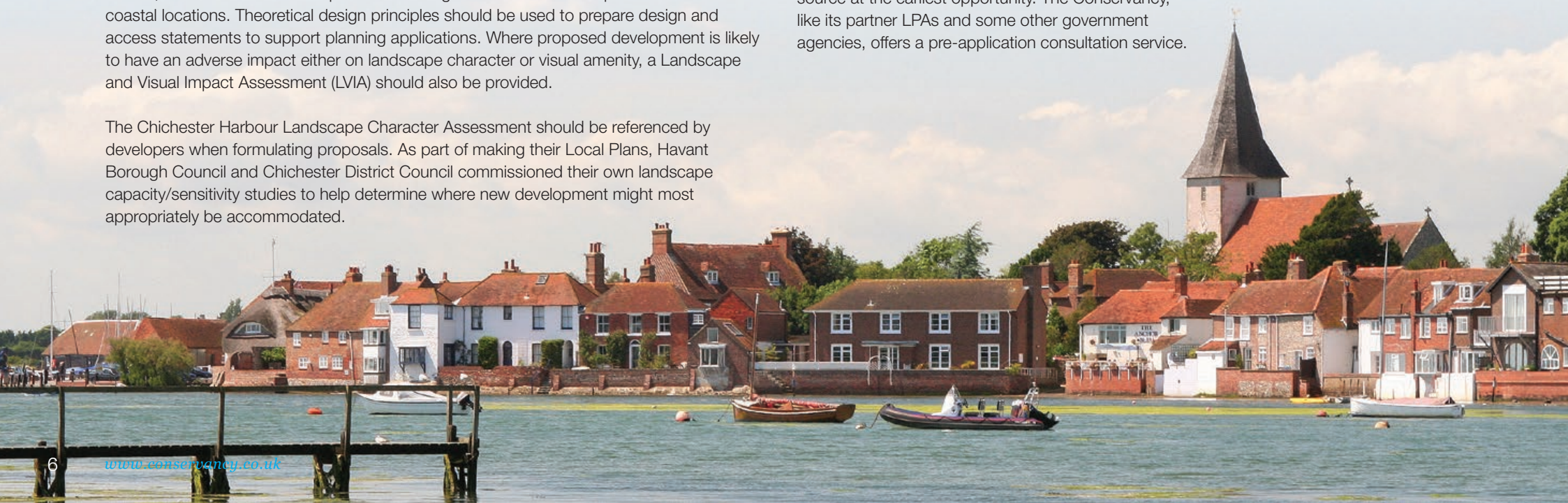
Those seeking to develop can seek a legal determination as to whether the development they wish to carry out requires planning permission. This is called a Certificate of Lawfulness for Proposed Development.

Enforcement

Where appropriate, the Conservancy will set-out its view as to why it may be expedient for the LPA to take planning enforcement action to remedy any actual or anticipated breach of planning control and (where appropriate) will offer support for the LPA case should an Appeal be lodged against any formal Notice being served to remedy identified breach(es).

The Conservancy will, where appropriate, assist the relevant LPA with evidence of harm to the AONB to either (or both) assist in the LPA's assessment as to the expediency (or other relevant threshold or requirement) of formal enforcement action being taken in relation to suspected or anticipated breaches of planning controls within or affecting the AONB.

Planning enforcement can be a long and drawn out process and those seeking to develop in the AONB will always be encouraged to seek professional guidance from a competent source at the earliest opportunity. The Conservancy, like its partner LPAs and some other government agencies, offers a pre-application consultation service.



PP01 is over-riding and must be satisfied at all times. The rest of the Principles, outlined in PP02-PP19, that apply to specific types of planning application, shall be deemed to incorporate the terms of PP01.

PP01

Chichester Harbour as a Protected Area

Chichester Harbour is a designated Area of Outstanding Natural Beauty with the statutory primary purpose to conserve and enhance the natural beauty of the area. 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 AONB Management Plan and Landscape Character Assessment. The Conservancy 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.

As the Statutory Harbour Authority, Chichester Harbour Conservancy is also responsible for navigation. Planning decisions which affect navigation should give great weight to safety considerations as defined in the Management Plan and the Port Marine Safety Code.

Reasoned justification

Chichester Harbour was designated as an AONB in 1964 and it is classified as a Category V Protected Area by the International Union for the Conservation of Nature (IUCN). The Chichester Harbour Conservancy Act of 1971 is the founding legislation for the Statutory Harbour Authority with additional responsibilities for the conservation of nature.

A number of international, European, national, regional and local designations affect the AONB and are detailed in Section 1. Development proposals which are likely to erode habitat, be prejudicial to wildlife, or damage the historic environment, are unlikely to receive the support of the Conservancy.

The Conservancy will normally be consulted by Natural England in relation to the necessity for an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 (SI 2010/490) and by Local Planning Authorities (LPAs) in undertaking of a screening opinion to establish whether an Environmental Impact Assessment is required for any proposed development affecting the AONB. In these situations the Conservancy will assess the potential impacts based on its own data and guidance and will seek to ensure there will be no harm to the designated sites for nature conservation.

Where trees that add special interest, or areas of woodland, are identified as being under threat, the Conservancy will seek a Tree Preservation Order where appropriate. It is recognised that protection for trees and hedgerows will, at times, be required at short notice.

The presence of protected species on a site is a material consideration in planning terms. The extent of protected species and how they may be affected by any proposed development should be assessed prior to development being permitted – especially where any demolition or adjustment to a roof void forms part of the proposals.

Areas around existing designated sites can also be part of an overall habitat network as defined in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Where development affects these areas or the integrity of a designated site the Conservancy is likely to raise an objection to the proposals.

The impact of development within the AONB on designated sites for nature conservation is a key issue and the Conservancy seeks to ensure that no harm to designated sites occurs through the development process. Designated sites are an important part of the ecology and character of the AONB and the legislation contained in the Conservation of Habitats and Species Regulations 2010, Environmental Impact Assessment Regulations, the Countryside and Rights of Way Act 2000 and the Wildlife and Countryside Act 1981, all provide a stringent legislative framework to protect the relevant area. The Conservancy will comment on all planning proposals that appear to affect wildlife and will seek to inform the planning process with comments and input based on its own data and survey work.

The Conservancy will seek to ensure that all relevant guidance is followed, including Natural England's standing instructions for protected species (or groups of species).

Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as S106 agreements, are a mechanism which make a development proposal acceptable in planning terms, that would not otherwise be acceptable. They are focused on site specific mitigation of the impact of development. The Conservancy will seek the cooperation of the LPAs where a S106 agreement is proposed.

The Conservancy will seek the cooperation of the LPAs in obtaining the necessary legal agreements to protect locations affected by development and to achieve appropriate and proportionate planning gains. Developers should be aware that LPAs may have adopted a Community Infrastructure Levy (CIL) schedule of charges and refer to that. Examples include:

- Improvements in access to the countryside, including access-for-all.
- Sympathetic management of land of conservation value, excluding it from further pressure.
- Improvements to the general infrastructure, which encourage acceptable levels of use.

The coastal margin, in particular the intertidal area of the AONB, is likely to be sensitive to all forms of new development.

It is highly unlikely that any sort of major development will be appropriate in the AONB unless the relevant tests of the NPPF are met. Major development which does not meet these tests will not be supported by the Conservancy. Whether something is 'major' development in this context is a matter for the local decision maker to take and not the simple definition set out in Article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (SI 2015/595).

Although it is acknowledged that a design and access statement is not essential for an application to be valid, the Conservancy will always welcome a short written statement to support any planning application. This can usefully set out the purpose behind the application and what the applicant is trying to achieve.

The special qualities of the AONB are detailed in Section 1 of the Management Plan and are described in the Landscape Character Assessment, which divides the protected landscape into different character areas.

A number of Neighbourhood Plans are being developed to reflect local community aspirations for housing allocations and other development. Neighbourhood Plans are part of the statutory development plan for each LPA.

Village Design Statements, also published by local communities within the AONB, provide detailed guidance on respecting local identity, ensuring development is harmonious within its setting and making a positive contribution to the local environment. Current adopted Village Design Statements within the AONB are: Bosham (2011); Emsworth (2008); Langstone (2008); Northney and Tye (2008); West Wittering (2006); and West Itchenor (2012).

The significance and amenity value of trees will be assessed on a case-by-case basis. Wherever possible, the Conservancy will encourage the use of native tree and shrub species typical of the AONB. Conservation Area Character Appraisals and associated Management Plans provide detailed guidance for Conservation Areas in and around the AONB.

PP02

Safeguarding Marine Enterprise

The Conservancy will support the retention and continued development of marine business uses and only support a change of use if the applicant can demonstrate that the site is not fit-for-purpose for a marine-related business and that any marine-related business use is unviable. In all cases, proposals should not have an adverse impact on the landscape and nature conservation interests of the AONB.

Applicants should take the following sequential approach and refer to 'Requirements of Marketing' below:

1. The Conservancy will look to see evidence of the site having been marketed for marine-related business use for at least 12 months prior to a planning application being submitted, as a whole or with the option to create smaller work units; and
2. If this marketing is unsuccessful, the site should be marketed for at least a further 6 months as a mix of marine-related business use and/or other appropriate commercial/employment uses which are capable of reversion to marine-related use in the future (such as the retention of features of the building which would allow boats to be easily taken into and out of the building and unimpeded access to tidal waters); and
3. Only if both of the above steps are unsuccessful, will other non-employment land related uses be considered. In these instances, marina style residential uses with dedicated access to the water and marine-related or other commercial/employment use(s) requiring planning permission may be acceptable, provided:
 - The applicant has clearly demonstrated with evidence that any non-employment use element is necessary to make the scheme viable in financial terms; and
 - Any proposed non-marine-related employment use retains easy access to the water and features of the building which allow boats to be easily taken into and out of the converted buildings; and
 - The marine-related or other appropriate commercial/employment use(s) are not so marginalised within the redevelopment so as to ultimately affect their viability in the long-term (a sufficiently detailed Business Plan should be provided to help demonstrate this); and
 - It can be demonstrated that the proposed uses are compatible with each other (so as to not constrain any retained business use in the future) and that dedicated access is retained to tidal waters; and
 - Adequate facilities are maintained to support the established marine use.

Reasoned justification

The Conservancy understands that the prosperity of marine businesses is cyclical. Once sites are lost from marine-related use, it is extremely unlikely that they will be replaced by new ones. It is therefore vital that sufficient marine site capacity is retained for the long term viability of the Harbour's marine infrastructure and the boats and businesses that depend on them. The Conservancy is sympathetic to applications for alternative industrial uses where these do not harm the AONB and where reversion to marine industrial use is possible.

In order to demonstrate that development would not have an adverse impact in the AONB, applicants should refer to the relevant Local Plan policies, the Landscape Character Assessment, the Management Plan, and if applicable, the Chichester Harbour AONB Supplementary Planning Document for further guidance.

Applications should include sufficient information to demonstrate that there would be no adverse impact on the landscape character or visual amenity of the AONB, which may include harbour-scene drawings, photo-montages and comparative drawings with the existing site.

Where no operational development is proposed but the change of use proposed would imply the need for external storage, the Conservancy will be concerned as to the impact of this in the landscape and may ask the determining LPA to impose planning conditions to restrict this or alternatively provide for its screening if appropriate.

Applicants are encouraged to seek pre-application advice from both Natural England and the Conservancy, particularly where proposals involve works to the shoreline or new/altered intertidal structures and shoreline defences. This may require a range of consents, including a 'Works Licence' from the Conservancy and consent from the Marine Management Organisation. Compensation for any net loss of intertidal habitat in the Special Area of Conservation may also be necessary.

Requirements of marketing

As well as wishing to see marine enterprises flourish in the AONB there is also a cultural identity dimension to this in terms of employment skills with a strong historic connection to the Harbour, which positively contribute to the AONB's distinctiveness.

Applicants should provide evidence that the site has been marketed for at least 12 months, including:

- Confirmation by an appropriate marketing agent, on headed company paper, that the premises were marketed for the required length of time.
- Dated photographs of marketing board/s on the premises, in terms of their size, scale, location and number during the marketing period.
- An enquiry log, detailing the dates and method of communication used and the issues raised by prospective tenants, which ultimately led to each enquiry not resulting in the letting of the property.
- A copy of all advertisements in the local, regional, national and international press and trade periodicals (should be at least one weeks' worth of advertisements per month, spread across each six month period of marketing).
- Evidence of marketing via the internet, by giving details of the website or websites used and the period of marketing via this medium.

Please also refer to the marketing guidance in the relevant Local Plan.

It is important that the marketing of the land and/or buildings should point out those factors lending their use for a marine related enterprise, for example unimpeded headroom for vehicular access, proximity to water for the ease of retrieving and launching boats and door height/width and internal headroom dimensions to allow prospective tenants/purchasers to quickly understand whether boats might easily be worked on and be transported on and off the site.

The Conservancy may take independent advice to ascertain whether the value of land or rents sought are competitive, compared with similar marine-related business premises and will expect a methodical and thorough marketing report.

The Conservancy is more likely to be convinced there is no interest in the property being occupied by a marine related enterprise if a full and concerted marketing campaign is undertaken, without successful sale or letting, prior to the lodging of a planning application for any materially different use and/or operational development.

Owners are encouraged to seek the advice of the LPA and Conservancy prior to the commencement of any marketing campaign to ascertain the marketing strategy and to discuss the alternative uses that the owner may wish to consider in terms of sales/letting particulars. The NPPF encourages pre-application stakeholder engagement, i.e. that the marketing plan is agreed with the LPA and the Conservancy at the outset.



PP03

Replacement Dwellings and Domestic Householder Extensions

The Conservancy is unlikely to object to a replacement dwelling or extension to an existing dwelling provided the applicant can demonstrate that all of the following criteria have been addressed:

- The increase in size and/or mass does not exceed 50% of the footprint and 25% to the elevation silhouette of the dwelling as can be evidenced by previous planning applications; and
- The proposal does not increase the developed frontage of the waterside to an extent which detracts from the openness or rural character of the coastal landscape when seen from public vantage points (including public footpaths, the water, the foreshore, roads, views across the Harbour and open countryside); and
- The proposal is of a sympathetic design and materials which complement the landscape setting and any local vernacular; and
- The proposal does not diverge significantly from the spatial pattern of surrounding development and the spaces between buildings; and
- That any extension to an existing two-storey or chalet bungalow dwelling remains sub-ordinate to the original dwelling shape as can be evidenced by previous planning applications to extend the property or otherwise no taller than the height of the main roof ridge; and
- The statutory requirement for biodiversity net gains will be met.

Reasoned justification

The Town and Country Planning Act of 1947, which came into effect a year later, is the foundation of modern town and country planning in the United Kingdom. The main statutes are the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004, supported by the NPPF.

The pressure for the construction of more substantial dwellings through replacement or extension has become a dominant force in changing the landscape of the AONB. The need to future-proof such replacement dwellings or significant domestic extensions against flood risk can have an immediate impact to the increase in the silhouette of a building. The landscape quality and attractiveness of the area continues to fuel the demand for extending existing homes or creating much larger, grander replacements, particularly in waterside locations, which can be out of keeping with the landscape.

The Conservancy is aware that small scale incremental changes can have cumulative impacts on the AONB, and these small developments within a concentrated area can be seriously damaging to the rural character and natural beauty of the area. In response to the number of applications, often of unsympathetic designs and materials, Havant Borough Council and Chichester District Council, prepared and published a Joint Supplementary Planning Document for Chichester Harbour AONB. This encourages sympathetic, locally distinctive designs and materials which respond to their landscape setting, and provide advice on ways to reduce visual impacts, including by limiting increases in size and mass.

When considering a replacement dwelling or extension to an existing dwelling, where applicable, consideration must be given to the Neighbourhood Plan, Village Design Statement, and the Conservation Area Character Appraisal/Management Plan.

PP04

Creation of New Dwellings and Residential Institutions

The Conservancy is unlikely to object to any proposals for new dwellings and residential institutions 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 waste water 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.

Under exceptional circumstances, the Conservancy may support proposed development outside the existing settlement boundaries, if it is expressly required to meet a local identified social and/or economic need.

Reasoned justification

Development should be sustainably located to allow occupants to fulfil most daily functions, without relying on the use of private motorised transport. Development that is outside of the defined settlement areas and is unsustainable may have a significant and long-lasting adverse impact upon the character and landscape of the AONB.

The Conservancy supports the prioritisation of development within the existing urban hierarchy, as set out in the relevant Local Plan. Whilst it is understood that the LPAs have approved some infill or replacement dwellings outside of these areas, the Conservancy will not normally support new dwellings or additional residential accommodation in these locations unless it can be clearly demonstrated that the development is vital for socio-economic reasons, providing essential affordable housing (in accordance with any local housing needs survey) and/or agricultural worker housing.

It is important that adequate waste water treatment infrastructure is in place to serve new dwellings or additional residential accommodation in the AONB. This will ensure that such infrastructure is not overwhelmed – especially in times of heavy precipitation – resulting in emergency discharge of waste water into the Harbour, with the resulting harm to people and nature that can result from contamination and poor water quality.

The Conservancy will request that LPAs impose occupancy planning conditions to agricultural worker dwellings, on the basis of it being essential for the agricultural worker to be present at their place of employment at all times.



PP05

Package Treatment Plants, Cesspits and Septic Tanks

Applications for developments relying on anything other than connection to a public sewer should be supported by sufficient information to understand the potential implications for the Harbour. If a development involves a package treatment plant and/or a septic tank, the applicant must provide detailed information about how the proposed development will be drained and waste water dealt with.

The applicant must satisfy the Conservancy that the plant will be maintained in accordance with an agreed management plan for the life of the plant or until the development is connected to the public sewer, if sooner. The applicant will be expected to provide a covenant to support such undertaking to maintain the plant.

The Conservancy will object to any application where it is likely to have a significant and adverse impact on water quality in the immediate vicinity of the discharge, or the wider Harbour. New discharges into the Harbour should be avoided due to potential impacts on both water quality and the natural beauty of the AONB landscape.

Reasoned justification

Good water quality is fundamental for the overall health of Chichester Harbour. Water quality sustains ecological processes that support native fish and invertebrate populations, vegetation, wetlands and birdlife. In addition, many people rely on good water quality for recreational use.

Treated sewage discharges have a range of impacts; introducing bacteria and viruses, which affect the Harbour's oyster fishery and human health, particularly if cockles and clams are collected in the vicinity. Nitrates add to the levels of weed growth, with detrimental impacts for habitats and species. The Harbour is failing to meet environmental standards due to excessive nitrates. These effects are exacerbated if the plant is not well maintained.

Where water quality has the potential to be a significant planning concern, an applicant should explain how the proposed development would affect the Harbour and how to mitigate the impacts. The applicant should provide sufficient information for the LPAs to be able to identify the likely impacts on water quality.

Most developments are expected to connect to a public sewer. Where this is not reasonably possible, the preferred solution should be a high quality sealed cesspit, where the contents are not discharged to the local environment. The least favoured options are a package treatment plant or a septic tank. Should either of these options still be considered the output must be treated on site through a suitable filtration system; a constructed reed bed system can be effective in some instances. Any cesspit, package treatment plant or septic tank will have to comply with building regulations and be suitably managed.

Applicants should look to use best available technology to reduce the environmental impact. Installation of a non-mains solution may require an environmental permit from the Environment Agency, which includes a robust management and maintenance plan. These must clearly set out responsibilities, means of operation, and a maintenance schedule to ensure that the plant complies with the permit conditions throughout its lifetime.

PP06

Conversion of Buildings Inside and Outside of Defined Settlements

The Conservancy is unlikely to object to the conversion of buildings inside and outside of defined settlements to an alternative use provided it is demonstrated that:

- Where applicable, the building is no longer required for its original purpose; and
- A structural survey indicates that the building is structurally sound; and
- Protected species and habitats are not detrimentally affected (e.g. bats, owls, great crested newts, water voles and hay meadows); and
- An alternative employment or tourism use is first evaluated for the building and shown by the applicant to be unviable, before dwellings with Class C3 of the Town and Country Planning (Uses Classes) Order 1987 (as amended) are proposed; and
- If a Class C3 dwelling is the most viable use, allowing appropriate repair/refurbishment of the building, the

Conservancy will request occupation is restricted to those needing a countryside location owing to their employment and/or on the basis of a rural exception site to provide affordable housing; and

- The design of any alterations and materials used are sympathetic to the character of the existing building and its rural location.

The Conservancy is likely to oppose proposals whereby a building conversion and its subsequent usage will disturb current levels of tranquillity.

Where a dwelling is permitted within Class C3 of the aforementioned Order, the Conservancy will examine the extent of the residential curtilage proposed and may request that the LPA give consideration to the removal of permitted development rights under the Town and Country Planning (General Permitted Development) England Order 2015.

Reasoned justification

Permitted development rights have been introduced under the aforementioned General Permitted Development Order for the conversion of agricultural buildings.

Agriculture epitomises the landscape of the AONB and it is vital for both nature conservation interests and the rural economy. Applications for the conversion of redundant agricultural buildings, for an alternative use, must be supported by sound evidence justifying the need for the conversion. The LPA is also likely to take advice as to the overall viability of the agricultural unit.

The Conservancy supports sustainable forms of economic development that are appropriate to the character of the AONB and recognises that farmers must be able to adapt, evolve and diversify their business. Where conversion to holiday accommodation is proposed, an accompanying business plan for the venture should be submitted.

PP07

New/Extended Farm and Woodland Buildings

Chichester Harbour Conservancy will not normally object to new or extended farm or woodland buildings where the applicant has demonstrated the proposal is:

- **Necessary for agriculture or silviculture; and**
- **Sited away from visually exposed locations; and**
- **Sub-ordinate to the host building; and**
- **Where possible, grouped with other buildings; and**
- **Adjacent to mature planting and/or screened using native tree and shrub species; and**
- **In accordance with LPA guidance in terms of type, size, design and materials.**

Reasoned justification

The AONB is dominated by arable production with 68% of the land under crops and 15 arable farms. 70% is Grade 1 (excellent) or Grade 2 (very good) agricultural land. Agriculture epitomises the landscape of the AONB and it is vital for both nature conservation interests and the rural economy. The land is a haven for wildlife, and in particular birds, as evidenced in the number of fields supporting dark-bellied brent geese and other waders, as recorded by the Conservancy and its partners. However, farming practices continue to change and the Conservancy is aware that it must take a flexible approach in response to agricultural requirements.

Whilst it is recognised that some agricultural development is permitted development, the Conservancy will seek to minimise the impact upon the landscape of agricultural structures, including in response to 'prior notification' applications. The Town and Country Planning (General Permitted Development) England Order 2015 (as amended) sets out prior notification requirements to LPAs by those seeking to exercise their permitted development rights for certain defined agricultural purposes.

If the Conservancy believes it to be expedient to restrict permitted development because of the impact from agricultural permitted development on the AONB (or a particular area of the AONB), it will urge LPAs to seek an Article 4 direction either across the AONB, or within the affected sensitive landscape area(s).

Chichester District Council has published specific guidance on farm buildings, and Havant Borough Council has adopted an overarching Design Supplementary Planning Document, to assist developers, when designing their proposals. Chichester District Council recommend a darkish khaki or bluish grey appearance and a dark slate grey colour, such as B.S. colour 18B 25 or 27 or a Khaki B.S. 1 OB/27 as these have been found to be the most sympathetic colours where buildings will be viewed against trees. The Conservancy will encourage dark colours, like these, to ensure the building blends in to its landscape setting.

The Conservancy has concerns over the intrusiveness of horticultural buildings within the landscape with the often large expanses of glass or polytunnels visible at great distances as well as within the immediate landscape of the AONB.

PP08

New Tourist Accommodation

The Conservancy is likely to object to applications for new or extended caravan or tourism accommodation sites within or adjacent to the AONB, unless it can be demonstrated that there would be no harm from visual intrusion, noise, increased recreational activity or erosion of rural character.

The Conservancy is likely to object to any application for caravan rallies or other caravanning/camping-related activity unless it can be demonstrated that the location does not have a detrimental impact upon the AONB or nature conservation interests and it is for a duration or recurrence which is compatible with the rural character of the AONB.

Reasoned justification

Permitted development rights exist to Members of the Camping and Caravanning Club to have up to 5 pitches for caravans within the curtilage of the Member's (residential) property and other rights relating to the temporary use of land also exist, under the General Permitted Development Order.

Planning permission for tented accommodation is required where the AONB falls within Chichester District under an Article 4 Direction.

Caravan parks containing transportable but largely static mobile homes are well-established in the AONB, as a result of the growth in countryside tourism during the 1960s and 1970s. With changing industry trends, it is unlikely that new proposals of this nature will come forward. Nevertheless, the Conservancy will carefully consider any such proposals, given the impact on the landscape and the visual prominence that these developments can have. More bespoke forms of accommodation, such as pre-fabricated lodges or the conversion of existing buildings, have added self-catering tourist accommodation to the market place.

The Conservancy will look to persuade the LPA to impose suitable planning conditions to ensure that the accommodation created cannot be occupied the whole year round and thus is genuinely available to those who wish to stay and explore the AONB, rather than those who would treat such accommodation as a second home or main home. Where such accommodation would contain all the necessary amenities to enable day-to-day living, the Conservancy would not wish to see such accommodation becoming permanent general purpose housing, which is not supported outside of the defined settlement boundaries.

It may be necessary for some forms of tourism development to be accompanied by an Appropriate Assessment under the 2010 Conservation of Habitats and Species Regulations, which may only be supportable where appropriate and adequate mitigation can be offered.

PP09 Dark Skies

The Conservancy is likely to support lighting proposals that reduce the adverse impact of artificial light in Chichester Harbour. The Institution of Lighting Professionals published best practice guidance in 2011.

Lighting proposals that are adjacent to or impact on areas of nature conservation will only be supported in exceptional circumstances. A statement outlining where the light will shine; when the light will shine; how much light will shine; the possible ecological impact and a series of mitigation measures, if appropriate, should accompany a planning application.

The Conservancy is unlikely to object to the lighting element of applications for prior approval or planning permission within and adjacent to the AONB, where the application includes evidence to demonstrate the following:

- The lighting proposals are the minimum needed for security and/or working purposes; and
- Any obtrusive light from glare or light trespass is an acceptable level; and
- Light beams will not be pointed out of windows; and
- Security lights are fitted with passive infra-red detectors (PIRs) and/or timing devices so as to minimise nuisance to neighbours and are set so that they are not triggered by traffic or pedestrians passing outside the property or premises; and
- Overall compliance with the published best practice guidance from the Institution of Lighting Professionals.

The Conservancy will object to any proposed development that includes smooth, reflective building materials, including large horizontal expanses of glass, particularly near the edge of the water, as this has potential to change natural light and to create polarised light pollution affecting wildlife.

Reasoned justification

The night sky is part of the scenic beauty of the AONB and should be conserved and enhanced. Light pollution is the light that is wasted upwards and reflects off the atmosphere, causing a visible night time blanket. According to the Campaign to Protect Rural England, Chichester Harbour has the third highest level of light pollution across all of England's

34 AONBs (as of 2016). Light pollution is a problem for various reasons, including energy wastage, detrimental effects on human health and psychology, erosion of tranquillity and disruption of ecosystems.

Obtrusive light is generally a consequence of poorly designed or insensitive lighting schemes. The three main problems associated with obtrusive light are:

- Sky glow - the orange glow seen around urban areas caused by a scattering of artificial light by dust particles and water droplets in the sky;
- Glare - the uncomfortable brightness of a light source when viewed against a darker background; and
- Light trespass - light spilling beyond the boundary of the property on which a light is located.

Each of the three types presents very different problems for the general public and for the environment as a whole.

Sky glow is the result of wasteful and ill-directed lighting and reduces the ability of people to see the natural night sky. This is a problem in rural locations. Artificial lighting can destroy local character by introducing a suburban feel into rural areas.

Glare and insensitive lighting can have serious implications for motorists who may become distracted or blinded by glaring lights spilling out on to the highway. Bright or inappropriate lighting in the countryside can also have severe ecological implications.

Obtrusive light in rural locations can affect the natural diurnal rhythms amongst a wide range of animals and plants. Light trespass is a common problem and can intrude on the residential amenity in both urban and rural settings causing stress and anxiety for people affected. In addition to these specific problems, obtrusive light represents a waste of energy, resources and money.

The Institution of Lighting Professionals has published guidance on acceptable levels of illumination for specific environmental zones, which relate broadly to the rural areas. All new developments should be designed so as to adhere to these best practice guidelines.



PP10 Shoreline Defences

The Conservancy has a hierarchy of preferred approaches to shoreline defences, as detailed in the Sustainable Shorelines: General Guidance document. The Conservancy is unlikely to object to proposals that entail:

- **Removing and not replacing existing defences; or**
- **Managed realignment, where appropriate; or**
- **Adaptive management, where appropriate.**

In locations where existing defences are present, the Conservancy is unlikely to object to a ‘like-for-like’ replacement providing that the applicant demonstrates that the defences are still required. The Conservancy prefers the use of materials that naturally degrade (i.e. timber rather than rock or concrete).

The Conservancy is likely to object to the installation of new, strengthened, or improved defences if they will have an adverse impact on habitats, species or safety of navigation.

Reasoned justification

Chichester Harbour covers 75 square kilometres and 86 kilometres of shoreline. The natural shoreline has a wooden fringe of coastal oaks with extensive saltmarshes, mudflats and sub-tidal channels. Approximately 41% of the Harbour is fully submerged at high tide and around two-thirds of the Harbour has shoreline defences.

Strategic guidelines for Chichester Harbour are outlined in the North Solent Shoreline Management Plan (2010) and at a local level through the Chichester Harbour Sustainable Shorelines: General Guidance document. The Environment Agency also published Estuary Edges: Ecological Design Advice (2013), which provides guidance on making a positive contribution towards estuary management. The Conservancy’s preferred shoreline defence is a soft approach using natural vegetation that is sympathetic to the landscape character and visual amenity of the AONB.

The choice of shoreline defence will depend on the existing and adjacent defences, the degree of exposure to wave action, the potential impact on the local environment, and any special requirements relating to access, amenity, etc.

The shoreline defences in the Harbour are constructed with varying designs and materials. Many have degraded over time and will require repair or enhancement to keep in line with sea level rise in the future. Where works on existing shoreline defences are modest in scale or constitute ‘like for like’ repairs, these are likely to be supported by the Conservancy as they are unlikely to have an adverse effect on the adjacent habitats or a harmful visual impact.

Larger-scale works are likely to have greater landscape and nature conservation impacts. The Conservancy will require justification for the works and details of how landscape and nature conservation impacts will be addressed, avoided or compensated for. The Conservancy will also seek the opportunity to replace an existing defence with natural solutions.

The Conservancy will also need to consider the potential impacts of any shoreline defence works on navigation within the Harbour, both from direct impacts and those arising from any change in hydro-dynamics and sediment movement. Where shoreline defences do not currently or historically exist, the Conservancy is unlikely to support an application for new defences because of the landscape character, visual amenity and nature conservation impacts.

In order to address the gradual loss of intertidal habitats over time as sea levels rise (known as ‘coastal squeeze’), the Conservancy is likely to support appropriate managed realignment sites as a preference to maintaining existing coastal defences. Any such scheme should also adequately address the outer defences, which should not just be abandoned and left to degrade to the detriment of the landscape and nature conservation interests.

PP11

Intertidal Structures

Planning applications for intertidal structures will be assessed for their impact on the visual land/seascape, nature conservation and navigational safety.

The Conservancy is unlikely to object to 'like-for-like' replacements, unless the existing structure:

- Is unauthorised and is either:
 - a) The subject of current enforcement action; or
 - b) In the Conservancy's view, should be the subject of enforcement action; or
- Is dilapidated or collapsed and the applicant is unable to evidence its use in the last 10 years.

If alterations are proposed to an intertidal structure that would materially affect its appearance, the Conservancy is unlikely to object provided the silhouette/footprint of the structure does not materially increase and materials with dark/muted/matte colour finishes are proposed.

The Conservancy will only support new or enlarged intertidal structures where:

- It is demonstrated they are for essential public use or it is demonstrated the development is necessary to ensure the continued viability of a marine related enterprise; and
- Any nature conservation impact can be mitigated; and
- There is no adverse land/seascape or visual amenity impact; and
- Safety of navigation is maintained.

Reasoned justification

The Harbour is designated as internationally important for nature conservation and the 2010 Conservation of Habitats and Species Regulations require any proposals likely to have a significant effect on the designated site to be assessed by the competent authority. Natural England will assess whether any proposed development within the intertidal area will have any relevant effect on the habitats and species of interest. In all cases, applicants should discuss their proposals with Natural England, the LPA and the Conservancy to ensure that all relevant issues and consents are identified and applied for.

All proposals below mean-high-water springs will require a Works Licence from the Conservancy. Applications for both planning permission and a Works Licence should be accompanied by a detailed method statement, which outlines the construction process and how adverse impacts on the designated sites will be avoided.

In some instances an Appropriate Assessment will be required to more fully assess the potential impacts before the LPA, Natural England and the Conservancy can determine whether the development is acceptable and if so what conditions may be necessary. A licence will also be required from the Marine Management Organisation and in some cases a licence or environmental permit from the Environment Agency.

Where a significant impact on the designated sites would arise (for example, from an increase in footprint/shading as a result of the proposed structure), this will need to be compensated for to ensure that there is no net loss of intertidal habitat.

Where it has been demonstrated that a new intertidal structure is essential for public use, adequate compensation will need to be provided to offset any impacts on nature conservation interests from the introduction of a new structure. The application will also need to demonstrate that there are no adverse impacts on the landscape character or visual amenity of the AONB or the safety of navigation. Where a new structure is only for private use, the Conservancy is highly likely to object to such a structure because of the likely significant impacts upon the landscape character and visual amenity of the AONB and the impact on nature conservation interests. There are also likely to be impacts upon navigational safety.

Examples of compensation include the removal of equivalent existing structures or material from the intertidal area, the provision of additional intertidal habitat elsewhere, and the surrendering of existing swinging moorings or other boat storage facilities.

Where repairs are contemplated to an existing intertidal structure, advice should be sought from the LPA as to the need for planning permission for such work. The LPA may invite an application for a Certificate of Lawfulness of proposed development. In all cases, supplying the LPA with photographs and drawings of the existing structure and a detailed written schedule of the work contemplated will speed-up this process.

Significant elevational changes to existing intertidal structures are unlikely to be supported by the Conservancy - (unless they are essential for public or commercial use and any impacts can be adequately mitigated) - because of their likely long-term impact on the AONB.

The cumulative impact of private householders installing new structures which extend into the Harbour could be seriously damaging to this highly sensitive coastal landscape as well as to the wildlife interest of the AONB and to the safety of navigation on the water. For these reasons, the Conservancy exercises a presumption against the introduction of new intertidal structures for private use.

In order to support marine-related businesses, the Conservancy will not apply this presumption where it can be demonstrated that the structure is essential for the success of the business and it would not have an adverse impact on the environment.

Depending upon the extent of collapse and dilapidation and the timeframe, this type of application can effectively mean the introduction of a new structure. As such, adequate compensation will need to be provided to offset any impacts on nature conservation interests, weighed against the habitat benefits the existing structure may offer. The applicant should demonstrate that the new structure would not have a detrimental impact upon the landscape character or visual amenity of the AONB or navigational safety.



PP12

Limits on Marinas and Moorings

The Conservancy is unlikely to object to a proposal for a new marina in the AONB if the applicant can demonstrate that all the existing marinas cannot be extended and any new berths are matched by a reduction in the same number of existing moorings.

The Conservancy is also unlikely to object to the extension of an existing marina in the AONB providing any new berths are matched by a reduction in the same number of existing moorings.

The Conservancy is likely to support proposals for the re-distribution of moorings to established marinas. It is unlikely to support proposals which result in a net increase in the number of moorings or marina berths.



Reasoned justification

Since the Conservancy was established in 1971 there has been a moratorium on the number of moorings and marina berths due to congestion in the Harbour at peak periods, which can be dangerous and may detract from the value of recreational experience. The Conservancy's vessel movement surveys show that a vessel passes the busiest transit every 6 seconds, over the peak half-hour period, and a further increase would lead to dangerous sailing conditions. Therefore, any schemes which propose to increase the number of marina berths will need to be offset by 'wasting' an appropriate number and type of moorings.

PP13

Public Access to the Water and New Launch-on-Demand Facilities

The Conservancy will object to any new facility which will provide a net gain in public access to the water for vessels or will increase the number of vessels using the Harbour.

The Conservancy will support proposals for storage buildings/ structures and areas of hard standing and associated means of enclosure related to the secure storage and operation of launch-on-demand boat services tied to new public access points to the water, where it can be demonstrated that:

- Such facilities are required to enable the continued viability of an existing marine-related enterprise or established recreational club with existing public shoreline access to the Harbour. Where such facilities represent a consolidation of several separate areas and access points, and tidying-up a site, the Conservancy may be more favourably disposed to such proposals, if the re-instatement of abandoned areas offers an enhancement to the AONB overall; and
- Any increase in recreational activity would not harm nature conservation interests; and
- Any increase in recreational activity would not be detrimental to navigational safety.

Reasoned justification

The Conservancy recognises that the Harbour is very close to capacity in terms of water-based recreational use, which can lead to issues of safety of navigation and detract from the recreational experience itself. Therefore, the Conservancy will continue to maintain its moratorium on the number of deep water moorings, object to proposals for new marinas and any new facilities which will provide new public access to the water for vessels.

A 'launch-on-demand' facility refers to a fixed structure to store, or mobile structure to lift boats into the water and then allow the boat to float off the supporting structure and vice versa. Very often, for reasons of security, a mobile structure may require to be housed in a building close to the shoreline and areas of hard standing, perhaps enclosed by fencing and may also be required to 'marshal' boats waiting to be launched.

Where such works require planning permission, the Conservancy will require that the natural beauty of the AONB and its nature conservation interests are given priority over recreational and maritime business interests. Where the latter are not compatible with the former, the Conservancy will be likely to object to such proposals.



PP14

Horse/Pony Grazing and Related Structures

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.

The Conservancy is unlikely to object to horse/pony-related structures that are:

- Sensitive 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

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.

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.



PP15

Signage Requiring Express Advertisement Consent

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

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.

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.

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.

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.

PP16

Renewable Energy

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.**

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

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

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.

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.

PP17

Telecommunication Development

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

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.



PP18

Access Infrastructure

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

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.

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.

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.

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.



PP19 Houseboats

Planning Principle 19 provides guidance for those seeking planning permission for a houseboat within the AONB.

A separate process governs the consent requirements as legislated for under Section 40 of the Chichester Harbour Conservancy Act of 1971. The 'Consent for a Houseboat' application form is available to download from the Conservancy's website. Depending on the location of the houseboat, applicants may need to complete this form in addition to applying for planning permission from the Local Planning Authority (LPA).

Within the Limits of the Harbour but not within a Marina

It is very likely that the Conservancy will have compelling grounds to object to any new houseboat within the limits of the Harbour, unless it is in a marina, due to its likely impact on navigation, the AONB and nature conservation.

An objection will be raised where there is a risk that the houseboat or its operation would be detrimental to navigational safety, landscape, or nature conservation, or unduly limit or constrain navigation or use of the open water by other harbour users and visitors and where conditions would not be adequate to remove or mitigate these impacts.



The factors listed below in relation to marina requests will be used to inform the decision-making process.

Within the Limits of the Harbour and within a Marina

Marinas Impounded by a Seawall

New and replacement houseboats in marinas within Chichester Harbour will likely require planning permission and may also require an Appropriate Assessment. The Appropriate Assessment will ascertain the impact of the houseboat on the integrity of the protected habitats site (further information will be made available from the LPA if this is required).

The marinas impounded by a seawall are: Birdham Pool Marina; Chichester Marina; Emsworth Yacht Harbour; and Northney Marina.

The Conservancy will consider all relevant information including but not limited to the following factors prior to determining a recommendation to the LPA and whether to request conditions to any permission granted.

- The land associated with access for the houseboat (the linked land), and any incidental use, should be included within the red line as required for validating a planning application.
- The overall design of the houseboat, including window frames, soffits, fascias and guttering, should be of a subdued, dark or non-contrasting colour.

- The houseboat would not be detrimental to navigational safety, landscape, or nature conservation.
- The houseboat does not displace recreational moorings now or in the future.
- The houseboat design is unobtrusive to the wider landscape setting.
- The houseboat does not unduly increase the likelihood of noise or light pollution.
- The proposal, including any screening on the linked land, is not detrimental to the rural character of the area.
- The houseboat will connect to mains sewage and electricity, or an alternative means that has no detrimental impact on the Harbour.
- The houseboat does not pollute harbour waters.
- A risk assessment confirms the safety of occupants.

The Conservancy will seek adherence from the marina operator to limit the maximum number of houseboats in any given marina impounded by a seawall to five vessels, or up to 1% of licenced berths if greater. The cumulative impact of multiple houseboats in a single location must not compromise Planning Principle 1.

Marinas Un-Impounded by a Seawall

Most new and replacement houseboats in marinas un-impounded by a seawall will require planning permission from the LPA. All will require an Appropriate Assessment. In Chichester Harbour, this applies to: Hayling Yacht Company; Sparkes Marina; and Thornham Marina.

These locations are much more prominent in the landscape and are adjacent to drying mudflats, which are important feeding grounds to overwintering wildfowl and sensitive to recreational disturbance. They also have a range of important environmental designations which the Conservancy must protect. Those designations are listed in the Chichester Harbour Management Plan 2019-24.

Un-impounded marinas will, in addition to all the factors to be considered for impounded marinas, have a more stringent test of impact to assess their likely affect upon the physical and visual landscape and whether their operation, if permitted, should be limited from April to September so as not to interfere with overwintering birds. This is because the proposed houseboat will be located in a more exposed environment than when within the confines of a marina.

'Beds on Board' and Similar Models of Hire

'Beds on Board' and similar models of hire will be required to meet the criteria detailed above in terms of the range of factors to be considered in response to a request for planning permission for change of use. Additional conditions to those

applied to other houseboats may be imposed due to the likelihood of persons inexperienced in the marine environment using such houseboats and the short-term nature of such occupation.

Chichester Canal

Houseboats along Chichester Canal are likely to require planning permission from the LPA.

The Conservancy is unlikely to object to proposals for a replacement houseboat along Chichester Canal where it can be demonstrated that it is within the same footprint and the elevation silhouette is not more than 25% greater than the existing houseboat. The replacement houseboat must be sympathetically designed. Window frames, soffits, fascias and guttering, should be of a subdued, dark or non-contrasting colour.

The Conservancy is more likely to have grounds to oppose new houseboats along Chichester Canal in locations previously unoccupied because the location of any new houseboats would be likely to extend into open countryside and be outside the settlement area. This will most likely have implications for the environmental and landscape value of the location and the designations applying to the area.

Reasoned justification

The Chichester Harbour Conservancy Act of 1971 defines a ‘houseboat’ as, “any vessel or structure lying in the water or on the foreshore of or banks abutting on the harbour all or part of which is used or capable of being used as a place of habitation (whether temporarily, intermittently or permanently), as a store or as a place for accommodating or receiving persons for purposes of shelter, recreation, entertainment or refreshment, as club premises or as offices and includes the remains of wreckage of a vessel or structure formerly so used or capable of being so used, but shall not include any ship registered under the Merchant Shipping Act 1894, or any vessel bona fide used for navigation.”



This definition would encompass all vessels being used as accommodation, whether temporarily or on a permanent basis, and incorporates ‘Beds on Board’ and other similar models of hire. All vessels that meet the Conservancy’s definition of a houseboat, regardless of the description, will be considered by the Conservancy as a houseboat.

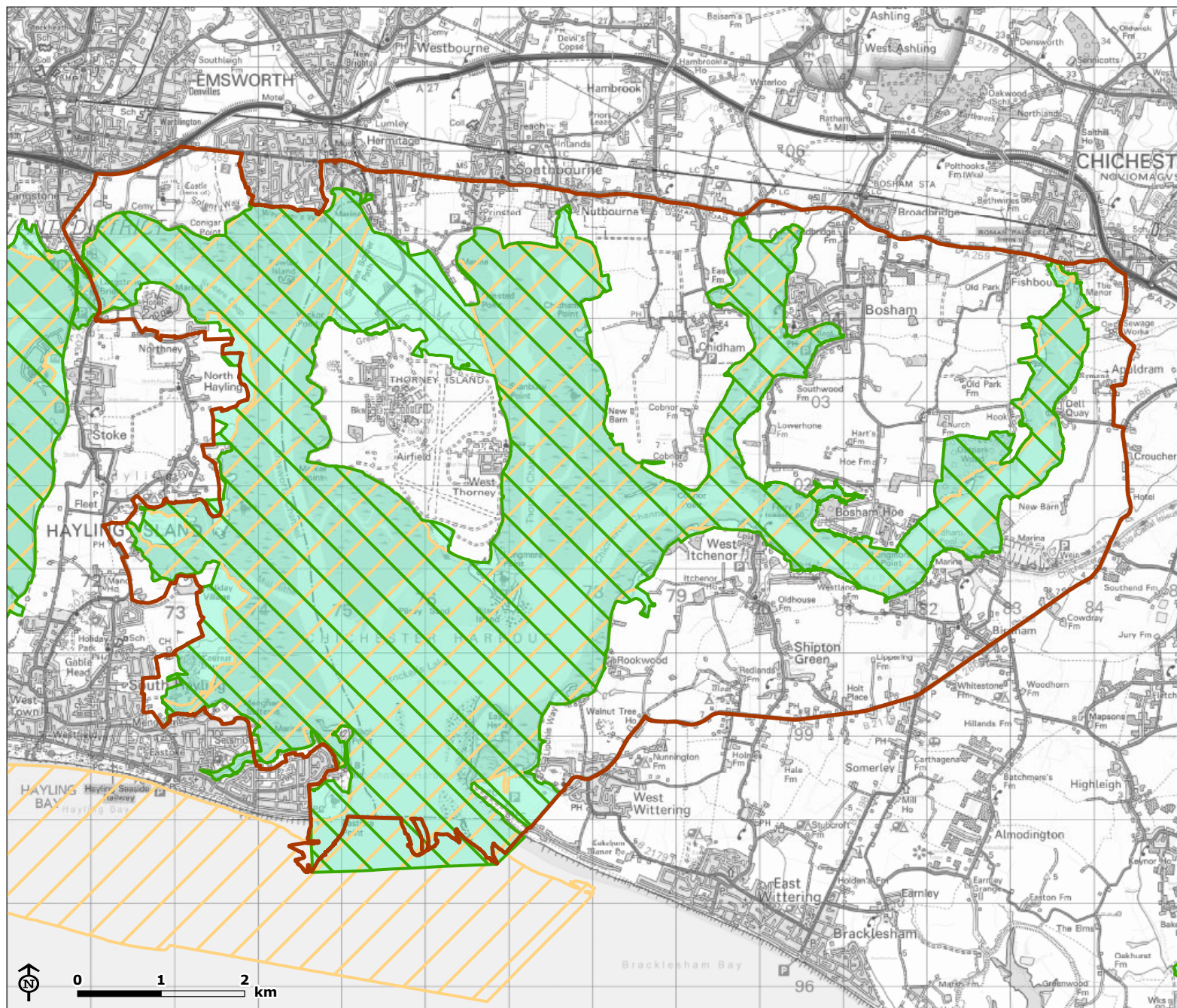
The Conservancy appreciates there is a growing need for marine businesses to diversify to remain vibrant hubs for the sailing and boating community and visitors.

However, the Conservancy considers the main water body of the Harbour should be managed and maintained as a clear and open space for the safe and wider enjoyment of the public, as well as the conservation and enhancement of the environment. The open space is already shared among many water and landscape users and must be seen in the wider context of the purpose and aims of the designation as an AONB.

The Conservancy is likely, when considering the factors set out in its Planning Principles, to object to any houseboat application within the wider Harbour outside marinas, since it would likely permanently deny space to others, interfere with the public right of navigation, compromise navigational safety and conflict with the AONB designation, wildlife, and special qualities.





Within marinas, all requests for replacement houseboats must be carefully considered. Replacement houseboats, even if covering the same footprint, may add an unacceptable height increase, resulting in a detrimental visual impact. Larger structures may also result in the increased likelihood of noise and light pollution. In terms of the design and finish of a new or replacement houseboat, the Conservancy would seek to ensure the overall design of the houseboat, including window frames, soffits, fascias and guttering, should be of a subdued, dark or non-contrasting colour.

For all new houseboats, the Conservancy would expect to see details of screening proposals on land associated with, and linked to, the houseboat mooring, where applicable, as part of the planning application requirements.



International Designations

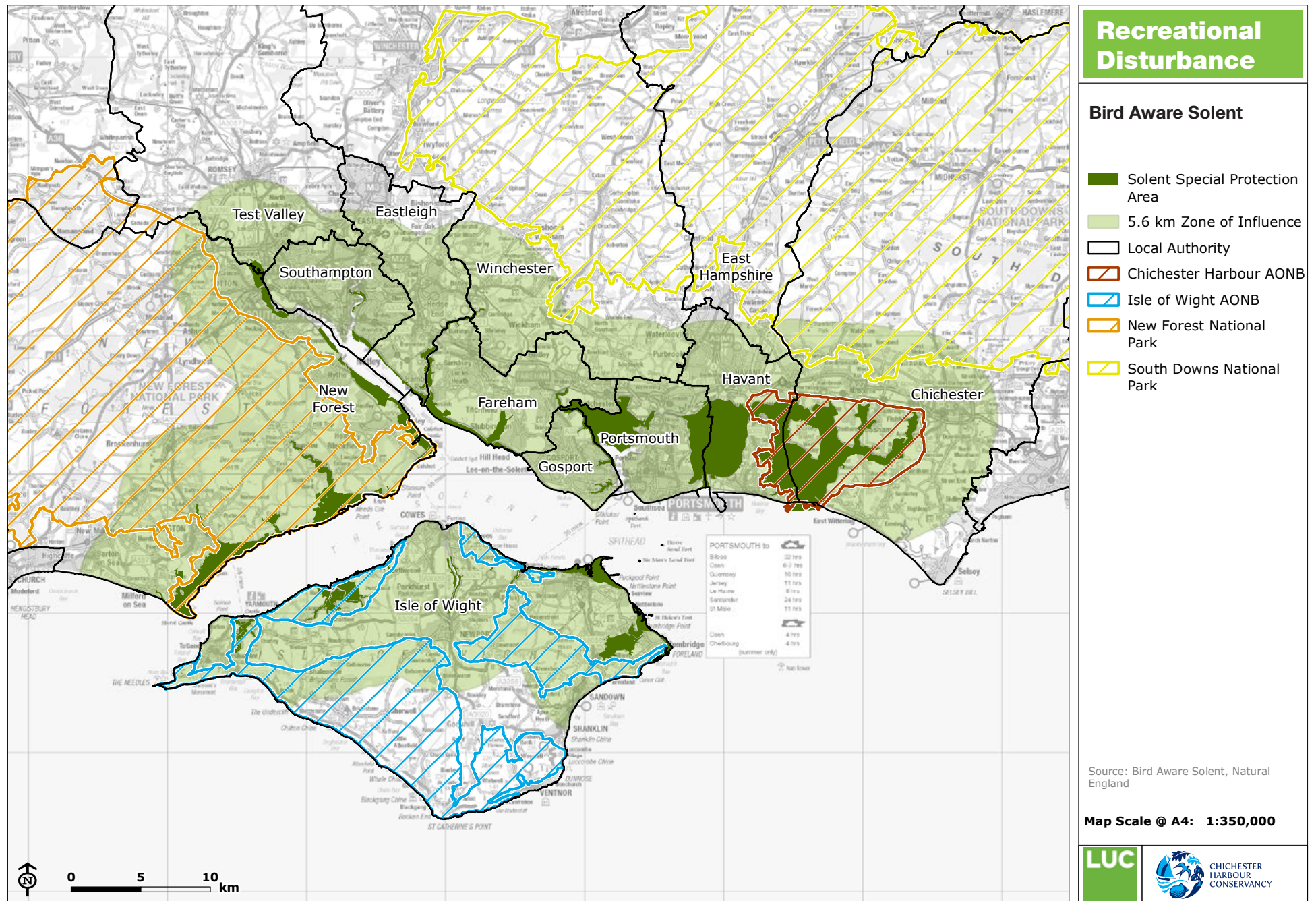
Worldwide and European Designations

-  Chichester Harbour AONB
-  Special Area of Conservation
-  Special Protection Area
-  Ramsar

Map Scale @ A4: 1:65,000



CHICHESTER
HARBOUR
CONSERVANCY





Chichester Harbour Area of Outstanding Natural Beauty

Straddling the boundary between Hampshire and West Sussex, Chichester Harbour Area of Outstanding Natural Beauty was designated in 1964. Chichester Harbour Conservancy, established in 1971, is unique in that it is the only Statutory Harbour Authority with responsibility for managing an AONB.

Chichester Harbour is one of England's most beautiful and cherished landscapes, with distinctive habitats for wildlife and a thriving boating and sailing community. It is quite rightly regarded as a treasured national asset.

Chichester Harbour Conservancy
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