

## **Application for Determination**

<b>Parish</b>	Horning
<b>Reference</b>	BA/2008/0401/FUL
<b>Target date</b>	04 March 2009
<b>Location</b>	St Brelade, Ropes Hill, Horning, Norfolk
<b>Proposal</b>	Erection of replacement boatshed and private treatment plant resubmission of BA/2008/0200/FUL
<b>Applicant</b>	Mr And Mrs R Harris
<b>Recommendation</b>	Refuse

### **1 Description of Site and Proposals**

- 1.1 Ropes Hill Dyke in Horning is one of many small tributaries off the main River Bure, which have been cut through the landscape. The picturesque dyke has encouraged parallel development of many boatsheds and residential dwellings, taking benefit of the waterside location. The houses in the area are large and of mixed age and design which sit to the east side of long linear plots. The houses sit on top of a gradual sloping valley with gardens that fall down to Ropes Hill Dyke.
- 1.2 The application site is situated on the northwest edge of the settlement of Horning. The area is mainly residential to the north with agricultural land stretching out beyond the housing. The landscape south west of the plot is extremely wooded, in the later stages of succession, with pockets of water in the form of Hoveton Little Broad and Pound End.
- 1.3 The site is accessed via a small loose gravelled track off the main Horning Road which is lined by trees on its south west side. The area proposed for development is part of a residential plot which is bisected by Ropes Hill Dyke. The access to the split section of plot from the main dwelling house is either via road to the back of the plot or via boat crossing the dyke at the bottom of the main garden. The split section of the plot is large, with post and wire fencing to the south and north boundaries, enhancing the open space feel. A taller, approximately 1.5 m close boarded fence and farm gate runs along the west boundary at the vehicular entrance to the plot. The southern boundary is abutted by the dyke itself.
- 1.4 In terms of the built environment, the area is characterised by a large number and variety of boatsheds. Many larger modern boathouses and waterside development on a higher density can be seen south of Ropes Hill Dyke and

through to the main river along Horning Staithe. As the river travels north, towards the site for the proposed development, the area becomes much more intimate and development at the waters edge is on a smaller scale with a more traditional feel. The landscape becomes much more open with the wooded backdrop becoming more prominent.

- 1.5 The boathouses themselves vary in design and standard. Many of them in the immediate vicinity of the site are wooden on a smaller scale than those to the south.
- 1.6 The neighbouring property to the south is a large white painted thatched boathouse with living accommodation above. The plot to the north is a mooring plot with no buildings. No neighbours overlook the development site from the west. A ribbon of large houses, from the top of the shallow sloping valley, overlooks the site from a considerable distance.
- 1.7 There is an existing boatshed which is large, dark timber boarded with chipboard panels running along the side elevations and a medium pitched shingle roof. An opening can be seen at the riverside elevation with currently no door enclosing the boatshed.
- 1.8 The proposal is for a replacement boatshed. It should be noted that the application site has an extant planning permission for the erection of a replacement boatshed and both this permission and the proposed boatshed are considerably larger than the existing. The relative dimensions are as follows:

Application Ref:	Status	Footprint	Height
Existing Boathouse	N/A	6.5 x 6.7m	4.6m
01/04/0419	Extant	6.5 x 11.6m	6.6m
BA/2008/0200/FUL	Refused	8.5 x 13.2m	6.7m
BA/2008/0401/FUL (current proposal)	Pending consideration	8.5 x 12.5m	6.7m

Table 1

The reasoning for the enlargement is that the shed now needs to house two boats of considerable size. The proposal includes increasing the existing boat cut size.

- 1.9 The boatshed walls are proposed to be black timber shiplap boarding. The roof is to be covered by red clay pantiles. The windows are to be timber framed and stained. The main boatshed door is proposed to be a black roller shutter.
- 1.10 The application also includes the addition of a private sewage treatment plant to enable the incorporation of toilet and shower facilities.

## **2 Site History**

01/04/0419. Proposed replacement boathouse, new dormer window to north elevation of dwellinghouse and new carport. Approved subject to conditions (11 June 2004).

BA/2008/0200/FUL. Proposed replacement boathouse and private treatment plant. Refused (8 August 2008).

## **3 Consultation**

The Broads Society – No objections.

Horning Parish Council – No objection in principle provided treatment plant is appropriate and no living or overnight accommodation is permitted in the sail loft.

District Member – No comment.

North Norfolk Planning Department – No comment.

North Norfolk Environmental Health – No objections.

Arboricultural Consultant – No objections subject to either the removal of replacement of both trees closest to the proposed boatshed.

Environment Agency - No objection, recommend the following conditions:

- The development shall be constructed with a minimum finished floor level of 1.50m AOD.
- Prior to the commencement of development, a scheme for the provision and implementation of flood proofing measures shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall be carried out in its entirety before the development is first occupied and constructed and completed in accordance with the approved plans and in line with the CLG publication 'Flood Resilient Construction – improving the flood performance of new buildings'.

## **4 Policies**

### **4.1 Broads Local Plan (Saved Policies)**

Policy C 8 Piling and quay heading

Piling of banks will be permitted only where there is a need to prevent bank erosion by this method and it is for the following reasons:

- a) for navigation purposes;
- b) to meet flood defence requirements;
- c) where piling is required in association with development which has been granted planning permission.

Where appropriate, the Authority will seek a planning obligation from the developer to prevent mooring on banks which have been piled.

**Policy C 9 Trees and woodlands**

Development which would have a significant adverse effect on trees or woodlands of landscape or wildlife importance will not be permitted.

**Policy C 11 Trees and landscaping in new development**

The Authority will require planning applications for new development to include a comprehensive landscaping scheme where appropriate, which will ensure that the proposals complement and enhance the proposed development and its setting in the Broads landscape or built environment. Where appropriate, the Authority will impose conditions to require:

- a) the protection of existing trees, treebelts and hedgerows;
- b) new planting or other landscaping measures within the scheme to enhance the character of the area and to minimise the visual impact of the development on its surroundings;
- c) the implementation of the landscaping scheme during the earliest possible planting season during the development.

**Policy B 11 Design**

Development will only be permitted if its scale, form, design, external materials and colour would be appropriate to its setting. New development in the built environment should respect the character and townscape of the area. New development in the countryside should be appropriately located so as to minimise its visual intrusion in the landscape.

**Policy B 12 Private boathouses**

Permission will be granted for the development of a boathouse within the curtilage of a dwelling provided that:

- a) it would not have a significant adverse effect on wildlife and wildlife habitats, or on the character of the landscape, waterways or built environment;
- b) it would not include the provision of residential accommodation.

**4.2 Broads Core Strategy adopted September 2007**

**Policy CS1 Landscape protection and enhancement**

Development and changes in land use management must ensure that all aspects of the environmental and cultural assets of the Broads' distinctive landscape are protected, enhanced and restored.

Proposals should ensure opportunities for positive impacts on the following core assets have been addressed and adverse impacts avoided:

- (i) the defining and distinctive qualities of the varied landscape character areas formed by the built and natural environment;

- (ii) tranquillity and wildness as part of the Broads experience;
- (iii) the value and integrity of nature conservation interest; and
- (iv) the character, appearance and integrity of the historic and cultural environment.

Opportunities to mitigate the visual impact of currently intrusive features should be sought.

## **5 Assessment**

- 5.1 The proposed replacement boatshed and private treatment plant raise the following key issues: scale, visual impact, impact on amenity of adjoining occupiers and design.
- 5.2 In terms of scale, this is a large plot which is well separated from adjoining plots. The neighbouring property is a fairly large boathouse with living accommodation above and the proposed boatshed is of a similar footprint. This scale of development is considered appropriate for the area due to boatsheds of similar size and larger situated downstream and it is considered that in terms of scale the proposal will not adversely affect the character of the area.
- 5.3 The proposed boatshed is to be set back from the dyke. This ensures it falls behind the neighbouring property reducing visual impact from the south and the site is sufficiently wooded to screen the development from views from the north. The most prominent aspects will be the west and east and would be of the gable ends of the boatshed. From the west, the proposed site is sufficiently set back from the highway elevation to not have a significant adverse visual impact, meaning that the most prominent elevation is the east facing the dyke. In principle this is acceptable.
- 5.4 The neighbouring property to the south is a large white painted thatched boathouse with living accommodation above. There are windows which overlook the site but as the proposal is for a replacement there will be no additional significant adverse effect on the neighbouring property. The plot to the north is a mooring plot with no buildings and the ribbon of large houses which overlook the development site from the east are a considerable distance and will likewise be unaffected by the development. No neighbours overlook the development from the west, and to the east is the river. There is therefore no adverse impact on amenity.
- 5.5 The addition of the private treatment plant to accommodate shower and toilet facilities is understandable in this location as the access to facilities in the main house is either an approximate 400m walk round by road or a boat ride across the dyke. A small section of the treatment plant's green hood will raise and be visible from the ground. This will only be visible from the plot itself as it is low profile and so will not adversely affect the character of the area. Ensuring the treatment plant is installed to manufacturing guidance standards outlined in the information submitted as part of the application it can be covered by condition.

- 5.6 The above assessment indicates that the proposal is considered acceptable in terms of scale, visual impact and effect on amenity. In addition, it is advised that in principle the design is acceptable. There are, however, concerns over one aspect of the design and this is why the application is before the Planning Committee.
- 5.7 The proposal currently under consideration represents an improvement on the previously refused scheme in terms of reduced massing of the north and south elevations and improved fenestration to the western gable. It does, however, also include the roller shutter door where previously hinged wooden doors were proposed.
- 5.8 It is proposed to front the boatshed with a steel roller shutter door which would be treated with a black finish to match the timber boarding. Officers are of the view that roller shutter doors are appropriate only on more industrial sites, for example in or adjacent to boatyards, and are not appropriate in visual terms in a location such as this with a tightly grained, intimate and domestic character. There are no roller shutter doors in use on Ropes Hill Dyke currently. On this basis, it would be usual to recommend a refusal of permission.
- 5.9 In December 2007 planning permission was refused under delegated powers for a replacement boathouse at 'Birch and Jada' in Horning. The use of a roller shutter door was the only unacceptable aspect of the proposal and the application was refused on grounds of:
- "The use of a black roller shutter door to the replacement boatshed would introduce an industrial/commercial element to an area that is predominantly domestic and rural in character. This would have an adverse impact on the appearance and character of the area and is therefore contrary to saved policies B11 and B12 of the adopted Broads Local Plan."*
- 5.10 The applicant appealed against this decision arguing that roller shutter doors were functionally superior in a number of ways, including use of space on a limited site. In allowing the appeal the inspector stated that "without wishing to become too philosophical about what is, in the end, a small scale proposal, there was a school of thought that the functionality of a design, and the extent to which it serves the purpose for which it was intended, were important criteria for assessing its merits. This being the case, he was inclined to the view that roller shutter doors were superior design for boathouses and were likely in the fullness of time to become more common. Why they should be partially industrial or commercial escaped him, especially if it was acknowledged that good design need not repeat the ideas of the past and it was not intended to stifle good quality modern design."
- 5.11 He also considered that the appeal site was not on the waterfront and was not prominent and would not have much impact on the character or appearance of the area.
- 5.12 The decision was received in November 2008.

- 5.13 There are similarities between the application site and the appeal site at Birch and Jada, in that neither is on the river front directly and neither is visually prominent. However, both are in areas with a domestic character and where there is currently no use of roller shutter doors. The acceptance of a roller shutter door here would be likely to set a precedent and would make it difficult to resist similar elsewhere.
- 5.14 It is accepted that there are finely balanced arguments here and that a Local Planning Authority has a duty to act in a considered and reasonable manner. The Authority does have, however, a statutory duty to conserve and enhance the natural beauty of the area and officers remain of the view that this is incompatible with the acceptance of roller shutter doors in a location such as this. On balance, therefore, it is recommended that the application be refused.

## **6 Conclusion**

- 6.1 The scale and broad design of the development is considered appropriate for the area. The existing boatshed does not provide a traditional example of an attractive boat building and therefore a replacement will not have detrimental effects on the character of the area. The existing boathouse does not affect neighbouring amenity, the proposed changes of the replacement are not such that will change the current situation. The introduction of an industrial designed roller shutter door to the prominent elevation is, however, considered contrary to policy.

## **7 Recommendation**

That the application be refused for the following reasons:

The use of a black roller shutter door to the replacement boatshed would introduce an industrial/commercial element to an area that is predominantly domestic and rural in character. This would have an adverse impact on the appearance and character of the area and is therefore contrary to saved policies B11 and B12 of the adopted Broads Local Plan.

Background papers: Applications 01/04/0419 & BA/2008/0200/FUL and  
BA/2008/0307/PREAPP & BA/2008/0401/FUL

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List of Appendices: APPENDIX 1: Site Location Plan

APPENDIX 1

BA/2008/0401/FUL - St Brelade, Ropes Hill, Horning  
Proposed replacement boathouse and private treatment plant - resubmission of BA/2008/0200/FUL

