

APP/25/00229 - Design changes to 1No detached boat store office building and 1No detached boat store as approved under application APP/13/00317 and a change of use to a marine related from use previously restricted by condition 4 of APP/13/00317 (purposes incidental to the use of the approved dwellings within the site, or for the purposes of the Even Keel sailing charity).

Developer Contributions response 30/07/25 LW (updated 31/07/25 and 29/05/2026)

APP/13/00317 has a S106 Agreement dated 26/11/2015 which relates to the whole site.

Alpine Homes Ltd are currently in breach of the following S106 covenant in respect of this ecologically sensitive site which may have a bearing on APP/25/00229:

UPDATE

- The fifth year Eelgrass Monitoring report due under Clause 9 9.2 was due by 31/10/2024 – we have yet to receive the updated document, following queries raised by Natural England, however once received it should be sufficient to discharge the outstanding obligation.

In the process of discharging this obligation NE have also raised the following concerns:

Natural England still has concerns with the wider project which have been raised in previous years and are yet to be addressed, these are:

- The report states: *“Approximately 270m² of intertidal habitat will be affected by the pontoon installation and up to a further 380m² of intertidal habitat will be lost or shaded when vessels are moored alongside.”* However, the Revised Ecological Assessment (July 2012) and the Environmental Statement (December 2020, Addendum August 2021, section 3.3.1) state that the size consented by the Local Planning Authority is for a 551m² pontoon. Please could the applicant clarify the dimensions and total footprint of the pontoon as without this information it is not possible to adequately assess impacts.
- It is noted that swing moorings remain present, which continue to cause damage to designated seagrass beds. Natural England would welcome further discussions about better management of this site to reduce ongoing impacts.
- This application has so far come to us via the planning route only. If not already done, we recommend contacting the Marine Management Organisation (MMO), as a marine licence will be required. Further guidance is available here: [Do I need a marine licence? - GOV.UK](#). This includes obtaining relevant permissions from landowners such as Chichester Harbour Conservancy and the Crown Estate.

Additionally, to date HBC has yet to receive confirmation that the development is in compliance with the following covenants:

- C8 8.1 Prior to occupation of the office building or first use of any boat store or any the Owner shall provide and shall thereafter maintain signs on the channel marker posts in the part of the creek within the Owner's control to say 'Private, Protected Area, No Mooring' in a form approved by the Council
- C8 8.2 Prior to first use of any boat store or mooring the Owner shall provide one Information Board outside and one inside the marine office in a form approved by the Council and shall thereafter maintain the same to the satisfaction of the Council.

- C8 8.3 Prior to first use of any boat store or mooring the Owner shall provide one Information Board outside and one inside the marine office in a form approved by the Council and shall thereafter maintain the same to the satisfaction of the Council.