

Your ref: Chichester Harbour Conservancy

Our ref: Planning Recommendation



Havant Borough Council
Development Management
Public Service Plaza
Civic Centre Road
Havant
PO9 2AX

BY EMAIL ONLY

19 May 2025

Dear Tina,

Application: APP/25/00056

Location: Hayling Island Sailing Club, Overflow Car Park Sandy Point, Seafarers Walk Hayling Island

Description of development: Variation of Conditions 8 & 11 of Planning Permission 04/52990/014 to enable use of Hayling Island Sailing Club overflow car park for overnight parking for up to 40 days and nights per year for cars, boats and trailers (renewal of planning permission APP/19/01141 approved 2nd March 2020) on a permanent basis

Chichester Harbour Conservancy is a unique organisation in that it is the only Harbour Authority with statutory responsibility for a National Landscape (NL). Further details are explained in the Appendix to this response.

Please note that the above case has been considered under the consulted delegated Committee protocol of The Conservancy.

Chichester Harbour Conservancy's Response

RECOMMENDATION

Chichester Harbour Conservancy Officers raise no objections in principle of storing ribs, boats with masts lowered and boat trailers on the land subject to the 40 day period in any calendar year and also subject to the following restrictions –

- That a temporary trial period of one winter be given in the first instance to assess the impact of the use, given alleged breaches of planning conditions and approved site management plan by third parties;
- That only the area cross-hatched on the attached plan be put forward for such use;

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- That the use only be permitted 1 November to 1 March in the following year in any calendar year;
- That no camper vans be allowed to be stored at the site in conjunction with the ribs/boat/boat trailer storage;
- That no-one be permitted to camp at the site in connection with the ribs/boat/boat trailer storage;
- That no machinery/motors/fuel be stored at the site (to reduce risk of any leakage/pollution);
- That no repair or maintenance work be carried out to stored ribs, boats and boat trailers at the site;
- That no racking systems be brought onto the site, with all ribs, boat and boat trailers to be stored in direct contact with the ground;
- That no boats or boat trailers be brought onto/taken off the site outside 07.00 and 21.30 hours daily; and,
- That otherwise, the re-imposition of performance type conditions to permission 04/52990/014 (not referred to above) occurs, particularly No.12, relating to emergency use only of the Seafarers Walk access.

Regard has been had to the policy framework* below in reaching these views. I attended a site meeting on 17.11.2023, where you, the Council's Ecologist Tristian Norton and HISC's Tim Hancock were also present. I am satisfied that the character of the site within the context of the Chichester Harbour National Landscape (NL) has not materially changed since that time, when comments were sent on pre-application enquiry GEN/23/00633.

I also note the additional/amended information placed on the case webpage 23 April 2025 and have had regard to that too in making these comments.

Having read the submitted Management Plan, this appears to have an identical wording to the submitted and on-line for APP/19/01141, except that:

- In paragraph 1, the words "until 31 March 2025" have been deleted;
- In paragraph 1, the figure of 28 days in terms of a licence granted by the Council has changed to 40 days;
- In paragraph 3, the words "Outside these hours.....prior to the first event" have been deleted;
- In paragraph 5, the figure of 28 days in terms of a licence granted by the Council has changed to 40 days;
- In paragraph 7, the first bullet point has been completely re-written to reflect the fact that an ANPR barrier gate has been fitted at the site, also inserting "ANPR" between "Site" and "barrier";
- In paragraph 7, the second bullet point has altered/re-written to reflect the fitting of the ANPR barrier gate and how this is managed by the Club now appearing as the third bullet point;
- In paragraph 12, the words "in March 200" have been inserted after the words "been updated". *Council Case Officer to note the typographical error in the year figure and to seek appropriate clarification of the actual year being referred to.*

- In paragraph 12, a more recent date of 26 April 2025 has been put in place of the previously quoted date of 20th June 2020 and the whole document is now dated 'April 2025'.

Conservancy Officers' comments and reasoned justification

1.0 Site and its context

- 1.1 The application site relates to open land to the south-west, west and northwest of the (two-storey) Lifeboat Station and is wholly within the Chichester Harbour AONB.
- 1.2 There is a gate giving emergency access to this land via Seafarers Walk (a two storey, detached residential development), with the site otherwise being accessed by a spur running from the end of Bracklesham Road. There is a lockable vehicular barrier/gate providing access to the site, just behind the Lifeboat Station and also an ANPR controllable barrier installed under planning permission APP/23/00556.
- 1.3 The land for the most part is closely cropped grass, overlying shingle. A number of low-level concrete structures, with rubber car tyres around them have been placed on the land, presumably to delineate where people may park. The land is predominantly bounded by hedging of varying heights and thicknesses with a small amount of chain-link and close-boarded fencing where the site abuts residential dwellings. An area of woodland (which is not part of a local nature reserve) abuts the southern part of the western boundary, although some of the trees there a subject of a TPO.
- 1.4 From the determination of APP/17/00178, I note the Sailing Club has use of 115 moorings and runs an extensive sailing programme. The applicant recently spoke of the Club having 28 main sailing events, a small number of which could overlap with the winter storage period sought.

2.0 Proposed development and related planning history

- 2.1 Permission 04/52990/014, granted 26.10.2004, originally allowed "Change of use from derelict rough ground to shingle covered overflow parking for Hayling Island Sailing Club".
- 2.2 To allow ribs, boats (with masts down) and boat trailers owned by Members of Hayling Island Sailing Club to be stored on the land during the 'winter' period for a maximum of 40 days. 28 days in any calendar year overflow car parking was first granted temporary, conditional permission under reference APP/17/01013, with condition 5 stipulating that that use must cease on or before 28 February 2020. The reason for imposing condition 5 reads –

"In order that the impact of overnight parking on the occupiers of the nearby residential properties can be further assessed and having due regard to policy

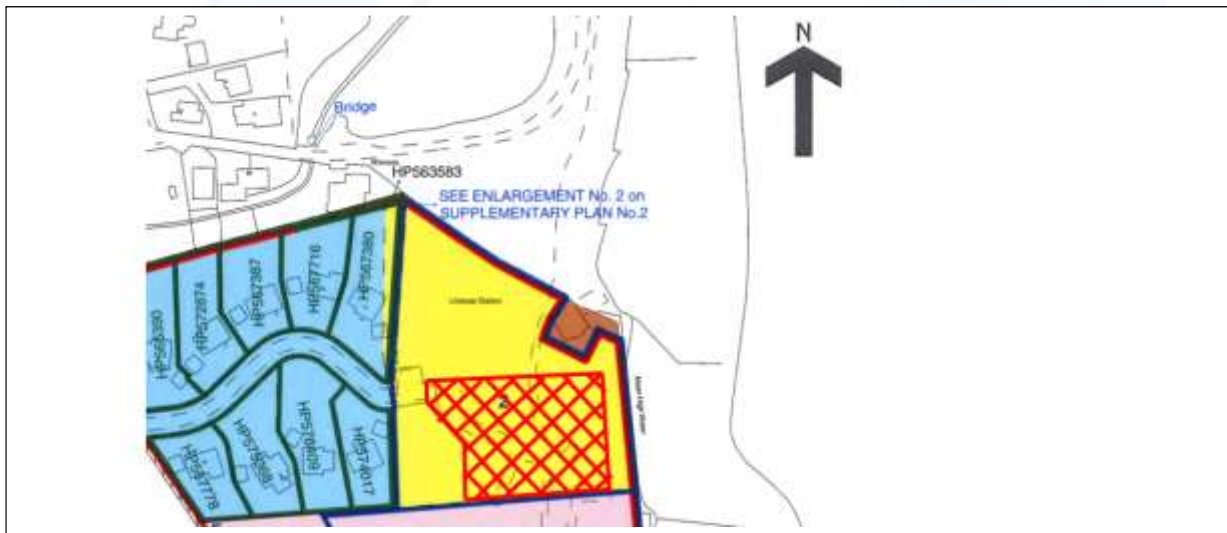
CS16 of the Havant Borough Local Plan (Core Strategy) 2011 and the National Planning Policy Framework”.

- 2.3 I note an application to renew the permission was lodged under reference APP/19/01141. The covering letter from the applicant, dated 22.11.2019, making it clear that the Club wished for the 28 day period to be made permanent, so that it does not need to keep applying to renew the permission.
- 2.4 The applicant has not defined what they mean by ‘the winter period’. Under the current consent the Club has been able to store boats continuously on the land 4th December to 28 January in the following year (i.e. two lots of 28 days in any calendar year) and be in compliance with its permission.
- 2.5 The applicant has not referred to the importation of any stacking structures, so it assumed that all boats and boat trailers would be stored in direct contact with the ground surface. In any event, the Conservancy would argue that such stacking structures would be likely to require planning permission of themselves.
- 3.0 Key issues**
- 3.1 The main issues from the Conservancy's perspective are -
- The principle of the 40 day period being sought;
 - The visual impact of the use on the landscape, including the overall height that boats and boat trailers may be stored at;
 - Protecting the nature conservation interests of the AONB; and,
 - Ensuring no contamination of the land resulting from any oil leakage from (motorised) boats.
- 3.2 The Conservancy has no objection in principle to extending the period from its current potential of 4th December to 28 January in the following year, to 1 November to 1 March the following year, subject to the safeguarding planning conditions set out in the recommendation of this report.
- 3.3 With regard to impact on the AONB landscape, it is considered that the proposed use would be generally screened, if boat masts were lowered for winter storage. Restriction on the height of storage needs to be considered though and no racking ought to be permitted to be brought onto the site.
- 3.4 This is a rather remote part of the AONB and part of the site abuts a Local Nature Reserve, where tranquillity is valued. The Conservancy’s ecologist does not consider that brent geese or waders would be likely to be using the land and I note the DM23 considerations do not wash over the site in terms of the extant local plan proposals map.
- 3.5 I would assume it is pretty unlikely that outboard motors would be left on stored boats for security reasons, but it is possible that boats with built-in motors may be stored. The Conservancy would be concerned if oil or other fuels leak from

boats onto the land and find their way/leach into the Harbour. Might it be possible to require all boats (where relevant) to be drained of fuel before being stored on the land, perhaps under a management plan that the Club be asked to submit and police?

4.0 Conclusion

- 4.1 Subject to the safeguards identified and confirmation that 'winter' could not be construed to run outside of 1 November to 1 March, Conservancy Officers would be supportive of a formal planning application for a trial period and restricted to the area cross-hatched on the attached plan.



Planning Policy Framework*

NPPF paragraphs - 1-3, 6-12, 15-16, 20, 29, 40-43, 48, 56-57, 88 (c), 96, 103, 105, 109, 112-113, 115-116, 124-125, 131, 135-136, 139, 161-163, 170, 176, 181, 187, 189, 192-193, 198, 231-232; **NPPG ID's** - 6-8, 21a (especially paragraph 014), 26, 31, 37; **HBLP (Core Strategy)** - CS1, CS8, CS11-CS13, CS15-CS17, DM1, DM8-DM10, DM14; **HBLP (Site Allocations)** – AL1-AL2, DM23; **CHMP** - 1-3, 6, 8-10, 12-13; **PP** - PP01, PP02, PP09, PP18; **SPD** - Joint CHAONB, Borough Design Guide & Parking Standards.

*Abbreviations

NPPF – National Planning Policy Framework (December 2024, as adjusted 7-2-2025)
NPPG – National Planning Practice Guidance (2014 onwards)
HBLP – Havant Borough Local Plan (2011/2014)
CHMP – Chichester Harbour Management Plan (2019-2025)
SPD –
Parking (2016)
Joint Chichester Harbour AONB SPD (2017)

Yours sincerely,,

Steve Lawrence MRTPI

**Principal Planning Officer
Chichester Harbour Conservancy**

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Appendix

Chichester Harbour National Landscape (NL - formerly AONB)

Chichester Harbour was designated as an Area of Outstanding Natural Beauty (AONB) in 1964. It is the smallest mainland NL in England, and in terms of moorings, it is largest recreational sailing and boating harbour in Europe. Chichester Harbour is quite rightly regarded as a nationally important protected landscape.

Local Planning Authorities must seek to further the purposes of the NL.

The primary purpose of the NL designation is to **conserve and enhance the natural beauty**. In pursuing the primary purpose, account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of local communities. Regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment. Recreation is not an objective of designation, but the demand for recreation should be met insofar as it is consistent with the conservation of natural beauty and the needs of agriculture, forestry, and other uses.

The management of the NL was formalised through the Countryside and Rights of Way Act of 2000 with Chichester Harbour Conservancy appointed as the Joint Advisory Committee (JAC) for the AONB.

Chichester Harbour Conservancy

Chichester Harbour Conservancy was established in 1971. It is a unique organisation in that it is the only Statutory Harbour Authority with responsibility for the NL. Its purposes extend beyond that of other NL's, to include leisure, recreation, and the conservation of nature.

Section IV, part 21, of the 1971 Act states:

21.– (1) It shall be the function of the Conservancy, subject to the provisions of this Act, to take such steps from time to time as to them seem meet for the conservancy, maintenance and improvement of–

- a) The harbour, for the use of pleasure craft and such other vessels as may seek to use the same;
- b) The amenity area, for the occupation of leisure and recreation and the conservation of nature:

and the facilities (including, in relation to the harbour, navigational facilities) afforded respectively therein or in connection therewith.

(2) In the fulfilment of the function with which they are charged by subsection (1) of this section, the Conservancy shall have regard to the desirability of conserving the natural beauty and amenity of the countryside and of avoiding interference with fisheries.

The full text of the Chichester Harbour Conservancy Act of 1971 is published on the Conservancy's website.

<https://www.conservancy.co.uk/page/279-the-conservancy>

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Chichester Harbour Conservancy's Planning Committee

Chichester Harbour Conservancy utilises a member-led Planning Committee to act on behalf of the Conservancy Board in responding to planning applications and consultations. Membership is derived from the Conservancy Board and the Statutory Advisory Committee. The Planning Committee meet every 6-8 weeks. The Conservancy's Case Officer reports, agendas, and minutes of past meetings are on the Conservancy's website.

<https://www.conservancy.co.uk/page/committees-and-meetings>

Chichester Harbour Statutory Management Plan

The Chichester Harbour Management Plan (2019-2025) details the 10 Special Qualities of the NL and features 15 policies to guide the management of the protected landscape. Chichester Harbour Conservancy prepared the Management Plan on behalf of the Local Planning Authorities: Chichester District Council, Havant Borough Council, West Sussex County Council, and Hampshire County Council. Prior to adoption, the Plan was subject to a public consultation over 8 weeks. The Plan is a material planning consideration under Policy CS12 of the Havant Borough Core Strategy (2011-2026). This means it is relevant to making planning decisions in and around Chichester Harbour (whether to grant or refuse an application for planning permission).

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

<https://www.havant.gov.uk/local-plan>

Chichester Harbour Planning Principles

Chichester Harbour Conservancy has developed 19 Planning Principles to guide development in and around the NL. These Planning Principles can be read in Section 3 of the Management Plan. The Planning Principles directly inform whether a planning application is likely to be supported by the Conservancy.

<https://www.conservancy.co.uk/page/planning>

Chichester Harbour NL Landscape Character Assessment

The purpose of the Landscape Character Assessment is to provide an understanding of the unique landscape character and special qualities of the Chichester Harbour AONB to inform the development of NL Management Plans and wider planning policy. The Chichester Harbour NL - (or AONB, as it was at the time of publication) - Landscape Character Assessment was first published in 2005, and subsequently reviewed in 2018. The Landscape Character Assessment is a material planning consideration.

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

The Joint Supplementary Planning Document for the NL

Chichester Harbour Conservancy supported two Local Planning Authorities (Chichester District Council and Havant Borough Council) to jointly publish guidance on development proposals in Chichester Harbour NL -(or AONB, as it was at the time of publication) - which was adopted in 2017. It expands upon the relevant policies in the Local Plans, particularly relating to the design of replacement dwellings and extensions and provides photographic examples showing the impacts of developments and suggested techniques for limiting those impacts. The Joint SPD is a material planning consideration.

In addition to the guidance within the main part of the SPD, there are several further issues to consider if you are proposing to undertake development or works within the Chichester Harbour NL. Applicants may need at least one of several consents, including: Planning Permission; other

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Local Authority Consents; a Marine Licence from the Marine Management Organisation; Consent from Natural England; Consent from the Environment Agency; and/or a Works Licence from the Chichester Harbour Conservancy (see below).

<https://www.conservancy.co.uk/page/planning>

NL Impact Statement

It is best practice for all planning applications inside the NL to submit an NL Impact Statement to the Local Planning Authority. This Statement will detail how the application: a) will conserve and enhances natural beauty; b) complement the special qualities of the NL; b) will deliver the adopted policies in the Statutory Management Plan. The level of detail provided in the NL Impact Statement is expected to reflect the relative complexity of the planning application. A NL Impact Statement is also a good idea for planning applications outside of the boundary, but close enough to affect the character and setting of the protected landscape (within 500m).

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

Conservancy's Works Licence

The Chichester Harbour Conservancy Act 1971 (Sections 45, 47 and 48) makes it an offence for any person to construct, alter, renew, or extend any works on, under or over tidal waters or tidal lands below the level of Mean High-Water Springs in Chichester Harbour unless licensed to do so by the Conservancy. The only exceptions are works specifically authorised by an Act of Parliament or the renewal of works which were in place on 1st August 1970. Most projects below Mean-High Water Springs are required to apply for a Works License. Approval must be gained before any works commence.

<https://www.conservancy.co.uk/page/planning>

Addendum

Natural England

Natural England is a non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs. It is responsible for ensuring that England's natural environment, including its land, flora and fauna, freshwater and marine environments, geology, and soils, are protected and improved. It also has a responsibility to help people enjoy, understand, and access the natural environment. Natural England advise that Chichester Harbour Conservancy's "knowledge of the site and its wider landscape setting, together with the aims and objectives of the NL's Statutory Management Plan, will be a valuable contribution to the planning decision."

Summary of Environmental Designations at Chichester Harbour

Worldwide Designation	Ramsar Site	Wetlands are among the most diverse and productive ecosystems. Chichester and Langstone Harbours were recognised as a wetland of international importance when they were designated as a Ramsar Site in 1987, under the Ramsar Convention.
Nationally Important Designations	Area of Outstanding Natural Beauty	An Area of Outstanding Natural Beauty - (now National Landscape (NL)) - is a landscape which is considered so precious that it is protected for the nation. The criteria for designating a NL include valuable wildlife, habitats, geology, and heritage, as well as scenic views. Chichester Harbour was designated as an AONB - (now National Landscape (NL)) - in 1964.
	Bass Nursery Area	A Bass Nursery Area is a place that is recognised as a haven for small school bass. Fishing for bass, or fishing for any fish using sand-eels as bait, by any fishing boat within any part of the Harbour as defined, is prohibited between 30th April and 1st November each year. Chichester Harbour was designated a Bass Nursery Area in 1990.
	Site of Special Scientific Interest (SSSI)	Chichester Harbour was designated a Site of Special Scientific Interest in 1970 because it was of special interest by virtue of its fauna, flora, geological or physiographical / geomorphological features.
	Special Area of Conservation (SAC)	A Special Area of Conservation is a site designated under the Habitats Directive. These sites, together with Special Protection Areas, are called Natura sites and they are internationally important for threatened habitats and species. Solent Maritime SAC was designated in 1994.
	Special Protection Area (SPA)	A Special Protection Area is a site designated under the Birds Directive. Chichester and Langstone Harbours SPA was designated in 1979.
	Water Framework Directive	This aims for good water quality and covers groundwater, surface water (rivers, canals, lakes, reservoirs, estuaries, other brackish waters, and coastal waters) out to one nautical mile from shore as well as wetlands. The Directive, which came into effect in 2000, gives shellfish harvesting waters and bathing waters special protection.
Locally Important Designations	Conservation Area	Conservation Areas protect special architectural and historical places of interest. There are ten Conservation Areas in and around Chichester Harbour.
	Dark Sky Discovery Site	Three Dark Sky Discovery Sites were defined in Chichester Harbour in 2017. They are particularly good sites for stargazing.
	Local Nature Reserve	Local Nature Reserves are particularly appropriate for educational, research or public information purposes. There are five Local Nature Reserves in Chichester Harbour.
	Local Wildlife Site	Local Wildlife Sites in West Sussex feature important habitats that complement Local Nature Reserves and the Site of Special Scientific Interest. They are the equivalent of a Sites of Importance for Nature Conservation in Hampshire. There are 16 Local Wildlife Sites in Chichester Harbour.
	Site of Importance for Nature Conservation (SINC)	Sites of Importance for Nature Conservation in Hampshire feature important habitats that complement Local Nature Reserves and the Site of Special Scientific Interest. They are the equivalent of Local Wildlife Sites in West Sussex. There are 25 SINCs in Chichester Harbour.