

# Guidance Notes for Application for a Houseboat in Chichester Harbour



CHICHESTER  
HARBOUR  
CONSERVANCY

December 2021

1. All houseboats within the Limits of Chichester Harbour require the written consent of Chichester Harbour Conservancy under Section 40 of the Chichester Harbour Conservancy Act of 1971 ('the 1971 Act').
2. The 1971 Act 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."*
3. Bona fide used for navigation is determined by the Conservancy to mean that a significant part of the vessels function is to be used in navigation as defined in the Goodwin case ([2006] 1 Lloyd's Rep. 432). In the case of houseboats let for hire that would require it to be the purpose of every period of hire unless stress of weather curtailed the activity. Such vessel would need to be licenced as a vessel let for hire under an appropriate scheme.
4. Each application will be determined on its merits in accordance with the Conservancy's Planning Policy 19 Houseboats, the 1971 Act and any other applicable legislation and planning principles.
5. Anyone who causes a vessel to be used as a houseboat without the Conservancy's consent, or who fails to comply with any terms or conditions of that approval, is guilty of an offence and liable to a fine. Moreover, the Conservancy may require the removal of the Houseboat, and ultimately may carry out removal of the Houseboat themselves and recover the cost of doing so from the persons concerned.
6. Applications for consent to moor a Houseboat must be made in writing to the Conservancy and must include any plans, photographs, etc necessary to illustrate the impact of the Houseboat. The Conservancy reserves the right to impose terms and conditions before granting the licence.
7. If you are considering applying for a Houseboat in the Harbour, you are advised to read Planning Principle 19 Houseboats, and sections 40, 41 and 42 of the 1971 Act. If further guidance is required contact the Director & Harbour Master at an early stage to discuss your proposals. He will be able to give you a general indication of what is likely to be acceptable, taking into account the effect on the conservation and amenity value of the Harbour and its surroundings, and navigation. The final decision will be taken by the Conservancy, following consultation with its Advisory Committee.
8. The Conservancy requires applications for Houseboats to confirm that they either have, or do not require, planning permission. It is, therefore, in your interests to contact the local planning authority to discuss your proposals and the possible need for planning permission.
9. Consent from the Conservancy does not entitle you to moor a Houseboat on another person's property without their permission, and you must have the appropriate landowner's permission.
10. In addition to the Conservancy's permission, Houseboats in the Harbour may require permission from other organisations, such as Natural England.

## Natural England consent

The whole of the area below the high water mark has been declared a Site of Special Scientific Interest (SSSI) under the Wildlife and Countryside Act 1981, **and consent is required from Natural England for activities in this area which might affect its environmental or scientific value.**

continues



All Natural England consents and assent applications are processed via the regional hub Land Management Support (South) [lmss@naturalengland.org.uk](mailto:lmss@naturalengland.org.uk)

Their website states the following:

***You could get an unlimited fine for an offence under the Wildlife and Countryside Act if you carry out or permit someone else to carry out a controlled activity on an SSSI without Natural England's permission. You could also have to pay to repair any damage to the site.***

[www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest](http://www.gov.uk/guidance/protected-areas-sites-of-special-scientific-interest)

- 11.** You should send your completed Houseboat application form, and the correct fee to the Director & Harbour Master at the Harbour Office, Itchenor, West Sussex PO20 7AW. He will advise you whether he is prepared to recommend that the Conservancy approve your application (and, if so, what conditions are to be imposed), or whether he recommends that it be refused.

The application will then be considered by the Statutory Advisory Committee and the Conservancy Board at their next quarterly meeting, and you will be notified of the decision shortly afterwards.

- 12.** If the Conservancy has not granted a licence within two months from the date of submitting your application, or such further period as agreed in writing by the applicant and the Conservancy, it is deemed to have refused your application.
- 13.** If you are aggrieved by the decision of the Conservancy to:
- (1) refuse your application; or
  - (2) impose any terms or conditions on the consent; or
  - (3) require any modification in the application

you may appeal in writing to the MMO within 21 days of being notified (or within 21 days of the date on which the Conservancy is deemed to have refused your application under paragraph 10. above). You can also send an email with details of your appeal to: [marine.consents@marinemangement.org.uk](mailto:marine.consents@marinemangement.org.uk)

- 14.** The application fee for a Houseboat Licence is as follows:

- £150 + VAT for charities and Sailing Clubs
- £400 + VAT for private individuals and commercial organisations

- 15.** A houseboat Licence will be for a maximum of 3-years. One Licence is required per houseboat.

- 16.** An annual Houseboat fee will be the equivalent of the standard harbour dues fee for the size of craft multiplied by 1.5.

- 17.** The Conservancy may consider a range of issues, not explicitly identified in this application and additional conditions may be applied as part of the consent. The consent can be rescinded if these are breached.

- 18.** If you have any difficulties in completing your application form, or you require clarification on any of the matters above, please speak to the Director & Harbour Master in the first instance.

**Please note:** If consent for a Houseboat is granted, it will only apply to the Houseboat detailed in your application.

You must inform the Director & Harbour Master of any changes immediately, however minor, and this may result in you requiring a new Houseboat Licence. Changes may also have implications for consents from other organisations, such as the Local Planning Authority, and Natural England: if in doubt, please check.

You must inform the Director & Harbour Master when the consented Houseboat is in position. Conservancy Officers will inspect to ensure compliance with the consent, and from time to time throughout the continuance of the consent.

# Chichester Harbour Conservancy

Chichester Harbour Conservancy Act 1971 (Sections 40)

## Consent for a Houseboat Application

(Please use additional sheets if necessary)

**1.** Name, address, email and telephone number of **applicant**:

**2.** Name, address, email and telephone number of **person making the application**, if different from above:

**3.** Name, address, email and telephone number of **mooring holder** if different from above:

**4.** Full address and location of application site:

**5.** Full description of proposed houseboat:  
Description (please include drawings, photographs, plans as appropriate):

**6.** Please detail any developments on any land associated with the Houseboat, including details of external lighting.

**7.** How many occupants will be using the Houseboat:

**8.** Detail the seasonal dates the Houseboat will be occupied.

**9.** Planning consent reference:

**10.** Sewage arrangements

**11.** Electrical and water arrangements

**12.** State how many vessels within the marina are licenced as Houseboats or are being used as houseboats under the definition of the 1971 Act?

**13.** If the Houseboat is to be used by paying guests, please append a risk assessment demonstrating that risks are effectively mitigated

---

**Signed**

**Date**