

Good Practice Guide for Houseboats

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ADUR
DISTRICT COUNCIL



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Good Practice Guide

1. Introduction

1.1 This Good Practice Guide relates to the area of houseboats on the south side of the River Adur as shown on the map on page 40. There are 41 houseboat-mooring plots within the area, on which are situated houseboats of greatly varying size, age and appearance. The houseboats have many ancillary structures, such as jetties, platforms, storage sheds, bunkers and fences; these are also of widely varying sizes and designs on the riverward side of the footpath. In addition to these, some residents have created gardens on the south side of the bank and some sections for vehicle parking.

1.2 The houseboats of Shoreham are part of the town's varied character, providing a unique type of housing. However, an important aim is to ensure that the natural environment of this part of the river is conserved and enhanced. Development can either have a positive or negative impact on the appearance of the area and on residential amenity. There have been instances where houseboat owners have needed clarification over whether planning permission is required. There is a lack of both national and local guidance specifically related to this form of accommodation and therefore this guide will help to clarify the situation. It also provides useful information on a number of issues including nature conservation and utilities.

1.3 The Good Practice Guide will advise existing and future houseboat owners on the type of development and changes which are appropriate to the houseboats and those which are not, taking account of the need to protect and enhance the river environment whilst respecting the unique characteristics of the houseboat community. This Good Practice Guide together with the Core Strategy 2007, parts of the 1996 Adur District Local Plan and the 2005 West Sussex Structure Plan will provide a framework for considering any applications submitted to Adur District Council and the Environment Agency. The Local Plan will be fully replaced by the Adur Development Plan in 2008.

Definition of a houseboat

1.4 A Houseboat is a floating decked structure without a permanent foundation which is designed or adapted for use as a residence and not used for navigation (taken from definition for VAT purposes as there is no definition in planning legislation).

Definition of development

1.5 Development is the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

2. Background Information

River defence

2.1 Access to the houseboats is obtained via a concrete footpath (a public right of way) which runs along the top of the riverbank. This embankment is a primary river defence; any works close to it requires byelaw consent from the Environment Agency (EA). Its integrity is essential to the prevention of tidal/fluviial flooding of the residential area of Shoreham Beach. The Environment Agency has appointed consultants to investigate raising the embankment to improve flood protection.

Nature conservation

2.2 The area is part of the Adur Estuary Site of Special Scientific Interest (SSSI) designated and protected under the Wildlife and Countryside Act 1981 as substituted by the Countryside and Rights of Way Act 2000 and inserted by Section 55 of the Natural England and Rural Communities Act 2006. The part of the SSSI north of the houseboat plots is owned by the Royal Society for the Protection of Birds (RSPB) as their Adur nature reserve.

2.3 The majority of the houseboat plots extend from the centre of the ditch on the south side of the river embankment northwards to a distance of generally 46m (150ft) from the footpath into the SSSI. Certain works within the SSSI require consent from Natural England and damage to it or disturbance to fauna constitutes an offence.

2.4 This area comprises inter-tidal mudflats and saltmarsh (the Saltings) which support wading birds and reptiles including lizards and slow worms which are found on the riverbank.

Information on protected species can be found on www.sxbrc.org.uk and at www.naturalengland.org.uk. More information can be found in section 13.

2.5 The houseboats are located within the gap between the settlements of Shoreham and Lancing. The Adur Development Plan aims to protect land in the gap as an open area, in order to retain the separate identity and character of these settlements.

Ownership and responsibilities

2.6 The West Sussex County Council was formerly the freehold owner of the houseboat mooring plots. In 1985, they sold their interest to River Adur Boat Owners and Tenants Association (RABOTA). Since then, freeholds have been sold to the individual tenants so that all of the houseboat residents are now owner/occupiers and a new Adur Houseboat Association (AHA) has been formed.

2.7 The Environment Agency states that in the majority of cases the houseboat owner owns the mooring site as well as both sides of the flood defence embankment. This status as riparian owner brings with it additional responsibilities with respect to maintenance of the riverbank, these can be found on the Environment Agency (EA) website: <http://www.environment-agency.gov.uk/subjects/flood/362926/?version=1&lang=e>

Houseboat owners who own the mooring site

2.8 Houseboat owners have the responsibility to

- ♦ pass on flow without obstruction, pollution or diversion affecting the rights of others.
- ♦ accept flood flows through their land, even if caused by inadequate capacity downstream, as there is no common law duty to improve a watercourse.
- ♦ maintain the bed and banks of the watercourse (including trees and shrubs growing on the banks), and for clearing any debris, natural or otherwise, including litter and animal carcasses, even if it did not originate from their land. The EA will need to be contacted regarding the need for Land Drainage consent to carry out these works (see section 10.1)



- ♦ Must not cause any obstructions to the free passage of fish.
- ♦ Are responsible for keeping the bed and banks clear of any matter that could cause an obstruction, either on their land or by being washed away by high flow to obstruct a structure downstream. Rivers and their banks should not be used for the disposal of any form of garden or other waste.
- ♦ Are responsible for keeping clear any structures that are owned such as culverts, trash screens, weirs and mill gates.
- ♦ Should discuss the maintenance of flood defences such as walls and embankments with the local EA office.
- ♦ Are responsible for protecting their property from seepage through natural or man-made banks. Where such seepage threatens the structural integrity of a flood defence, it becomes the responsibility of the EA.

2.9 Failure to carry out their responsibilities could result in possible civil action from others.

Utilities

2.10 The houseboats are connected to mains water and electricity but, with one exception, are not connected to the public sewer (Southern Water). Sewage is discharged directly into the river (in some cases first having been macerated). It was the view of the Planning Inspectorate on an appeal in 1998 that a condition requiring a replacement houseboat to be connected to the sewer was not a reasonable requirement (because the replacement boat would not increase the amount of pollution). Connection to the public sewer which runs along the south side of the riverbank (except the western end) is clearly a desirable objective and Adur District Council, Southern Water and the Environment Agency are looking at whether a practicable solution can be found.

Car parking

2.11 Some vehicles associated with the houseboats are unofficially parked in the area between the Beach Green car park access road and the riverbank or on the northern edge of the recreation ground. Parking needs to be improved and regularised.





Navigational interests

2.12 The houseboats are within the statutorily defined port limits of the Shoreham Port Authority whose main concern is to ensure that movement of boats to and from the moorings and construction works, do not adversely affect navigational interests.

3. Vision and Key Objectives

Vision

3.1 The general character of the houseboat area should be maintained since this adds to the vibrancy of the community. However, the houseboats should not have a negative impact upon the natural environment and should respect the unique habitat within which they are situated. The area should be kept clear of waste materials and storage solutions should be found to make the area tidier and more sympathetic towards the nature conservation requirements. They should maintain the open feel of a river community and continue to allow excellent views across the river for, not only, houseboat owners but also the nearby residents and visitors to the river.



Key Objectives

- ♦ **To protect and enhance the nature conservation interests of the area** - given the importance of this habitat.
- ♦ **To protect the amenities of neighbouring houseboats and nearby dwelling houses** – the amenity for residents can be affected by noise, overbearing impact and over-looking.
- ♦ **To retain the character of the houseboats area** - the variety of sizes, shapes and types of houseboats is a distinctive and an established aspect of the character of the area, giving it a sense of place. New development on and around the houseboats can impact on this character.
- ♦ **To protect the wider riverside setting of Shoreham-by-Sea** - the mooring area is prominent when viewed from a number of directions.
- ♦ **To reduce the risk of flooding** – the houseboats are moored close to the flood defence barrier and so houseboats owners must be aware of the implication of this.
- ♦ **To protect and improve the water quality of the Adur Estuary** - it is important to ensure the estuarine water is of a high quality to protect public health and the flora and fauna.

4. What requires planning permission?

4.1 Appendix 2 details the planning controls regarding houseboats. In summary, planning permission is required for:-

- ◆ A new houseboat involving use of land for the first time to moor a houseboat.*
- ◆ A replacement houseboat bringing about a material physical change to the land and/or undergoing alterations materially changing its external appearance when brought to the site.*
- ◆ Additional houseboats on the same plot, even for a temporary period.
- ◆ Alterations to a houseboat, materially altering its external appearance.
- ◆ Construction of platforms, jetties, sheds, and bunkers (including alterations materially changing the external appearance of such structures and including replacement structures).
- ◆ Fences over 2 metres high (measured from the natural ground level).

4.2 Houseboat owners are encouraged to discuss replacements with the Council and other organisations (see Section 17) so that their ideas are in line with the objectives of this Good Practice Guide.

* Whilst it was until recently considered necessary to obtain planning permission for replacement boats, a decision in 2005 by the Secretary of State regarding the 'Fische' houseboat has overruled this. Therefore, replacement houseboats do not

require planning permission provided they do not bring about any material physical change to the land and do not undergo alterations materially changing their external appearance when brought to the site.

5. Existing planning policies for the area

5.1 All planning applications are assessed against planning policies in the Adur District Local Plan, the Core Strategy and the West Sussex Structure Plan (Appendix 1 details the planning policies relevant to the area and explains for example, what a gap is). Account is also taken of relevant Government Planning Policy Statements and regulations, for example on Nature Conservation and Flood Risk. There are no specific policies for houseboats in either Plan but proposed developments are assessed against other appropriate policies. These are summarised as:-

- ◆ Generally, new development in the Adur Estuary SSSI and strategic gap is resisted.
- ◆ Development is not permitted if it would have an adverse effect on nature conservation in the river valley, or views along and across the river.
- ◆ New ancillary development (i.e. minor development linked to the domestic use of a houseboat) is generally acceptable subject to scale.
- ◆ Mooring of additional permanent houseboats on one plot is unacceptable.
- ◆ Other policies apply, including those relating to high quality development and rights of way.

6. Dimensions of houseboats

6.1 The Council wishes to see the unique character and variety of the houseboats continue whilst ensuring there are no negative impacts on the surrounding residents, the environment and other houseboat owners. The following dimensions should be used as a guide for replacement houseboats.

- ◆ The length of the majority of the boats is about 25 metres.
- ◆ The usual width of the boats is about 6 metres.
- ◆ The typical overall height of the boats is about 5.5 metres.
- ◆ Houseboats should be a reasonable distance from the riverbanks, typically 5 metres.

For dimensions of superstructures as well as sheds, bunkers, platforms, jetties and fences see Sections 9, and 10.

7. Additional houseboats

7.1 The mooring of additional houseboats on a single plot will be resisted due to the location within the Strategic Gap and SSSI, as will the creation of any additional wet moorings for boats generally (which would be contrary to Local Plan policy and Government Planning Policy Statements and Regulations).

7.2 It is acknowledged that in order to repair or convert houseboats there may be a need for two boats to be moored temporarily on the same plot. The additional mooring will be expected to be for six months with the option to apply for another extension of no more than six months.

7.3 It must be ensured that additional boats do not become permanent and do not have negative environmental and amenity impacts contrary to the objectives in this guide.

8. Timber and material storage

8.1 Timber and other materials are required for repairs but if these accumulate in significant quantities, they can create a neglected and poor appearance, whilst also negatively impacting upon the natural environment.

8.2 Houseboat owners are encouraged to keep only small quantities of timber and to store them in a tidy manner and away from the intertidal areas.



9. Superstructure dimensions

9.1 A superstructure is the part of a ship or boat structure above the main deck. The following will normally be expected:

- ♦ **Length** Superstructures should not exceed 12 metres in length or two-thirds the length of the deck whichever is the lesser.
- ♦ **Height** Excluding masts, chimneys and aerials, superstructures should be no more than 2.7 metres high (above deck height).
- ♦ **Width** Superstructures should leave a gap of not less than 0.5 metres from each side of the deck.
- ♦ **Design** Superstructures should aim to be nautical rather than domestic in appearance, preferably the walls will be at a raked angle with curved roofs.



10. Structures such as jetties, platforms, sheds, bunkers and fences (on a plot but not part of the boat)

10.1 The construction of any new structure or changes to an existing one on the estuary side of the embankment is subject to land drainage consent from the Environment Agency in consultation with Natural England and the RSPB. No structure should be built on the landward side of the flood defence. In the present situation, inspection of some areas of the bank is inhibited (important for flood defence) and therefore could have an impact on, not only, reconstruction and maintenance work but also emergency access for repair. The construction of terraced gardens to the rear face also has a similar impact.

10.2 The Environment Agency has said that although enforcement can be applied retrospectively, the best way forward will be:

- 1) Houseboat owners to be informed of their responsibilities with respect to land drainage consent and their status as riparian owners
- 2) Take note of the current status of structures adjacent to and covering the defence
- 3) Plan any improvements to the embankment such that land drainage consent and planning permission is sought and granted before reinstating any structures. This may mean that some of the present structures may not be reinstated.

10.3 The Environment Agency and Natural England would like to see jetties and platforms designed and built with a more open structure to allow light through as shadowing reduces the growth of plants and algae, which support invertebrates, fish and birds in the area and damages the special features of the SSSI.

- ◆ **Jetties** (access walkways): These should not normally exceed 15m in length from the riverbank path or more than 1.5m in width and should be no higher than the path.
- ◆ **Platforms** (decking): These should be positioned directly adjacent to the riverbank path and not normally exceed 6m in length or width and should be no higher than the path.
- ◆ **Sheds and bunkers**: These should normally be no higher than 1.8m and no more than 3 square metres in floor size (e.g. 2m by 1.5m).
- ◆ **Fences**: Whilst affording privacy to houseboat residents, they can obstruct views of the river from the riverbank path. It is preferred that fences are only erected if absolutely necessary and are kept low, up to 1 metre.

11. Flood Risk Management

- 11.1 The last improvement to the flood defence was made over ten years ago to reduce the risk of a boat pushing through the crest of the embankment and causing a breach. The concrete cap is manifested as a concrete path but of a depth to raise the height of the defence and of a mass to reduce the risk of damage from a boat. Obviously, large boats of high mass which are not adequately moored present a risk to the integrity of the defence embankment if a northerly wind and wave action caused snubbing of the prow into the defence.
- 11.2 The Environment Agency is currently considering how to improve the flood risk management along the south/west banks of the River Adur. Consultation on different management options was undertaken in Spring 2006. Improvements to the houseboat area are crucial as a breach of the banks in this area could result in significant flooding over a large area.
- 11.3 Several options were identified on how to improve the current defences to address the 1-in-50-year chance of flooding. Options include the raising and widening of the bank itself or timber planking on one or both sides of the bank, which would have a substantial visual impact. The Environment Agency is also considering a 'barrier option', which would reduce, but not eliminate the need for raising the banks. Consultation on the preferred options is due to take place in Autumn 2007.
- 11.4 Houseboat owners are urged to investigate the latest information with regard to the proposed flood management options, as they could have a significant impact on individual development proposals.

12. What Requires Land Drainage Consent?

12.1 Any works whatsoever in, over or under the channel of the River Adur or on its banks, the tidal wall/embankment or within 15 metres of the landward toe, would require the prior land drainage consent of the Environment Agency under Section 109 of the Water Resources Act 1991 and/or Byelaws.

13. What Requires Consent from Natural England?



13.1 The houseboat area carries a range of environmental designations. It is part of the Adur Estuary Site of Special Scientific Interest (SSSI), which includes the south side of the embankment, which is an important habitat for reptiles. The inter-tidal area on the North side of the houseboats is an RSPB nature reserve.

13.2 Everyone has to recognise the significance of the designations and ensure that negative impacts are prevented. Natural England emphasise that it is a legal requirement to obtain consent for works prior to them being undertaken. Any works, such as trenches, that are needed to enable the delivery of new boats or the removal of old boats from the site will need **prior** consent from Natural England and also from the RSPB, if on their land. Natural England issues consent to landowners.

13.3 The RSPB acquired the Adur nature reserve in 1986 and it has since played an important role in providing feeding and roosting areas for waders and wildfowl. Intertidal habitats, such as the Adur Nature Reserve, are a threatened and limited resource in the South East and so need to be managed to maximise their value to the wildlife that they support. Based on this, the RSPB will not agree to any additional moorings within the reserve boundary. In addition, the RSPB seeks consultation on any works that may adversely affect the SSSI or the RSPB nature reserve, such as the replacement of houseboats.

13.4 In order to protect the intertidal areas, mudflats and saltmarsh within the SSSI, a policy of minimal or no disturbance is required. Due to coastal squeeze, from rising sea levels and hard defences, these habitats are being lost on a national scale. This issue is exacerbated in the South East due to the land levels still sinking as a result of the last ice age and also as a result of inappropriate coastal management and land reclamation. There is a current target to create 60ha of saltmarsh and 60ha of mudflat in Sussex by 2014 to offset these losses, although new targets are being considered.

13.5 In relation to the houseboats, this means that there should be no storage of materials on the intertidal areas. The Environment Agency and Natural England advise there should be no deposition/storage of any materials on the saltmarsh vegetation and mudflats and no erection of structures which will reduce its area or potential usage by birds (e.g. jetties and walkways) without prior consultation and consent from Natural England.

13.6 Any material on the intertidal area will damage the habitat by:

- ♦ Physical damage to the plants
- ♦ Shading of plants and the mud, preventing plant and algal growth in the area
- ♦ Changes to the hydrology of the tides, causing erosion of sediment and damage to the structure of the sediment and plants.
- ♦ Loss of habitat for invertebrates, fish and birds to use for feeding and shelter.

13.7 Causing excessive shade on the saltmarsh or mudflat will prevent the growth of plants and algae. Structures such as fences, jetties and walkways should be constructed with an open structure which will allow light to penetrate to ground level.

13.8 Access to the estuary should be kept to a minimum and, where necessary, be kept to established paths to keep disturbance of the sediment and plants to a minimum.

13.9 The storage of boats within areas of undisturbed habitat which is predominantly within the RSPB reserve, but also includes some areas of the houseboat owners' plots, should not be permitted. This results in the smothering of saltmarsh and the reduction in area of mudflat which can be used by birds. There may be exceptional cases in which this may be permitted but this will require agreement from Natural England and the landowners.

13.10 Trenches are particularly damaging to the site, as they disturb the sedimentary processes within the estuary as well as damaging the benthic invertebrates within the mud. They also destroy any areas of saltmarsh plants which are dug up to create the trench.

13.11 The landward face of most of the riverbank is also part of the SSSI due to the population of common lizards which it supports. In order to maintain this in a favourable condition, suitable refuge, hibernating and basking areas need to be available, and the risk of predation from domestic animals such as cats needs to be reduced.



Courtesy of Natural England/Peter Wakely

13.12 The lizards are especially vulnerable to disturbance when they are hibernating between October and March. They are protected under the Wildlife and Countryside Act 1981 which makes it illegal to intentionally kill or injure them. Houseboat owners should notify Natural England if they are planning works within the area used by lizards. Also, if they intend to trim or mow then this should be done from the middle outwards to allow any lizards the chance to move out of the way and avoid harm.

14. Pollution and Waste Management

- 14.1 Pollution is caused through the discharge of sewage, paint, oil and other substances from houseboats. This can have a significant negative impact on the water quality of the river, the health of people living, working and playing on/at the water and on the estuarine biodiversity.
- 14.2 It would be preferable that discharge of untreated sewage and other wastes directly to the estuary be avoided. Excessive input of nutrients (both from sewage and grey water, which contains pollutants such as phosphates) changes the plant and animal communities which survive, and reduces water quality both within the estuary and out to sea. The EA wishes an alternative solution to be sought.
- 14.3 The EA and Southern Water have established that it is possible to provide a mains sewer connection for houseboats although this is likely to be expensive. However, in the short-term it is essential that houseboat owners undertake any measures they can to prevent negative impacts on the fragile environment and look towards the possibility of alternatives such as composting toilets.

- 14.4 At present, only one of the houseboats is connected to mains sewer. All other boats discharge sewage directly to the river with no treatment, apart from maceration in most vessels. River water sampling takes place monthly at three points on the River Adur, namely the Old Toll Bridge, the Norfolk Bridge and the Shoreham footbridge, but further sampling can be carried out to establish the extent of any contamination from the raw sewage.
- 14.5 Some houseboats are unused and/or in a bad state of repair. Such boats will be identified by the Council and the owners requested to undertake their removal or to repair them in the interest of safety and the quality of the environment of the area.
- 14.6 The accumulation of waste along the riverbank and problems with the waste collection service are currently being focused on in the interest of Health and Safety and the quality of the local environment. Through liaison with houseboat owners and local residents, a solution will be sought.
- 14.7 Appendix 3 provides information and links to websites that aim to protect the environment and supply environmentally friendly products.

15. Car Parking

15.1 Some vehicles associated with the houseboats are parked in the area between the Beach Green car park access road and the riverbank or on the northern edge of the recreation ground. It is important to ensure that parking can be accommodated without impacting on the environment and wider recreational use of the area. The area of land from the ditch to the service road is owned by Adur District Council and is included in the car parking order, therefore it is part of the public car park. Parking provision will be improved so that cars can in future be parked in suitable areas. Houseboat owners can purchase an annual parking permit at a cost of £100 which allows use of the Beach Green car park.

16. Monitoring and Enforcement

16.1 An objective of this guidance is to reduce the occurrence of works being carried out without the necessary planning permission or Environment Agency bylaw approach and consent from Natural England. (NB houseboats are exempt from Building Control.) If a complaint is received, then it will be fully investigated.

16.2 If a complaint is received, then it will be investigated and action taken if required, but it is hoped everyone will follow the guide.

17. Relevant Bodies

17.1 The table over the page provides a guide to specific services at Adur District Council that need to be involved when changes are proposed by houseboat owners. Moreover, there are other key organisations such as Natural England, the Environment Agency, the RSPB and Southern Water that have particular responsibilities. Early engagement is encouraged to prevent misunderstandings.

Adur District Council relevant responsibilities

Services at ADC	Contact	Relevant Responsibility
Planning Policy	Colette Blackett	Planning Policy advice Adur Tidal Wall Improvements (Bryan Curtis)
Development Control	Keith Morgan	Individual planning applications and enforcement of breaches in planning control
Contract Services	Les Mockford	Maintenance and safety of houseboat area (Street Scene), waste management, car parking and parks
Legal Services	Jeremy Cook	Legal advice
Environmental Health	Bruce Reynolds	River quality and pollution from sewage, paint, oil and other substances
Estates Management	Paul Carter- Johnson	Ownership boundary

Other bodies with relevant responsibilities

Consulting with neighbours is encouraged

Body	Contact	Relevant Responsibility
Environment Agency	Development Control Tel: 01903 703865	Issue of Land Drainage Consent
	Adur Tidal Walls Project Tel: 01903 832137	Flood Defence Operating Authority
Natural England	Audrey Jones Coastal Conservation Tel: 01273 407938	Management of Adur Estuary SSSI Any works within SSSI require their consent
RSPB	Harriet Dennison, Conservation Officer Chris Cockburn, Warden Tel: 01273 775333	Conservation Issues Adur Reserve Management
Southern Water	Susan Solbra Planning Analyst Tel: 01903 272637	Water Infrastructure (in particular sewage connection)
Duke of Norfolk Estates	David Pennell Tel: 01903 882213	Owner of parts of the river bed
Shoreham Port	Colin Crookshank , Harbour Master Tel: 01273 598100	Navigation
Adur Houseboat Association	Ray White, Secretary Tel: 01273 465441	Potential consultation body
Shoreham Beach Residents Association	John Bradshaw Chairman Tel: 01273 700877	Potential consultation body
West Sussex County Council	Barry Candy Tel: 01243 778531	Transport
	Jon Perks Tel: 01243 777085	Public Rights of Way

APPENDIX 1

Planning Policies for the Area

1. The Adur District Local Plan 1996 is the adopted 'development plan' for the District, together with the West Sussex Structure Plan 2005. These Plans provide policies and proposals for the development and use of land and form the basis of assessing planning applications including those relating to houseboats. There are no specific policies related to houseboats but paragraph 9.48 of the Local Plan specifically relates to them and states that proposals can be properly judged on the basis of the policies in the Plan. The relevant policies are set out below.
2. The houseboats lie within the Adur Estuary Site of Special Scientific Interest (SSSI) and within the 'Strategic Gap' which is intended to be kept as an open area in order to prevent the coalescence of built-up areas.
3. Within this area, there is a policy objection to new development under the Structure and Local Plans unless there are compelling circumstances or material considerations of sufficient substance as to outweigh the policy objections. Relevant policies in the Local Plan are AG1, AC1 and AC4. The provision of ancillary facilities such as jetties, platforms and sheds should be acceptable provided they are essential to the use of the houseboat concerned and are kept to a minimal scale.
4. The mooring of additional houseboats is unacceptable because of the location within the Strategic Gap and SSSI as is the creation of any additional wet moorings for boats generally (which would be contrary to policy AR15).

5. In line with Government Planning Policy Statement 9 development should not be permitted if it is harmful to SSSIs and local nature reserves (NB the part of the SSSI immediately north of the houseboat plots is an RSPB nature reserve). Structure Plan Policy ERA2 seeks to protect, conserve and enhance wildlife habitats including local nature reserves. The Council will only permit development which it considers will not have an adverse effect on nature conservation in the Adur valley. Under the Town and Country Planning (Environmental Impact Assessment) Regulations 1999, SSSIs are defined as 'sensitive areas'. Consequently an environmental impact assessment will be required for developments having a significant effect on the SSSI.
6. Policy AB16 states that development adversely affecting views along and across this stretch of the river will not be permitted. Structure Plan Policy DEV1 requires high quality development in scale with its surroundings and having regard to its local context.
7. There are also policies related to protecting and enhancing public rights of way (AT10 & Structure Plan Policy NE14). Account will also be taken of Planning Policy Statement 25 on Development and Flood Risk as well as Structure Plan Policy ERA4.
8. Relevant policies in the Core Strategy—Submission Draft will also be taken into account, in particular, policies on flood risk, gaps between settlements and the River Adur.
9. There is no central Government planning guidance on houseboats.

APPENDIX 2

Planning Control

1. The Planning Acts give the power to local authorities to control development. Section 55 of the Town and Country Planning Act 1990 defines what constitutes 'development' for the purposes of planning control. Development is defined as including material changes of use and building or other operations on, over or under land. Case law related to the meaning of these terms is complex but there is very little case law directly related to houseboats.
2. It is clear in planning law that using land for the first time to moor a houseboat is a 'material change of use'. However, replacing a houseboat with another single houseboat on the same plot, providing there are existing lawful use rights to moor a houseboat on that plot, is not a material change of use because of those rights.
3. The aspect of planning law related to what constitutes building or other operational development in relation to houseboats is less clear. Whilst it was until recently considered by the Council that bringing a new houseboat to a site, because of its intended permanence, does amount to operational development, the decision in 2005 by the Secretary of State regarding the 'Fische' houseboat overruled this view. Therefore, as long as there is no material change of use, a replacement houseboat does not require planning permission provided it does not bring about any material physical change to the land and does not undergo alterations materially changing its external appearance when brought to the site.

4. The construction of platforms, jetties, sheds, bunkers and fences including replacements and extensions are building operations and are also subject to planning control (unless they are so small and insignificant as to be 'de minimis'). The only exception is fences in respect of which the Town & Country Planning (General Permitted Development) Order 1995 gives specific 'permitted development rights' to erect fences up to 2 metres in height. Case law has determined that the height should be measured from natural ground level.

5. In summary, planning permission is required for:-

- ◆ A new houseboat involving use of land for the first time to moor a houseboat.
- ◆ A replacement houseboat bringing about a material physical change to the land and/or undergoing alterations materially changing its external appearance when brought to the site.
- ◆ Additional houseboats on the same plot, even for a temporary period
- ◆ Alterations to a houseboat, materially altering its external appearance
- ◆ Construction of platforms, jetties, sheds, and bunkers (including alterations materially changing the external appearance of such structures and including replacement structures)
- ◆ Fences over 2 metres high (measured from the natural ground level)

APPENDIX 3

Environmentally Friendly products for using on houseboats

As the products used on houseboats for washing, cleaning, maintenance and repair can all potentially end up in the Adur Estuary, it is important to consider their impacts on the fauna and flora. Many houseboat owners already use 'environmentally friendly' products and are aware of their impact upon the sensitive environment in which they live, however provided below is some information taken from various sources that may be of use.

Adur District Council does not endorse any particular web site, contractor or company, or take responsibility for any contractor or financial arrangements you may enter into with any contractor or company or any action you take as a result of information obtained from any particular web sites.

Cleaning your boat – Advice taken from
www.thegreenblue.org.uk

Did you know?

- Detergents containing phosphates can cause local oxygen depletions and may result in the localised suffocation of aquatic life;
- Products used on boat hulls and decks may contain chlorine, ammonia, potassium hydroxide and solvents, all harmful to the aquatic environment;
- Degreasers dry the natural oils that fish need for their gills to take in oxygen.

Most cleaning products contain chemicals which disrupt the reproductive cycle of fish.

Advice

- Use fresh water or non-toxic solutions to clean your boat wherever possible – see the list of alternatives below
- If you use cleaning products select environmentally sensitive ones – see www.thegreenblue.org.uk for our product directory and product reviews
- Keeping your hull clean before going to a new area will not only be more fuel efficient but also avoid the transfer of non-native species

Useful information

Some possible alternatives to toxic products are listed below

Toxic product	Alternative
Detergent and soap	Fresh water and a lot of elbow grease
Bleach	Hydrogen peroxide
Scouring powders	Baking soda or salt
Floor cleaner	¼ cup of white vinegar in 2 litres of water
Window cleaner	1 cup of white vinegar in 1 litre warm water
Varnish cleaner	Wipe with ½ cup of vinegar and ½ cup water solution
Shower head cleaner	Brush with baking soda
Shower cleaner	Wet surface, use scouring cloth with baking soda
Aluminium cleaner	Use 2 tablespoons cream of tartar in 1 litre of water
Chrome cleaner/ polish	Apple cider vinegar to clean, baby oil to polish
Fibreglass stain re- mover	Baking soda paste
Drain Opener	Disassemble and replace; avoid toxic products
Mildew Remover	Paste of equal parts lemon juice and salt
Wood polish	Use 3 parts olive oil and 1 part white wine vinegar; almond or olive oil (interior unvarnished wood only)

Find out about green claims and green labels from the Shoppers Guide to Green Labels which can be found on the Defra website.

The Green Blue website lists alternative cleaning products. See www.thegreenblue.org.uk for our product directory and product reviews.

Defra provides information on 'Green Labelling' of products at: www.defra.gov.uk/environment/consumerprod/shopguide/index.htm

'Green' Cleaning products can now be bought in most supermarkets and local shops as well as on-line. Here are a few websites where household products can be purchased that are made from natural products or have a lower impact on the environment than regular products:

By typing into a search engine many sites can be found.

<http://shop.wwf.org.uk/Range.aspx?id=1027>

<http://www.ecover.com/gb/en/>

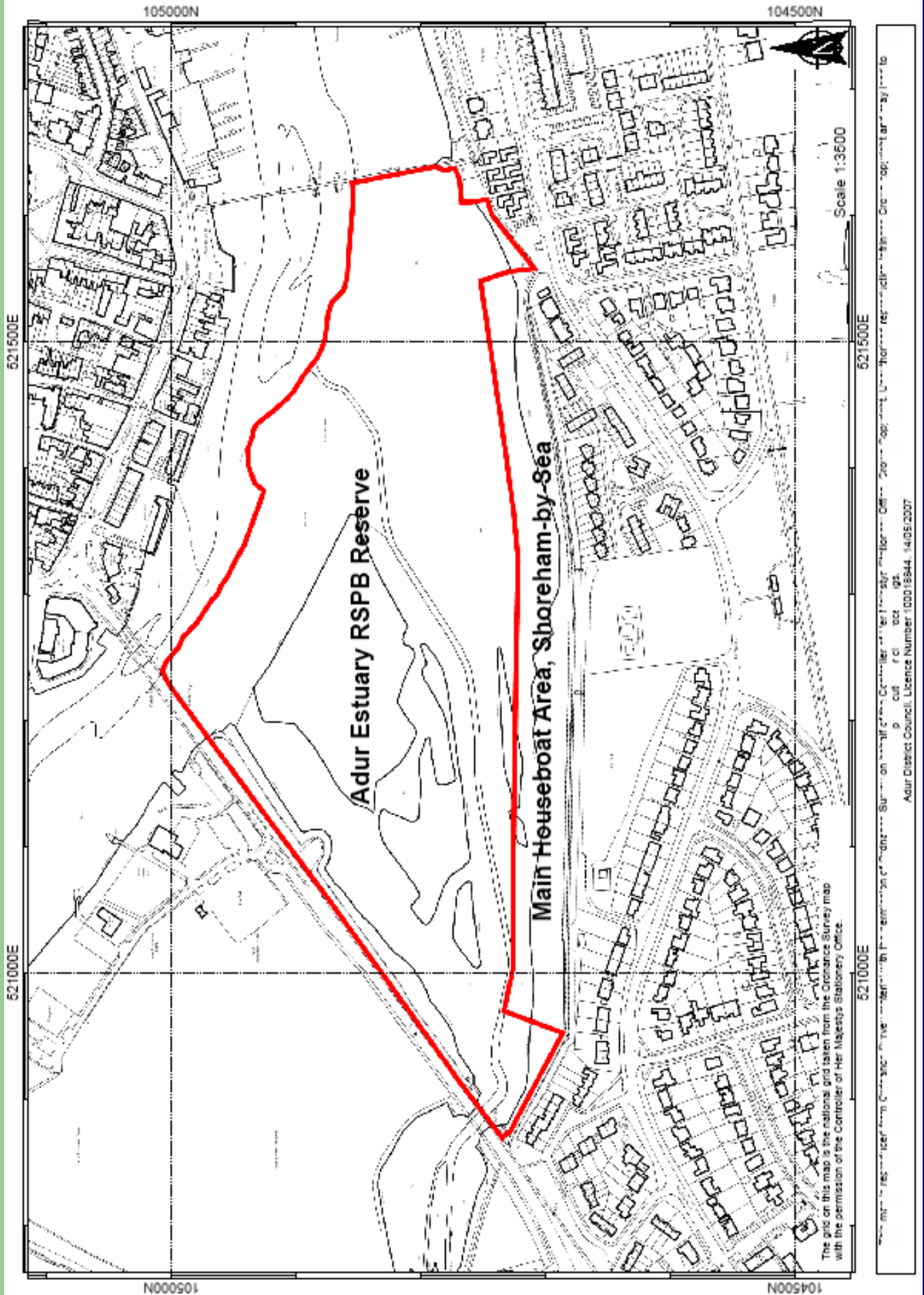
<http://www.naturalcollection.com>

<http://www.recycledproductsonline.co.uk/>

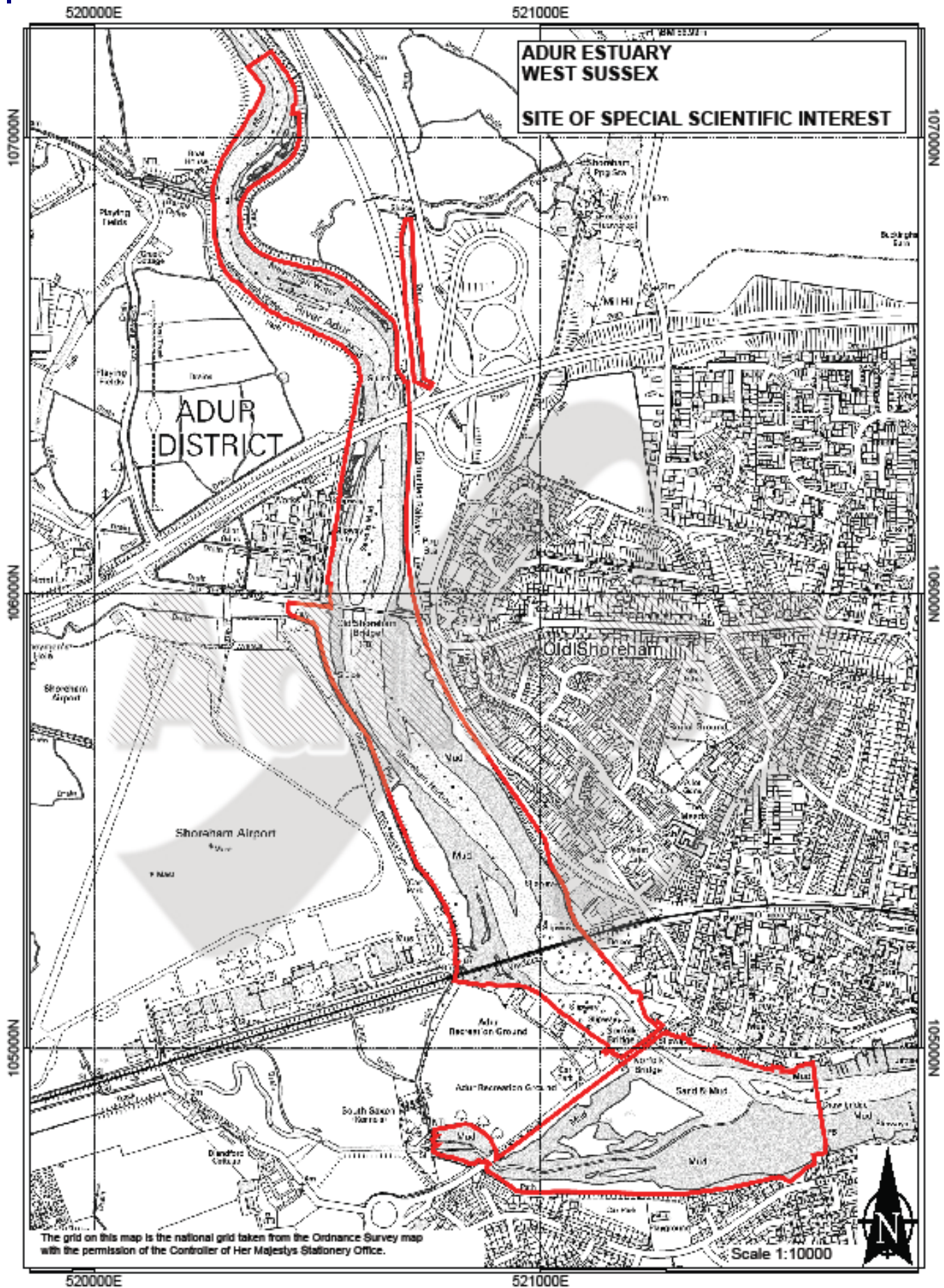
www.greenpeace.org.uk

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Map of Houseboat Area



Map Indicating SSSI Area



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