

Planning Committee

16 August 2019

Agenda item number 10.2

BA/2019/0214/FUL Redundant car park (serving former Windboats Marine site), Grange Walk, Wroxham

Report by Planning Officer

Proposal

Erection of two dwellings.

Applicant

Mr James Knight for LEF Trading Ltd

Recommendation

Refuse

Reason for referral to committee

Director of the applicant company is a Planning Committee Member.

Application target date

21 August 2019

Contents

1.	Description of site and proposals	2
2.	Site history	2
3.	Consultations received	3
4.	Representations	3
5.	Policies	3
6.	Assessment	4
7.	Conclusion	7
8.	Recommendation	7
9.	Reason for recommendation	7
	Appendix 1	9
	Planning Committee, 16 August 2019, agenda item number 10.2	1

1. Description of site and proposals

- 1.1. The application site is situated on the eastern side of Norwich Road close to the central part of Wroxham. The site is accessed via Grange Walk, which initially is a road which serves the commercial businesses adjacent to the river basins before then serving several residential properties at the point where it becomes a private road.
- 1.2. To the north of the access road is the business known as Broads Tours which operates boat hire and boat trips. To the east is a former boatyard known as Windboats Marine Site which previously built boats, had office buildings and outside storage space. This site was taken over by the applicant company last year and has been divided into three separate parcels as follows: (1) The part of the site closest to Norwich Road and containing a number of buildings was sold to Broads Tours to enable them to expand their site. This included the access to the water, (2) The central part of the site is currently being marketed for use as outside storage as the previous buildings have been demolished and (3) is the area to the south-east part of the site and was formerly used as parking for Windboats; it is the subject of this application. There is a further property beyond this site which was formerly used as offices for Windboats and which has permission for the conversion to a dwelling.
- 1.3. The residential properties of Grange Walk are situated to the south, west and east of the application site and these vary in design from modest single storey dwellings to larger two storey properties.
- 1.4. This site itself is currently empty having previously been used as a car park facility in association with the previous boatyard use. The site is open to the north and east and there is a boundary wall to the south and west where the site adjoins the residential neighbours.
- 1.5. A previous application for dwellings was withdrawn earlier this year and this application is a resubmission following a meeting held between the agent, applicant, planning officers and the Head of Planning.
- 1.6. The proposal seeks permission for the erection of two dwellings on the site. Both properties are two storey and propose the use of horizontal weatherboarding, profiled metal sheet roofing and aluminium doors and windows. The three bedrooms are proposed to the ground floor and the living areas are proposed to the first floor with a balcony.
- 1.7. The dwellings will be accessed via Grange Walk and off-road, driveway parking is proposed for both units.

2. Site history

- 2.1. BA/2019/0094/FUL Erection of two dwellings. Application withdrawn.
- 2.2. Adjacent site: BA/2018/0397/DEM Demolition of former Windboats office building, factory and workshops. Prior approval not required.

- 2.3. Adjacent site: BA/2018/0477/PN Notification for Prior Approval for a proposed change of use of a building from Office Use (Class B1(a)) to a single dwellinghouse (Class C3). Prior Approval Granted.

3. Consultations received

Parish Council

- 3.1. No reason to object but we would ask for a stipulation that the properties are sold to the over 55s for personal residential use that supports the Neighbourhood Plan Policy HBE2.

Environmental Health Officer

- 3.2. I suggest you add a condition for a site investigation.

Historic Environment Manager

- 3.3. No objection to the contemporary design and materials in this location.

Norfolk County Council Highways

- 3.4. No objection to the proposals subject to a condition requiring the layout of the parking before occupation.

4. Representations

- 4.1. Four letters of objection have been received from neighbouring properties, raising the following issues:
- Overlooking and loss of privacy.
 - The design is not characteristic of the area.
 - The proposed materials being untraditional and out of keeping with the locality.
 - Loss of amenity.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
- DM1 – Major Development in the Broads
 - DM4 – Water Efficiency
 - DM5 – Development and Flood Risk
 - SP10 – A prosperous local economy
 - SP11 - Waterside sites

- DM16 - Development and landscape
 - DM23 - Transport, highways and access
 - DM26 – Protecting General Employment
 - DM23 – Transport, highways and access
 - DM28 – Development on Waterside Sites
 - DM43 – Design
- 5.3. [Wroxham Neighbourhood Plan \(2019\)](#)
- HBE1: Type, size and location of development
 - HBE3: High quality design
 - TRA2: Parking provision
- 5.4. Other Material Considerations
- [National Planning Policy Framework \(NPPF\)](#)

6. Assessment

- 6.1. The proposal is for the erection of two detached dwellings on land previously used as a car park area as part of the former Windboats Marine site. The main issues in the determination of this application are the principle of the development, the loss of commercial employment land, impact on residential amenity and the character and appearance of the area and highways access.

Principle of development

- 6.2. The application site was previously used as a car parking area for the wider commercial site known as Windboats Marine which was taken over by the applicants last year. Part of the commercial site was subsequently sold to another commercial business, including the site's access to the water leaving the existing buildings and car park area (Parcels 2 & 3 as described in paragraph 1.2) with no direct water access. The remaining buildings (on parcel 2) were dismantled and the land on which the buildings were sited is being marketed by Arnold Keys for open storage but this does not include the car park area subject of this application. As the application site formed part of the larger, commercial site and there has been no subsequent different use, it is the conclusion of the officers that the application site has an existing commercial employment use and Policies SP11, DM26 and DM28 are therefore relevant.
- 6.3. Policy DM26 of the Local Plan for the Broads seeks to protect land used for general employment purposes by establishing a sequential approach to permitting their change of use or redevelopment. In the first instance, the reuse for employment purposes will be sought as it is essential that new and existing businesses are not constrained by a lack of suitable sites. The information contained within the

application does not demonstrate that the site is no longer suitable for the existing use nor does it explore the possibility of redeveloping the site for similar or alternative employment uses. The agent has stated that they are unclear what employment use the site could be used for. It is the view of officers that as part of the wider commercial site, this site could still function either as an integral or overflow facility enabling the employment element to continue and there is no evidence provided to demonstrate that this would be unviable.

- 6.4. Subject to demonstrating that employment uses are unviable, the sequential approach requires that community facilities or services will be considered next. The agent has stated 'that there is no evidence that either Wroxham or Hoveton have any need for additional community services or facilities...' but there is nothing within the application documents to substantiate this claim. It is, however, noted that Objective 4 of the Wroxham Neighbourhood Plan discusses the lack of larger community facilities which indicates that there may be an additional need within the village, but there is nothing in the application to indicate that this has been formally considered or discussed.
- 6.5. Only if community facilities and services are not required, or there are sound planning reasons that would preclude them, will tourism and recreational uses be considered. The agent states that the site would be unattractive for these uses due to its set back from the water and the intervening commercial site. However, when the site was acquired, there was access to the water and so the site's isolation is only due to the subdivision of the site by the applicant. Again, there is no evidence to substantiate the statements from the agent.
- 6.6. Policy DM26 states that other alternative uses (i.e. other than those set out in the policy) will only be considered where it is demonstrated that the site cannot be made viable in the long term. The reasoned justification to this policy requires applications to be accompanied by a statement completed by an independent chartered surveyor which demonstrates this. It should contain details of the attempts to market the site at a reasonable price for a sustained period of twelve months. The agent has confirmed that whilst the neighbouring site has been marketed for open storage, the site subject of this application has not.
- 6.7. Overall, it is considered that it has not been demonstrated that the sequentially preferable uses cannot be achieved or that the site has been marketed and the proposal therefore fails to comply with the requirements of Policy DM26 of the Local Plan for the Broads (2019).

Loss of commercial employment land

- 6.8. Policy DM28 seeks to protect waterside sites currently in employment and commercial use. The reasoned justification to the policy makes it clear that this is not limited to just waterside buildings, but also the surrounding land and ancillary buildings which are currently or last used in connection with the enterprise. The

purpose of this is to consider sites on a comprehensive basis rather than as smaller subdivisions.

- 6.9. Again, there is a sequential approach to allowing changes of use and in conjunction with Policy DM26, it must be demonstrated that the existing use is not viable. In addition, criterion (h) requires that the proposal should form part of a comprehensive scheme for the site which retains the site as a unified management unit. In this instance, the applicant has divided up the larger site into three smaller sites by selling part to Broads Tours (including the access to the water), marketing a further part as a site for open storage and then proposing housing on the application site. As there is no evidence provided to demonstrate the unviability of the site, either as a whole or in part, the application is considered to be contrary to Policy DM28 of the Local Plan for the Broads (2019).

Design and character, and appearance of the area.

- 6.10. The proposed dwellings are of a contemporary style with the use of timber weatherboarding, profiled metal roofing and aluminium windows which work as a visual transition between the more traditional brick-built dwellings to the south and east and the boatyards to the north and west. The design is considered to complement the character of the area, reinforcing the distinctiveness of the wider Broads setting. The design is therefore considered to be in accordance with Policy DM43 of the Local Plan for the Broads (2019) and HBE3 of the Wroxham Neighbourhood Plan 2019.

Residential amenity

- 6.11. The proposed dwellings have been re-orientated from the previous withdrawn application in order to overcome the concerns expressed by neighbouring properties in terms of overlooking and loss of privacy. Unit 2 has been located further east to maximise the distance between the properties which now measures 26 metres and is not directly back-to-back. Unit 1's first floor faces towards the east and overlooks the commercial sites. The proposals are therefore not considered to result in a detrimental impact on the existing amenity of neighbours and are in accordance with Policy DM21 of the Local Plan for the Broads (2019).

Flood risk

- 6.12. The application site is within Flood Zone 1 (lowest risk) which is considered suitable for residential development. Nonetheless, the design features 'upside-down' properties with the main living areas on the first floor and so the proposal is considered to be in accordance with Policy DM5 of the Local Plan for the Broads (2019).

Other matters

- 6.13. The Parish Council have requested that the dwellings should be for over 55s in order to comply with Policy HBE2 of the Wroxham Neighbourhood Plan. However, this is

not proposed by the applicant and given the fundamental objections to the principle of residential development this has not been discussed further.

- 6.14. There is no Highway Authority objection to the proposal as the site has an existing suitable access onto Norwich Road and off-road parking provision is proposed. The development is therefore in accordance with Policies DM23 of the Local Plan for the Broads (2019) and TRA2 of the Wroxham Neighbourhood Plan 2019.

7. Conclusion

- 7.1. The proposed development of two residential properties on an existing commercial employment site which has not been robustly marketed for a continuous period of 12 months is considered to be premature in that the unviability of the site has not been demonstrated or justified and the sequential approaches defined in Policies DM26 and DM28 of the Local Plan for the Broads have not been followed. Due to the importance of waterside sites in commercial use to the local economy and character of the Broads, the LPA will seek to ensure these sites remain in commercial use wherever possible and that the benefits of any proposed change of use outweigh the loss of valuable, waterside employment land.
- 7.2. The proposal is considered to be contrary to Policies SP11, DM26 and DM28 of the Local Plan for the Broads (2019), Policy HBE1 of the Wroxham Neighbourhood Plan 2019 and the National Planning Policy Framework (2019) which is a material consideration in the determination of this application.

8. Recommendation

- 8.1. Refuse.

9. Reason for recommendation

- 9.1. The application seeks full planning permission for the erection of two detached dwellings on an existing commercial employment site. Policies DM26 and DM28 of the Local Plan for the Broads follow a sequential approach which requires the marketing of the site for a period of twelve months and a statement completed by an independent chartered surveyor which demonstrates that other employment uses, community facilities or tourism and recreation uses have been fully considered but are unviable. The application confirms that the site has not been marketed either in association with the wider, former Windboats Marine site or separately and it therefore fails to comply with Policies SP11, DM26 and DM28 of the Local Plan for the Broads (2019), Policy HBE1 of the Wroxham Neighbourhood Plan 2019 and the National Planning Policy Framework (2019).

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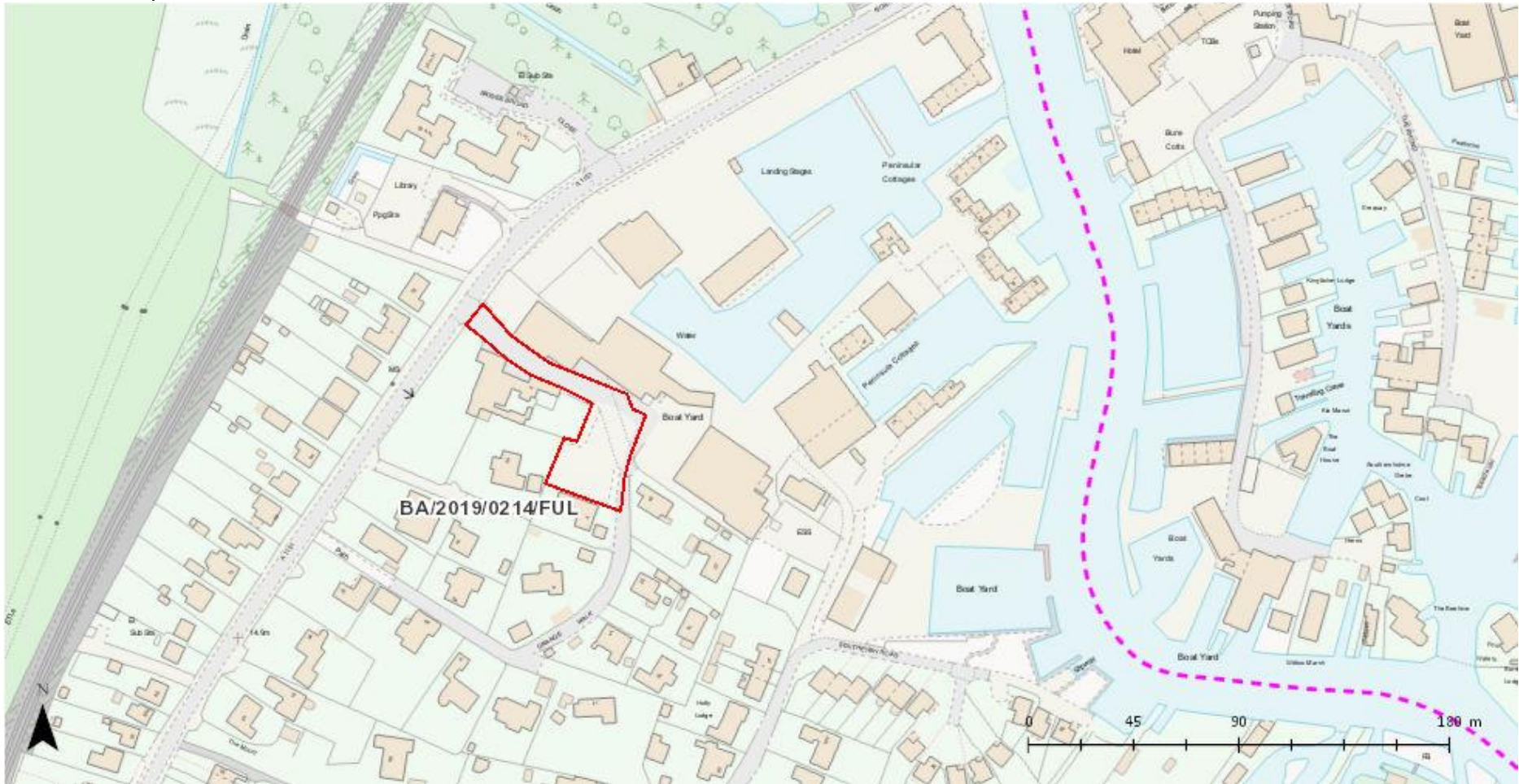
Date of report: 1 August 2019

Background papers: BA/2019/0214/FUL

Appendix 1 – Location map

Appendix 1

Location map



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