

# Planning Principle 19: **Houseboats**

## *Adopted 6 September 2021*

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.

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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.

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### **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.

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## 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.