Development Control – Delegated Officer Report

Application Number: ADC/0296/10 **Recommendation – Temporary permission**

Site: **Houseboat 'Myrtle' 2 Riverbank, Brighton Road Shoreham-by-Sea BN43 5YH**

Proposal: **Temporary mooring (for 6 months) of barge 'Redwood' on north side of houseboat 'Myrtle' during its conversion to a houseboat to replace 'Myrtle'**

The Application

The application relates to an existing houseboat plot located at the western extremity of the line of houseboats, closest to Brighton Road (A259). The existing houseboat on the site is 'Myrtle', a converted barge with superstructure added to its deck following a permission granted in . It is proposed that this will be replaced by a slightly smaller barge 'Redwood'.

Permission is sought to moor the second barge 'Redwood' for 6 months during which time this barge would undergo conversion to a houseboat on the site and the existing houseboat 'Myrtle' would be removed from the site. No superstructure or external changes are proposed to Redwood, the conversion being below deck.

The existing houseboat, 'Myrtle' is 24m long and 7m wide, with a deck height of 2.4m plus cabin height of 3m. The proposed boat is 22m long and 6.4m wide with a deck height of 2.4m and no cabin. The applicant states that no superstructure is needed in order to make Redwood habitable but that, ultimately, she would like to add one of more appropriate shape than the one built on Myrtle.

Planning permission is required in this case for the temporary mooring of the two boats at this site. The applicants states she is unable to remove 'Myrtle' prior to bringing in 'Redwood' as the latter is currently uninhabitable; if they were able to do so, planning permission would not be required.

The applicant has provided supporting information with the application stating that she needs the replacement houseboat because her daughter who has ME has just moved in with her (after having been left by her partner). She needs someone to look after her when she is bad and to do household tasks, and she wishes to ensure that her daughter has a home when she dies. 'Redwood' is in excellent condition with a long life-expectancy and, because of her shape, is internally spacious, whereas 'Myrtle' will need constant work to keep her afloat and is less spacious because of her shape. Myrtle is still good enough to be sold. The applicant would like to float Redwood in on the high tides of 9, 10 or 11 September 2010 and then to remove Myrtle on the highest Spring tide during March 2011.

Consultations and Representations

Environment Agency:

No objection (provisional).

Natural England: No comment other than that, having considered the submitted information and the potential environmental impacts, consider the proposal unlikely to have implications for the SSSI.

Shoreham Port Authority: No comments received.

Adur District Council: The Environmental Health officer has no objection.

Third Parties: The RSPB has no objection to a temporary permission provided conditions are imposed such that boat movement occurs on a sufficiently high tide to avoid digging a channel or otherwise damaging the intertidal habitat of the SSSI (and RSPB reserve) and that Redwood is not moored to the north of Myrtle for more than one winter. Connection to the sewer if possible is recommended.

Relevant Planning Policies and Guidance

Adopted Adur District Local Plan 1993-2006 (ADC 1996) (saved policies): AG1, AC1, AC4, AB16
'Good Practice Guide for Houseboats' (ADC 2007)
PPS 1 'Delivering Sustainable Development' (ODPM 2005)
PPS9 'Biodiversity and Geological Conservation (ODPM 2005) & Circular 06/05
PPS25 'Planning and Flood Risk' (ODPM 2006) and PPS25 Supplement and Practice Guidance 'Development and Coastal Change' (DCLG 2010)

Planning Assessment

Policies

The site lies within the Adur Estuary Site of Special Scientific Interest (SSSI), of national importance principally because of its habitat for wading birds. It also forms part of the 'strategic gap' of countryside separating built-up areas as defined in the Local Plan where retention of the open appearance and character is the main objective. There is a policy objection to new development unless there are compelling circumstances. However, in previous cases, the view has been taken that replacement of existing houseboats on a one-for-one basis is acceptable, being similar to replacement dwellings in the countryside, and, following the Secretary of State's decision in 2005 in the case of houseboat 'Fische,' the replacement of one houseboat with another was held to fall outside planning control.

Policy AB16 of the Adur District Local Plan states that in order to protect the important amenity value of the river upstream of the Surry Hard, development adversely affecting views along and across the river will not be permitted.

Permission is only required in this case because it is proposed to moor 2 vessels for a temporary period pending the conversion of the replacement vessel to a houseboat. Whilst the permanent mooring of two boats on one plot is clearly unacceptable under the adopted policies, it is considered that it would be unreasonable to prevent the temporary mooring of two boats for an appropriate period whilst the replacement boat is undergoing conversion. This has been approved in other cases and does not appear to have caused demonstrable harm to the SSSI. Para 7.2 of the Council's 'Good Practice Guide for Houseboats' states:-

> *"It is acknowledged that in order to repair or convert houseboats there may be a need for 2 boats to be moored temporarily on the same plot. The additional mooring will be expected to be for 6 months with the option to apply for another extension of no more than 6 months."*

Visual amenity

This mooring plot is one of the most prominent ones being at the western extremity of the line of houseboats, closest to the A259. This part is also arguably the least spoilt part of the Saltings.

The proposed boat 'Redwood' is 22m in length and 6.4m wide, slightly shorter and narrower than 'Myrtle', and not as high because it has no cabin or superstructure. It is considered to comply with the Council's 'Good Practice Guide for Houseboats' which gives guidance dimensions for replacement houseboats of 25m long, 6m wide and 5.5m overall height.

The submitted plans show the new boat is to be moored directly alongside the existing houseboat during its conversion. This would be on its north side, facing the river and adjacent to a channel, not closer to the A259 or riverbank. Whilst the additional mass of the proposed second barge would have some adverse visual impact on the open character of the area, the proposed siting would minimise its effect on public view across the river from the path and on the openness of the area (policies AB16 and AC4 respectively).

Ecological Impact on the SSS/

Natural England, as the principal body responsible for the SSSI, have not raised an objection to this temporary proposal. The siting proposed is not on vegetated saltmarsh but on the mud on the edge of a river channel.

The RSPB as owners of the nature reserve comprising much of the SSSI similarly have no objection but on the proviso that conditions are imposed such that boat movement occurs on a sufficiently high tide to avoid digging a channel or otherwise damaging the intertidal habitat of the SSSI (and RSPB

reserve) and that Redwood is not moored to the north of Myrtle for more than one winter.

The Environment Agency has also indicated no objection.

Although personal circumstances are not normally a relevant consideration. in this instance, as recognised in the Council's Good Practice Guide, the applicant and her disabled daughter would have no home were the existing houseboat to be required to be removed first. In the circumstances, it is not considered that, as a temporary arrangement for 6 months, the application warrants refusal.

Recommendation

APPROVE for the reason:-

The proposed mooring of a second barge would cause visual detraction from the riverscene and erode the open character of the 'strategic gap' separating built-up areas, and pose risk of harm to the Adur Estuary SSSI. It would conflict with the relevant policies of the Adur District Local Plan (AG1, AC1, AC4, AB16). However, having regard to the personal needs of the applicant, because the proposal is only required for 6 months and the siting minimises its impact, it is considered appropriate to grant a temporary permission for 6 months to enable the conversion to take place and the existing houseboat to be removed.

Subject to:-

1. Within the period ending on 31 March 2011, the existing houseboat 'Myrtle' (or the proposed houseboat 'Redwood') shall have been removed from the site.
   R. To safeguard the habitat of the SSSI and the appearance and openness of the strategic gap having regard to policies AG1, AC1, AC4 and AB16 of the Adur District Local Plan and PPS9.
2. The Redwood shall only be floated into position on a sufficiently high tide as to avoid having to excavate any channel across the mudflats.
   R. To avoid damaging the intertidal habitat of the SSSI, having regard to PPS9.
3. The development hereby permitted shall be carried out in accordance with the following approved plans:-
   Document A (Site location plan); Document C (Proposed position of 'Redwood' during conversion) both date stamped received 10 August 2010.

   R. In the interests of proper planning and the avoidance of doubt.

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[redacted] 1/9/10 Subject to no objection from EA.