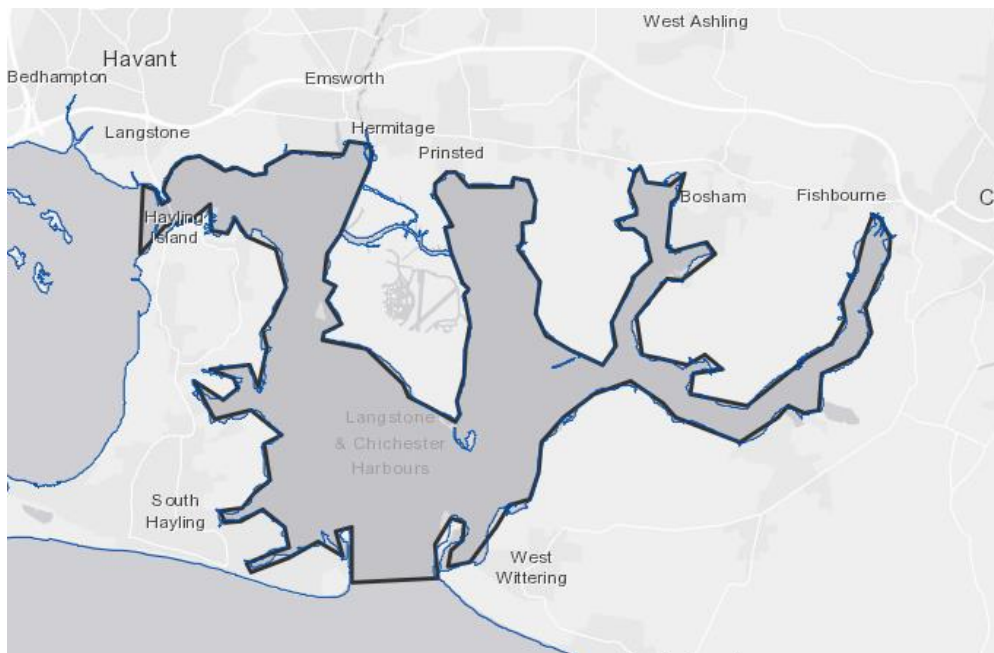


Application name	Chichester HRO	Case reference	HRO/2022/00008
Assessment date	12/09/2024		
Case team			
Case Officer	David Morris		
Case Manager	Kristina Benson,		
Senior Case Manager	Adrian Clarke		
Application description	To modernise the statutory harbour powers applying in relation to Chichester Harbour and to extend the limits of the harbour to include those parts of the harbour premises currently outside the existing harbour limits. It also confers further modernised powers on the Conservancy considered conducive to the efficient and economical operation, maintenance, management and improvement of Chichester Harbour.		
Marine Plan Area	South		
Conclusion	HRO is compliant with the MMO South Marine Plan		

Location used on Explore Marine Plans:



Policy Considerations

Area specific policies as highlighted by EMP		
Policy	Policy text	MMO consideration
S-MPA-3	Where statutory advice states that a marine protected area site condition is deteriorating, or that features are moving or changing due to climate change, a suitable boundary change to	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. It will not have

	ensure continued protection of the site and coherence of the overall network should be considered.	significant adverse effects on any marine protected sites. This policy is not relevant.
S-DEF-1	Proposals in or affecting Ministry of Defence Areas should only be authorised with agreement from the Ministry of Defence.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not impact any Ministry of Defence Areas. This policy is not relevant.
S-DD-1	Proposals within or adjacent to licenced dredging and disposal areas should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on licenced dredging and disposal areas, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. It will not have significant adverse effects on any dredge and disposal areas. This policy is not relevant.
S-PS-3	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance which encroach upon high density navigation routes, or that pose a risk to the viability of passenger ferry services, must not be authorised unless there are exceptional circumstances.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. There are no works involved to reduce under-keel clearance. This policy is not relevant.
Plan area policies		
Policy	Policy text	MMO consideration
S-ACC-1	Proposals, including in relation to tourism and recreation, should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on public access.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. It will help the harbour authority safely manage the over 11,000 recreational vessels within the harbour limits. The application is compliant with the policy.
S-ACC-2	Proposals demonstrating enhanced public access to and within the marine area will be supported.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. It will help the harbour authority safely manage

		<p>the public access for the over 11,000 recreational vessels berthed within the harbour limits.</p> <p>The application is compliant with the policy.</p>
S-AGG-4	Where proposals require marine aggregates as part of their construction, preference should be given to using marine aggregates sourced from the south marine plan areas. If this is not appropriate, proposals should state why.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. There are no works involved in the application.</p> <p>This policy is not relevant.</p>
S-AQ-2	Proposals that enable the provision of infrastructure for sustainable fisheries and aquaculture and related industries will be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. There is very little commercial fishing activity taking place in the Harbour. The application is for non-works and is not designed to enable the provision of infrastructure for sustainable fisheries and aquaculture and related industries.</p> <p>The policy is not relevant.</p>
S-BIO-1	Proposals that may have significant adverse impacts on natural habitat and species adaptation, migration and connectivity must demonstrate that they will, in order of preference: a) avoid, b) minimise c) mitigate significant adverse impacts.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not have a significant adverse impact on natural habitat and species.</p> <p>The policy is not relevant.</p>
S-BIO-2	Proposals that incorporate features that enhance or facilitate natural habitat and species adaptation, migration and connectivity will be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works with features enhancing or facilitating natural habitat and species adaptation.</p> <p>This policy is not relevant.</p>

S-BIO-3	Proposals that enhance coastal habitats where important in their own right and/or for ecosystem functioning and provision of goods and services will be supported. Proposals must take account of the space required for coastal habitats where important in their own right and/or for ecosystem functioning and provision of goods and services and demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate for net loss of coastal habitat.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works with features enhancing coastal habitat.</p> <p>This policy is not relevant.</p>
S-BIO-4	Proposals that enhance the distribution and net extent of priority habitats should be supported. Proposals must demonstrate that they will avoid reducing the distribution and net extent of priority habitats.	<p>The application is to modernise to the powers of the harbour authority and extend the limits of the harbour. The application involves no works with features enhancing the distribution and net extent of priority habitats.</p> <p>This policy is not relevant.</p>
S-CAB-1	Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant. Where burial or protection measures are not appropriate, proposals should state the case for proceeding without those measures.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works.</p> <p>This policy is not relevant.</p>
S-CAB-2	Proposals that have a significant adverse impact on new and existing landfall sites for subsea cables (telecoms, power and interconnectors) should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works therefore new and existing cable landfall sites will not be impacted.</p> <p>This policy is not relevant.</p>
S-CC-1	Proposals must consider their contribution to greenhouse gas emissions arising from unintended consequences on other activities. Where such consequences are likely to result in increased greenhouse gas emissions, proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate unintended consequences on other activities.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works therefore greenhouse gas emissions will not be increased.</p> <p>This policy is not relevant.</p>
S-CC-2	Proposals should demonstrate for the lifetime of the proposal that: 1) they are resilient to the effects of climate change 2) they will not have a significant adverse impact upon climate	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application

	change adaptation measures elsewhere. In respect of 2) proposals should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate the significant adverse impacts upon these climate change adaptation measures.	involves no works therefore climate change will not be impacted. This policy is not relevant.
S-CC-3	Proposals in and adjacent to the south marine plan areas that are likely to have a significant adverse impact on coastal change should not be supported	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works therefore coastal change will not be impacted. This policy is not relevant.
S-CC-4	Proposals that may have a significant adverse impact on habitats that provide a flood defence or carbon sequestration ecosystem service must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not have a significant adverse impact on habitats This policy is not relevant.
S-CO-1	Proposals will minimise their use of space and consider opportunities for co-existence with other activities.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application does not involve any works and there is no need to minimise the use of space and consider co-existence with other activities. This policy is not relevant.
S-DD-2	Proposals must identify, where possible, alternative opportunities to minimise the use of dredged waste disposal sites by pursuing reuse opportunities through matching of spoil to suitable sites.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works therefore will not involve and disposal of dredged waste. This policy is not relevant.
S-DIST-1	Proposals, including in relation to tourism and recreational activities, within and adjacent to the south marine plan areas must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant cumulative adverse physical disturbance or displacement impacts on highly mobile species.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will therefore not have a significant impacts

		<p>adverse effect on any highly mobile species.</p> <p>This policy is not relevant.</p>
S-EMP-1	Proposals that develop skills related to marine activities, particularly in line with local skills strategies, will be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not result in the development of skills relating to marine activities.</p> <p>This policy is not relevant.</p>
S-EMP-2	Proposals resulting in a net increase to marine related employment will be supported, particularly where they are in line with the skills available in and adjacent to the south marine plan areas.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not result in a net increase in marine related employment.</p> <p>This policy is not relevant.</p>
S-FISH-1	Proposals that support the diversification of a sustainable fishing industry and or enhance fishing industry resilience to the effects of climate change should be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. There is very little commercial fishing activity in the Harbour. The application involves no works and is not designed to support the diversification of a sustainable fishing industry and or enhance fishing industry resilience to the effects of climate change.</p> <p>This policy is not relevant.</p>
S-FISH-2	Proposals that may have significant adverse impacts on access to, or within, sustainable fishing or aquaculture sites must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts, d) if it is not possible to mitigate the significant adverse impacts, proposals should state the case for proceeding.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and with there being a limited amount of commercial fishing vessels in the harbour will not have a significant adverse impact on fishing activity or aquaculture areas.</p>

		This policy is not relevant.
S-FISH-3	Proposals that enhance access to, or within sustainable fishing or aquaculture sites should be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and with there being a limited amount of commercial fishing vessels in the harbour will not have a significant adverse impact on fishing activity or aquaculture areas.</p> <p>This policy is not relevant.</p>
S-FISH-4	Proposals that enhance essential fish habitat, including spawning, nursery and feeding grounds, and migratory routes should be supported. Proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impact on essential fish habitat, including, spawning, nursery, feeding grounds and migration routes.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not enhance essential fish habitat.</p> <p>This policy is not relevant.</p>
S-FISH-4-HER	Proposals will consider herring spawning mitigation in the area highlighted on Figure 26 (in the technical annex) during the period 01 November to the last day of February annually.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not significantly adversely impact herring spawning.</p> <p>This policy is not relevant.</p>
S-HER-1	Proposals that may compromise or harm elements contributing to the significance of heritage assets should demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate compromise or harm. If it is not possible to mitigate, the public benefits for proceeding with the proposal must outweigh the compromise or harm to the heritage asset.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not significantly adversely impact heritage assets.</p> <p>This policy is not relevant.</p>
S-INF-1	Appropriate land-based infrastructure which facilitates marine activity (and vice versa) should be supported.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works to build land-

		<p>based infrastructure for marine activities.</p> <p>This policy is not relevant.</p>
S-ML-1	Public authorities should ensure adequate provision for and removal of beach and marine litter on amenity beaches.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not result in an increase in beach or marine litter.</p> <p>This policy is not relevant.</p>
S-ML-2	The introduction of litter as a result of proposals should be avoided or minimised where practicable and activities that help reduce marine litter will be supported.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not result in an increase in beach or marine litter.</p> <p>This policy is not relevant.</p>
S-MPA-1	Proposals that support the objectives of marine protected areas and the ecological coherence of the marine protected area network will be supported. Proposals that may have adverse impacts on the objectives of marine protected areas and the ecological coherence of the marine protected area network must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts, with due regard given to statutory advice on an ecologically coherent network.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and is not designed to support the objectives of marine protected areas.</p> <p>This policy is not relevant.</p>
S-MPA-2	Proposals that enhance a marine protected area's ability to adapt to climate change and so enhance the resilience of the marine protected area network will be supported. Proposals that may have adverse impacts on an individual marine protected area's ability to adapt to the effects of climate change and so reduce the resilience of the marine protected area network, must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate adverse impacts.	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and is not designed to enhance any marine protected area's ability to adapt to climate change.</p> <p>This policy is not relevant.</p>
S-MPA-4	Until the ecological coherence of the marine protected area network is confirmed, proposals should demonstrate that they will, in	The application is to modernise the powers of the harbour authority and extend the limits of

	order of preference: a) avoid, b) minimise, c) mitigate adverse impacts on features that may be required to complete the network, d) if it is not possible to mitigate adverse impacts, proposals should state the case for proceeding.	the harbour. The application involves no works and will not impact the ecological coherence of any marine protected area network. This policy is not relevant.
S-NIS-1	Proposals must put in place appropriate measures to avoid or minimise significant adverse impacts on the marine area that would arise through the introduction and transport of non-indigenous species, particularly when: 1) moving equipment, boats or livestock (for example fish and shellfish) from one water body to another 2) introducing structures suitable for settlement of non-indigenous species, or the spread of invasive non-indigenous species known to exist in the area.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not increase the risk of the introduction or spread of invasive species. This policy is not relevant.
S-REN-1	Proposals that support the development of supply chains associated with the deployment of renewable energy will be supported.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and does not involve the development of supply chains for renewable energy. This policy is not relevant.
S-SCP-1	Proposals that may have a significant adverse impact upon the seascape of an area should only be supported if they demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts upon the seascape of an area, d) if it is not possible to mitigate significant adverse impacts, proposals should state the case for proceeding.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will therefore not impact the seascape of an area. This policy is not relevant.
S-SOC-1	Proposals that enhance or promote social benefits will be supported. Proposals must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts which result in the displacement of other existing or authorised (but yet to be implemented) activities that generate social benefits.	The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will not enhance or promote social benefits. This policy is not relevant
S-TR-1	Proposals supporting, promoting or facilitating tourism and recreation activities, particularly where this creates additional utilisation of	The application is to modernise the powers of the harbour authority and extend the limits of

	related facilities beyond typical usage patterns, should be supported.	<p>the harbour. The modernised general direction powers will allow the harbour authority to explain the activities allowed in the Harbour to recreational users to manage those recreational activities effectively.</p> <p>The application is compliant with the policy.</p>
S-TR-2	<p>Proposals that enhance or promote tourism and recreation activities will be supported. Proposals for development must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on tourism and recreation activities.</p>	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The modernised general direction powers will allow the harbour authority to explain the activities allowed in the Harbour to recreational users to manage those recreational activities effectively.</p> <p>The application is compliant with the policy.</p>
S-UWN-1	<p>Proposals generating impulsive sound, must contribute data to the UK Marine Noise Registry as per any currently agreed requirements. Public authorities must take account of any currently agreed targets under the UK Marine Strategy part one descriptor 11.</p>	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will therefore not involve the generation of impulsive sound.</p> <p>This policy is not relevant.</p>
S-UWN-2	<p>Proposals that generate impulsive sound and/or ambient noise must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts on highly mobile species, d) if it is not possible to mitigate significant adverse impacts, proposals must state the case for proceeding.</p>	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will therefore not involve the generation of impulsive sound.</p> <p>This policy is not relevant.</p>
S-WQ-1	<p>Proposals that may have significant adverse impacts upon water environment, including upon habitats and species that can be of benefit to water quality must demonstrate that they will, in order of preference: a) avoid, b) minimise, c) mitigate significant adverse impacts.</p>	<p>The application is to modernise the powers of the harbour authority and extend the limits of the harbour. The application involves no works and will therefore not have a significant adverse impact on the water environment.</p>

		This policy is not relevant.
S-WQ-2	Activities that can deliver an improvement to water environment or enhance habitats and species which can be of benefit to water quality should be supported.	<p>Application is to modernise to the powers of the harbour authority and extend the limits of the harbour.</p> <p>This policy is not relevant.</p>