

Houseboat Licence

Guidance Notes for a Houseboat Licence and Application Form

2025-2030



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 Chichester Harbour Conservancy's definition of a houseboat, regardless of the description, will be considered as a houseboat.

Chichester Harbour 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 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 needs. The open space is already shared among many water and landscape users and must be seen in the wider context of the functions of Chichester Harbour Conservancy and the range of environmental designations.

Chichester Harbour Conservancy is likely to refuse 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 and conflict with the special qualities and Policy Aims of the Chichester Harbour Management Plan 2025-2030 Incorporating the Amenity Area & Harbour.

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, Chichester Harbour 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, Chichester Harbour 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.



1. All houseboats within the Limits of Chichester Harbour require the written a Houseboat Licence from 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 Chichester Harbour 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 guidance below, the 1971 Act and any other applicable legislation.
5. Anyone who causes a vessel to be used as a houseboat without a Houseboat Licence, or who fails to comply with any terms or conditions of that approval, is guilty of an offence and liable to a fine. Moreover, Chichester Harbour 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 Houseboat Licence to moor a houseboat must be made in writing to Chichester Harbour Conservancy and must include any plans, photographs, etc. necessary to illustrate the impact of the houseboat. Chichester Harbour Conservancy reserves the right to impose terms and conditions before granting the Licence.
7. If you are considering applying for a houseboat in Chichester Harbour, you are advised to read Sections 40, 41 and 42 of the 1971 Act.
8. Chichester Harbour 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 (LPA) to discuss your proposals and the possible need for planning permission.
9. A Houseboat Licence from Chichester Harbour 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 Chichester Harbour Conservancy, houseboats in the Harbour may require permission from other organisations.
11. You should send your completed Houseboat application form, and the correct fee to the Harbour Master at the Harbour Office, Itchenor, West Sussex PO20 7AW or info@conservancy.co.uk.
Your application will then be considered by the Advisory Committee (stakeholders) and the Members of the Conservancy at the next quarterly meeting, and you will be notified of the decision shortly afterwards.



- 12.** If the Conservancy has not granted a licence within three months from the date of submitting your application, or such further period as agreed in writing by the applicant and Chichester Harbour Conservancy, it is deemed to have refused your application.
- 13.** If you are aggrieved by the decision of Chichester Harbour Conservancy to:
- (1) refuse your application; or
 - (2) impose any terms or conditions on the licence; or
 - (3) require any modification in the plans or drawings
- You may appeal in writing within 28 days of being notified (or within 28 days of the date on which Chichester Harbour Conservancy is deemed to have refused your application) to:
marine.consents@marinemanagement.org.uk.
- 14.** The application fee for a Houseboat Licence is £400 + VAT.
- Please contact accounts.payable@conservancy.co.uk to make your payment.
- 15.** A Houseboat Licence will be for a maximum of 3-years. One Licence is required per houseboat. Upon expiry, if the houseboat is to be retained a new Houseboat Licence must be applied for.
- 16.** An annual fee will be the equivalent of the standard harbour dues fee for the size of craft multiplied by 1.5.
- 17.** Chichester Harbour Conservancy will consider the context of the application on navigation, leisure, recreation, the conservation of nature and natural beauty. Additional conditions may be imposed as part of the licence. The licence 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 Harbour Master in the first instance.

Please note:

- If a Houseboat Licence is granted, it will only apply to the houseboat detailed in your application.
- You must inform the 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.
- Chichester Harbour Conservancy will inspect the site to ensure compliance with the Houseboat Licence.

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Additional Guidance

Within the Limits of the Harbour but not within a Marina

Chichester Harbour Conservancy will have compelling grounds to refuse any new houseboat within the Limits of the Harbour, unless it is in a marina, due to its likely impact on navigation and the conservation of nature.

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.

Chichester Harbour Conservancy will consider all relevant information including, but not limited to, the following factors prior to determining a Houseboat Licence.

- The land associated with access for the houseboat (the linked land), and any incidental use.
- The overall design of the houseboat, including window frames, soffits, fascias and guttering, which should be of a subdued, dark or non-contrasting colour.
- The houseboat would not be detrimental to navigational safety or nature conservation.
- The houseboat does not displace recreational moorings now or in the future.
- The houseboat design is unobtrusive in its 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.

Chichester Harbour 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 the Policy Aims nor Planning Principles of the Chichester Harbour Management Plan 2050-2030 Incorporating the Amenity Area & Harbour.

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 Chichester Harbour Conservancy strives to protect.

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 in a more exposed environment than when within the confines of a marina.

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Chichester Harbour Conservancy

Chichester Harbour Conservancy Act 1971 (Sections 40)

Application for a Houseboat Licence

(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:



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9. LPA Planning reference (if applicable):

10. Sewage arrangements:

11. Electrical and water arrangements:

12. State the number of vessels within the marina that 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

Please send your completed Application Form to:

Harbour Master, Harbour Office, Itchenor, Chichester, West Sussex, PO20 7AW or info@conservancy.co.uk.