

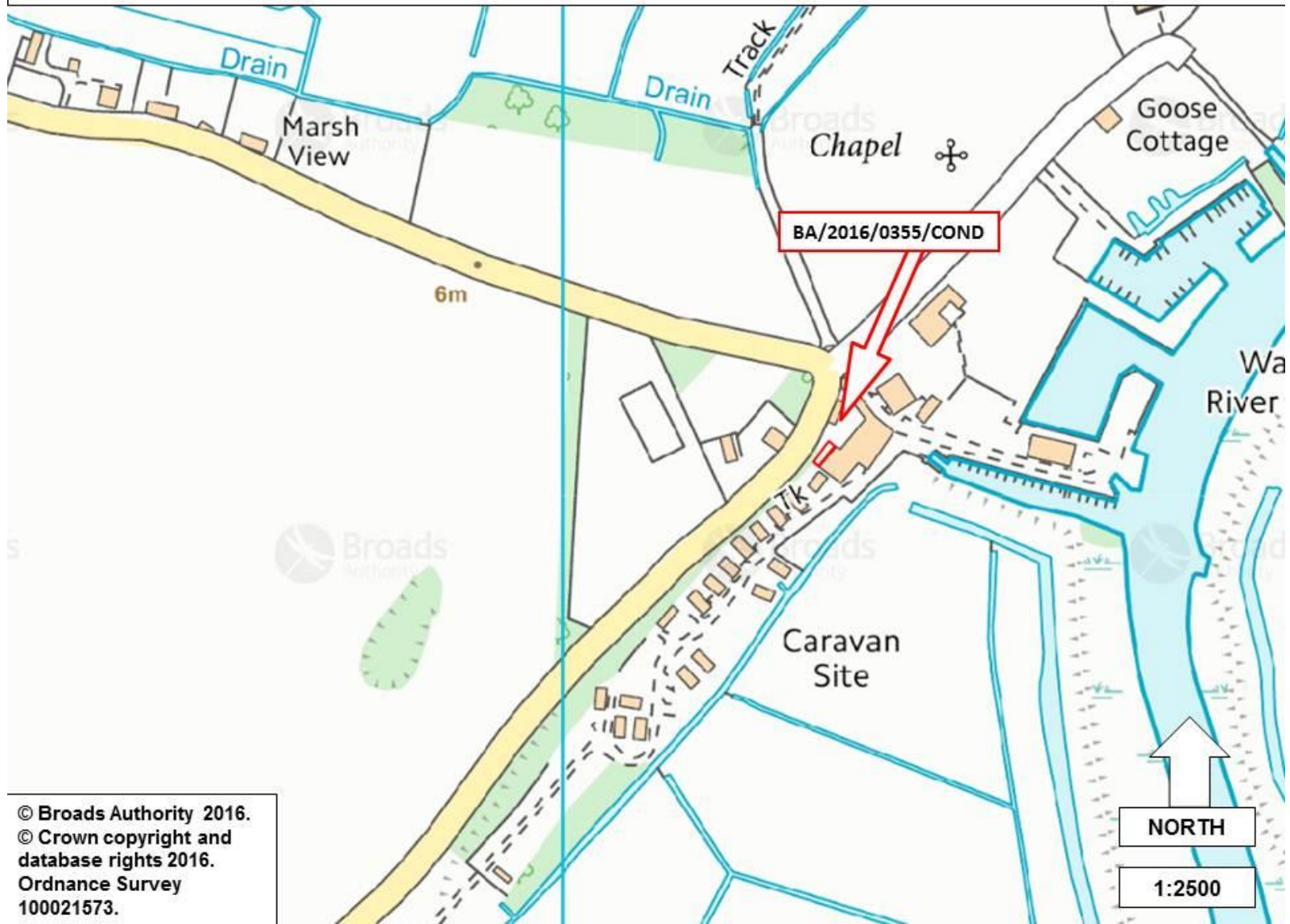
Reference:

BA/2016/0355/COND and BA/2016/0356/COND

Location

Waveney Inn and River Centre , Staithe Road,
Burgh St Peter

BA/2016/0355/COND - Waveney Inn And River Centre, Staithe Road, Burgh St Peter, NR34 0BT



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Ordnance Survey
100021573.

Application for Determination

Parish	Burgh St Peter
Reference	1. BA/2016/0355/COND Target 29 November 2016 2. BA/2016/0356/COND dates
Location	Waveney Inn and River Centre, Staithe Road, Burgh St Peter
Proposal	1. Removal of condition 4: passing bay signs of permission BA/2016/0088/COND 2. Removal of condition 1: temporary consent and condition 6: passing bay signs, of permission BA/2016/0064/COND
Other matters	3. Compliance with conditions of previous permissions
Applicant	Mr James Knight, Waveney River Centre
Recommendation	1. Approve subject to conditions 2. Approve subject to conditions (including retained condition 1) 3. Various
Reason for referral to Committee	Applicant is a Member of the Navigation Committee

1 Description of Site and Proposals

- 1.1 Waveney Inn and River Centre is an established complex of visitor, recreation and boatyard facilities located in a relatively isolated position on the River Waveney at Burgh St Peter. Vehicular access is via largely single track roads off the A143 and the nearest villages of Burgh St Peter, Wheatacre and Aldeby are small settlements with no significant services. The whole area has a strong rural character.
- 1.2 Facilities within the site include a public house with restaurant, convenience shop, swimming pool, cafe, camping and touring caravan pitches, glamping pods, play area, launderette, self-catering apartments, lodges, workshop, and private and visitor moorings.
- 1.3 The Planning Committee has received reports on a number of applications and other matters over the last two years (see Site History below) and this report addresses two new applications which have been submitted that seek to vary previous conditions attached to planning permissions granted; it also covers the matter of non-compliance with conditions of permissions.

Application BA/2016/0355/COND Removal of condition 4: passing bay signs of permission BA/2016/0088/COND

- 1.4 At the January 2016 Planning Committee meeting, Members resolved to grant planning permission for an extension to the existing restaurant (BA/2015/0360/FUL). Subsequently, in April 2016, Members resolved to grant permission subject to varied conditions from the original permission for this extension (BA/2016/0088/COND). This new permission varied the plans to allow for an external seating area and a condition stipulating the approved use class was also removed. The application had sought to remove condition 4 on the permission which required passing bays on the route to the site to be provided with signage to encourage their use and mitigate any impact from additional traffic generated by this development and the cumulative impact with previously approved residential moorings at the site (see below). In accordance with the Highways Authority's recommendation, the proposal to remove this condition was considered unacceptable and the condition was retained on the new permission.
- 1.5 The current application seeks again to remove condition 4 of the permission granted in April 2016; this is the condition which requires signage of the passing bays. To comply with condition 4 on the April 2016 permission this signage should have been completed prior to the first use of the development which is now completed and appears capable of use, although it has not been confirmed whether it has been used. Submitted with the application are copies of correspondence with the Highways Authority which indicates their position has changed and the application contends that this condition is no longer necessary or reasonable.

Application BA/2016/0356/COND Removal of condition 1: temporary consent and condition 6: passing bay signs, of permission BA/2016/0064/COND

- 1.6 At the December 2015 Planning Committee, Members resolved to grant planning permission for a proposal for the change of use of the marina from leisure to mixed leisure and residential, with residential moorings not to exceed a total of 10 of the 130 moorings on site. That resolution was to approve the application for a temporary period of five years and subject to other conditions. Subsequently, in April 2016, Members resolved to grant permission subject to one less condition (method of securing vessels) but proposals to remove the temporary time limit and conditions on the number of moorings, a management plan, signage for passing bays and the length of vessels were not considered acceptable and these conditions were retained on the new permission.
- 1.7 The current application seeks to remove conditions 1 and 4 of the permission granted in April 2016; these are the condition which stipulate the temporary five year time limit and require signage of the passing bays.
- 1.8 With regards to condition 1, the five year temporary time limit, the application states the residential moorings were sought as part of a diversification of this business. It would lead to 10 to 20 additional people living on site year round,

paying enhanced mooring fees and using facilities on site. Whilst these residents' additional spend may be marginal relative to the overall turnover of the business, it is said that this addition would be particularly valuable in the quiet winter months. The application contends that a temporary permission is unjustified and gives too much uncertainty and that potential berth holders have turned away from the site fearing the consent may not be renewed in 2021 and there are no other known residential moorings elsewhere in the Broads they could go to. The application also states that the occupiers of residential mooring berths need some security of tenure. Copies of correspondence with a potential moorer has been submitted which shows this individual considers longevity of a licence essential to being able to make the commitment to what would be a lifestyle change for them. Reference is also made to an emerging management plan which is being prepared to satisfy condition 5 of the permission and this would ensure there is no visible and discernible difference between a moored leisure boat and moored residential boat.

1.9 The agent considers a temporary permission to be unjustified and that too much weight has been given to criterion (a) of Policy DP25. He considers the proposal to be compliant with Core Strategy Policies CS9 and CS22 which support diversification of tourism and employment uses and that too much weight has been given to the facilities. The temporary time limit condition is said to be vague and imprecise with no mechanism to measure viability and it is said to fail the test of reasonableness as it renders the development incapable of implementation.

1.10 The application also refers to the Planning Practice Guidance on temporary planning permissions which states:

Under section 72 of the Town and Country Planning Act 1990 the local planning authority may grant planning permission for a specified temporary period only. A condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity.

Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area or where it is expected that the planning circumstances will change in a particular way at the end of that period.

1.11 As with the permissions for the restaurant extension, the same passing bay signage is required by condition on BA/2016/0064/COND in order to mitigate any impact from additional traffic generated by the development. In accordance with the Highways Authority's recommendation, the proposal to remove this condition in April 2016 was considered unacceptable and the condition was retained on the new permission. Submitted with this application is the same correspondence with the Highways Authority as that with application BA/2016/0355/COND (see 1.5 above).

- 1.12 These applications are pursuant to section 73 Town and Country Planning Act 1990, as amended. On an application under section 73, a local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.

2 Site History

07/06/0479 Extension of existing caravan site with 8no private units and new sewerage treatment plant - Approved subject to conditions and Section 106 agreement.

BA/2010/0392/FUL Proposed demolition of existing outbuildings and replacement with new build 5 unit bed and breakfast accommodation - Approved subject to conditions (not implemented and expired in March 2014).

BA/2013/0310/FUL Proposed six camping pods - Part retrospective - Approved subject to conditions.

BA/2013/0329/FUL New entrances, external cladding and window alterations - Approved subject to conditions.

BA/2013/0405/CU Conversion of existing shop to luxury apartment with re-location of shop to unused part of pub - Approved subject to conditions.

BA/2015/0236/COND Variation of Condition 2 of BA/2013/0329/FUL to amend approved drawings - 'New entrances, external cladding and window alterations'. Retrospective. - Approved subject to conditions.

BA/2015/0243/NONMAT Non Material Amendment to pp BA/2013/0405/CU for minor differences to the external appearance from that approved. Retrospective – Approved.

BA/2015/0251/FUL Change of use of marina from leisure to mixed leisure & residential, residential moorings not to exceed a total of 10. Part retrospective – Approved subject to conditions.

BA/2015/0360/FUL – Restaurant Extension - Approved subject to conditions.

BA/2015/0371/FUL - Replace barn with administration centre – Approved subject to conditions.

BA/2016/0064/COND – Removal of conditions 1: temporary consent, 3: residential mooring limit, 5: mooring management plan, 6: passing bay signs,

8: vessel size limit and 10: mooring details of permission BA/2015/0251/FUL – Approved subject to conditions.

BA/2016/0088/COND – Change of fenestration, variation of condition 2, and removal of conditions 4 and 7 of permission BA/2015/0360/FUL. Part retrospective – Approved subject to conditions.

3 Consultation (responses to applications BA/2016/0355/COND and BA/2016/0356/COND)

Parish Council – BA/2016/0355/COND – No comments.

BA/2016/0355/COND – No comment on condition 6. On condition 1, two councillors had no comment, two councillors supported the removal of this condition.

Broads Society – To be reported.

District Member – To be reported.

Highways Authority – As you will be aware from the supporting information, the applicant has had direct discussion with the Highway Engineer for the area who has advised the applicant that, as Highway Authority, we have resisted such signing of passing bays since 2013 in the interests of reducing sign clutter and reducing future maintenance costs.

At the time of my initial response I was not aware of the history in relation to the signing of the passing bays and whilst I have discussed this matter with the Highway Engineer in light of the application made, I am minded that the Highway Authority has continued to resist signing for the reasons previously given and therefore given this fact and the current financial climate whereby we have to consider ways of reducing cost (in this respect the future sign maintenance), I have to accept the approach previously taken by the Highway Authority and in this respect have no objection to the removal of the condition.

Whilst you will have seen my comments to the applicant prior to this application, I apologise for the conflicting advice given in this respect and the position this may have put the LPA in. I would assure you that appropriate steps have been taken to ensure this is unlikely to happen again.

4 Representations

- 4.1 One representation received in respect of BA/2016/0356/COND advising they are residents of Burgh St Peter who hope to sell their house and live in a barge on the Broads. They cancelled plans to sell their home and have a boat built when they found out the permission here was only temporary.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent

and can therefore be afforded full weight in the consideration and determination of these applications.

[Core Strategy Adopted September 2007 pdf](#)

[NPPF](#) and [DEVELOPMENTPLANDOCUMENT](#)

CS9 – Sustainable Tourism (BA/2016/0356/COND only)

CS22 - Economy (BA/2016/0356/COND only)

DP11 – Access on Land

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of these applications.

CS18 – Rural Sustainability (BA/2016/0356/COND only)

DP25 – New Residential Moorings (BA/2016/0356/COND only)

Neighbourhood plans

- 5.3 There is no neighbourhood plan in force for the area of the application site.

6 Assessment

- 6.1 Permissions BA/2016/0064/COND and BA/2016/0088/COND both had the same condition applied requiring the signage of passing bays and the current applications BA/2016/0356/COND and BA/2016/0355/COND both propose removing this condition from the respective permissions. It is therefore considered appropriate to consider this aspect of both applications (and the only proposal of application BA/2016/0355/COND) together.
- 6.2 This condition was first applied to the original permission for residential moorings (BA/2015/0251/FUL) to make the development acceptable in highways terms. This was in response to an amendment to the scheme which reduced the number of residential moorings and propose this highways mitigation, as recommended by the Highways Authority, following an initial recommendation of refusal from them on the basis the development would generate significant additional traffic movements and the road network to this remote site would be inadequate to serve the development.
- 6.3 An identical condition was subsequently applied to the original permission for the restaurant extension (BA/2015/0360/FUL), as this would also generate further additional traffic, and whichever of the two permissions was implemented first would deliver the highways mitigation required for both developments.

- 6.4 Previous applications BA/2016/0064/COND and BA/2016/0088/COND sought to remove this condition from permissions BA/2015/0251/FUL and BA/2015/0360/FUL respectively on the grounds it was unreasonable, unenforceable and unlawful as the cooperation of a third party (the Highways Authority) was required in order to discharge it. In their response on these applications the Highways Authority advised "*the passing bays will make the passing spaces more prominent and indicate to motorists where passing provision has been provided and as such reduce deterioration of the highway network and mitigate the effects of the development*". They confirmed that removing the condition would not make the development acceptable in highways terms. Accordingly, officers recommended retaining the condition and Members agreed, resolving to grant new permissions which retained this condition for the two developments.
- 6.5 For a second time the applicant is seeking to remove the requirement for passing bay signage to be provided to mitigate for the increased traffic resulting from the residential mooring and restaurant extension developments. The difference now is that the Highways Authority have changed their position. They now advise that since 2013 they have resisted such signage on the grounds of reducing sign clutter in the area and future maintenance costs. The highways officer who previously advised the applicant that this would be appropriate (and necessary) mitigation and recommended the initial application of the conditions and their subsequent retention was not aware of this history previously or the Highways Authority's position. Accordingly, the Highways Authority actually have no objection to the removal of the condition from the two permissions.
- 6.6 Removal of this signage requirement would leave both the residential moorings and restaurant extension developments without any highways mitigation. The Highways Authority have advised that there are no other appropriate highways mitigations for the residential moorings development and that they did not consider the restaurant extension would have a severe residual traffic impact but recommended the passing bay signage on this permission due to the cumulative impact with the residential moorings. The Highways Authority now accept that both developments, individually and cumulatively, are acceptable without mitigation measures and therefore the proposal to remove condition 4 from BA/2016/0088/COND and condition 6 from BA/2016/0064/COND is acceptable in accordance with Policy DP11.

Application BA/2016/0356/COND Removal of condition 1: temporary consent of permission BA/2016/0064/COND.

- 6.7 Application BA/2016/0356/COND also proposes removing condition 1 which is the condition that sets the temporary five year time limit for the permission. The original application for ten residential moorings (BA/2015/0251/FUL) which was considered by the Planning Committee at their meeting on 4 December 2015 was recommended for refusal as it was contrary to Policy DP25 (specifically criterion (a)) with regard to the

location of new residential moorings. However, Members considered the applicant's argument, presented at that meeting, that the presence of residents year-round at this tourism site would help support the viability of the existing facilities. They considered this to be a significant material consideration and one to which they applied considerable weight. On the basis that this is a very specific situation where the proposal had potential to provide increased benefits and improve the sustainability and viability of the site as a whole within an area where there are fewer facilities for tourism, it was considered that the material considerations could outweigh the provisions of the development plan. In reaching this conclusion, however, the members of the Planning Committee wanted to be sure that this would be the effect of the residential moorings and therefore resolved to approve the proposal on a temporary basis only to enable an assessment of the impacts in terms of the site and the economics of providing facilities, to assess whether the provision of ten residential moorings did improve the economic viability of the Centre.

- 6.8 Application BA/2016/0064/COND proposed removing a number of conditions including this condition. The argument put forward by the applicant for the removal of this condition was on the basis that it was arbitrary, unreasonable, unnecessary, imprecise, not relevant to planning and did not relate to the development to be permitted. When considering the application (April 2016), Members noted that no detailed evidence had been supplied to indicate that there had been any changes in circumstances since the original decision was made. Application BA/2016/0064/COND was approved with condition 1 retained.
- 6.9 This second application cites five reasons to remove the condition and each of these shall be addressed in turn. The location of the development remains contrary to criterion (a) of Policy DP25 and, whilst the agent considers too much weight has been given to this conflict with criterion (a), there must be other material considerations that weigh in favour of the proposal to justify the departure from the development plan. Granting a permanent permission (which would be the effect of removing condition 1 as proposed) is considered a greater degree of departure from the development plan than allowing temporary permission as a trial period.

Viability

- 6.10 It is stated the development would provide additional income that would be valuable to the business in the winter months. In approving the development (two alternative permissions, both departures to the development plan), Members gave significant weight to the viability of the business and the contribution on-site residents would make to this by using the facilities year-round. However, neither of the previous two applications provided any robust evidence for the need for this development either on a permanent or temporary basis to support the viability of the business and the intention of the temporary permission was to provide, effectively, a trial period, which would allow this contention to be tested and evidenced in support of a future application for a permanent permission. With this

application, the agent has said it is self-evident that more customers in the winter would have a positive effect on the on-site facilities but also that too much weight has been given to this consideration on the previous applications.

- 6.11 It is noted the agent considers the development to comply with Core Strategy Policies CS9 and CS22 and that this compliance weighs in favour of granting a permanent permission. Policy CS9 seeks to support, widen and strengthen the tourism base in the Broads, including through diversification where economically and environmentally sustainable. Policy CS22 supports and promotes appropriate diversification of employment sites. Diversification to support tourism and employment uses is therefore broadly acceptable in accordance with these strategic policies, but the detail of any individual proposal must be considered against other relevant policies of the Core Strategy and Development Management Policies and these are consistent in identifying that new residential development/moorings should be within or adjacent to development boundaries. It is not considered that this application provides any information or evidence that the residential moorings are a necessary diversification supporting the continued operation of this established business and the facilities it offers to the extent that this consideration of viability could be given such weight as to justify granting a permanent permission contrary to development plan policy.

Uncertainty and insecurity of tenure

- 6.12 It is acknowledged that a permanent berth is likely to be more attractive to prospective residential moorers than a temporary one and the correspondence submitted and representation received support the claim the temporary permission is deterring moorers. Whilst there may currently be few lawful residential moorings in the Broads, development plan policies are supportive of the provision of residential moorings in appropriate, sustainable locations and alternatives may be available in due course. Furthermore, there are known to be residential moorers in the Broads who do not have the benefit of planning permission, let alone a permanent permission or long-term tenancy agreement so long term security of tenures does not appear to be a main determinant in all cases. When the position on residential moorings is compared to the private rented sector, which constitutes a large proportion of the housing market, it is noted that this generally offers six month shorthold leases and rolling monthly contracts. Whilst there may be more availability of alternatives should a short-term lease on a flat or house cease, insecurity of tenure is not a concern unique to residential moorers or this development and it is not considered that a temporary permission makes the approved development incapable of implementation.

Appearance

- 6.13 The application indicates that the management plan required by condition 5 of BA/2016/0064/COND would ensure that there would be no visible or

discernible difference between boats moored private and residentially. This management plan is yet to be submitted, considered or agreed. The appearance of the boats was not one of the reasons for applying the temporary time period and the development was not considered to adversely affect the character and appearance of the surrounding area, in accordance with criterion (d) of Policy DP25. A management plan was considered necessary to secure appropriate use and management of the land adjacent to the moorings and a plan that results in there being no visible or discernible difference between private and residential boats would be welcomed to comply with condition 5. It is not however considered the suggestion a management plan to this effect will be submitted (as is required by condition 5) offers any significant material consideration that would weigh in favour of granting a permanent permission.

Conflict with Planning Practice Guidance

- 6.14 It is noted the Guidance states “*A condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity.*” In this case, the proposal does not comply with the development plan (it conflicts with criterion (a) of Policy DP25) and in the determination of the two previous applications it has not been considered that there are material considerations of sufficient weight to indicate that a permanent permission should be granted. The Guidance continues: “*Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area*” and this is the case here (see 5.7 above). The condition is therefore considered to be in accordance with this guidance and remains necessary.
- 6.15 The condition itself precisely sets out the time period of the permission and what actions are necessary at the end of that period. The reason for the condition sets out the Members’ resolution and rationale for applying a temporary permission. As assessed above, it is not considered to be incapable of implementation or unreasonable in any other respect. It passes the six tests for conditions set out at paragraph 206 of the National Planning Policy Framework.
- 6.16 In summary, it is not considered that there has been any change in circumstance since the original (January 2016) or subsequent (April 2016) grants of temporary consents for this development that affect the assessment. The reason this temporary time limit condition was applied was to enable an assessment of the impacts of the development on the viability of the existing visitor facilities on the site and whether the provision of ten residential moorings improves the economic viability of the Waveney River Centre by increasing the social amenities and facilities available for others. This application has not provided any significant additional information, evidence or justification that the residential moorings would improve the viability of the site or are necessary to support the year-round

operation of the on-site facilities. It is not considered the arguments presented in respect of compliance with the other criteria of Policy DP25 and other relevant policies, uncertainty, insecurity of tenure or appearance represent any significant material consideration that outweighs the conflict with the development plan and a temporary time limit is still considered necessary in accordance with the Planning Practice Guidance.

- 6.17 The proposal to remove condition 1 of BA/2016/0064/COND is not considered acceptable and it is recommended application BA/2016/0356/COND is approved subject to all original conditions, except condition 6 regarding passing bay signage. Given that 10 months of the approved five years have passed since the original permission was granted, in the interests of encouraging this development to be implemented and provide residential moorings in the Broads, it would be appropriate to allow five years from the date of any new permission, rather than the date of the original permission. This may also assist with the concerns around uncertainty and insecurity of tenure.

7 Other matters

- 7.1 In July 2016 a report was presented to the Planning Committee outlining some unauthorised development which had taken place on the site and four breaches of condition that had occurred, these were: landscaping, demarcation of parking, signage and use of the residential moorings. Members resolved to take no action against the unauthorised development and for officers to request the site operator submitted the necessary information to regularise/assess the four breaches of conditions.
- 7.2 Two of the four breaches have been resolved with the submission of an agreement to a landscaping scheme for the camping pods (condition 4 of BA/2013/0310/FUL) and officers have agreed not to enforce the requirement for details of new signage for the relocated shop and reception to be provided as the signage is already in place so can be assessed (condition 4 of BA/2013/0405/CU).
- 7.3 Condition 3 of BA/2015/0236/COND required parking spaces to be demarcated on site in accordance with a submitted plan. This is a condition that was recommended by the Highways Authority. The site operator has subsequently liaised with the Highways Authority who have advised that they would not object to the Authority not enforcing the condition and the site operator has requested that Members consider this. Given the Highway Authority's complete change in position, it is recommended that Members resolve not to enforce this condition.
- 7.4 Officers continue to seek evidence of whether either of the two existing alternative permissions for residential moorings (BA/2015/0251/FUL and BA/2016/0064/COND – as is subject to application BA/2016/0356/COND) have been implemented.

8 Conclusion

- 8.1 Both planning applications seek to remove the requirement for passing bay signage to be provided to mitigate the highways impact for the residential moorings and restaurant extension developments. The Highways Authority have changed their position and have no objection to the removal of the conditions. Application BA/2016/0355/COND and this aspect of application BA/2016/0356/COND is therefore acceptable in accordance with Policy DP11. It is recommended application BA/2016/0355/COND is approved subject to the previous conditions (amended to reflect the implementation of the development and discharge of pre-commencement conditions), minus condition 4.
- 8.2 The residential mooring development remains contrary to criterion (a) of Policy DP25. No significant additional material considerations have been presented to outweigh this conflict or satisfactorily address the reasons for previously allowing only a temporary permission. The assessment therefore remains, as previously, that a temporary trial period is necessary to assess the effects of the development on the viability of the business and provision of facilities. This does represent a departure from the development plan, albeit not as significant a departure as a permanent permission without sufficient justification would be, and the application has been advertised accordingly. It is recommended that application BA/2016/0356/COND be approved subject to the previous conditions, minus condition 6 only.

9 Recommendations

- (1) Application BA/2016/0355/COND Removal of condition 4: passing bay signs of permission BA/2016/0088/COND

Approve subject to the following conditions:

- (i) Commencement by 12 January 2019 (three years from date of original permission)
- (ii) In accordance with amended plans
- (iii) Archaeological investigation
- (iv) Deposition of spoil
- (v) Materials to match existing building
- (vi) Retain roadside hedge at minimum height of 1.2 metres
- (vii) Patio to be used 08:00 to 22:00 only
- (viii) All external lighting to be directed downwards

- (2) Application BA/2016/0356/COND Removal of condition 1: temporary consent and condition 6: passing bay signs, of permission BA/2016/0064/COND

Approve subject to the following conditions

- (i) Temporary time limit (five years from date of this permission)
- (ii) In accordance with plans
- (iii) No more than ten residential moorings

- (iv) Register of residential moorings
- (v) Management plan
- (vi) No net loss in moorings
- (vii) Residential vessels not to exceed 25m in length
- (viii) Flood evacuation plan

Non-compliance with Condition 3 of BA/2015/0236/COND

No further action.

Information to identify any breach of the conditions of BA/2015/0251/FUL or BA/2016/0064/COND

Further action may be required when information is provided in respect of the residential moorings.

10 Reason for Recommendation

- 10.1 Application BA/2016/0355/COND is considered acceptable in accordance with Policy DP11 of the adopted Development Management Policies (2011) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.
- 10.2 Application BA/2016/0356/COND is considered acceptable in accordance with Policy DP11 of the adopted Development Management Policies (2011) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application. It does not comply with criterion (a) of Policy DP25 but it is considered that there are sufficient material considerations to outweigh the conflict with the plan and allow it as a departure on a temporary five year trial period.

Background papers: Application Files

Author: Maria Hammond
Date of Report: 24 November 2016

List of Appendices: APPENDIX 1 – Location Plans

