

Application for Determination

Parish	Wroxham and Hoveton		
Reference	BA/2015/0244/COND	Target date	11 September 2015
Location	Barnes Brinkcraft, Riverside Road, Wroxham		
Proposal	Removal of Condition 5 from planning permission BA/2008/0266/FUL to remove the requirement to provide 4 public moorings in Wroxham		
Applicant	Barnes Brinkcraft Ltd.		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Third party objection		

1 Description of Site and Proposals

- 1.1 The application concerns the Barnes Brinkcraft boatyard which spans the River Bure at two sites in Wroxham and Hoveton. The site at Wroxham (the former Moore and Co. boatyard) consists of moorings on the river and within basins and these are predominantly private moorings. On the opposite side of the river, within Hoveton, there is the main base for the boatyard's hire operations with over 70 moorings and also units of holiday accommodation.
- 1.2 In 2008 an application was submitted proposing the realignment of quayheading along the river on the Wroxham side and this included the removal of an office building and the provision of four public mooring spaces at the northern end of the riverfront moorings. This was approved subject to conditions, including condition 5 which states:
- The mooring as hatched in yellow on the submitted plan (Titled 'Site location and site layout plan') shall only be used for the mooring of boats for a period of up to a maximum period of 24 hours and shall not be used for mooring by the same boat within the following 24 hours.*
- 1.3 The approved 'Site location and site layout plan' (submitted by the applicant) identified a length of 115 foot, or a total of four, public moorings.
- 1.4 The development has not been occupied in accordance with condition 5 and private boats have been mooring on a long-term basis in the area allocated

for public moorings. This application seeks to regularise the situation by removing condition 5 from the previous permission.

- 1.5 The application notes that these moorings are not well served by nearby facilities and that it is a distance of approximately 1500 metres from the moorings to the centre of Hoveton where visitor facilities and amenities are concentrated. There are also no staff based at this site to collect mooring fees and there are limited facilities.
- 1.6 As an amendment to the original application, it is now proposed to provide six visitor moorings within the yard on the Hoveton side of the river. This is the operational base for the hire boats and at changeover times the riverfront and basin moorings are often at capacity. The yard does, however, allow for visitors to moor here when space allows, but this is not required by any existing planning permission.
- 1.7 The proposal is to provide six visitor moorings within the Hoveton site on a flexible basis and the following new planning condition is proposed:

A minimum of six moorings within the areas identified in red on the drawing titled 'Visitor Mooring Layout at 1:200' (received by the Local Planning Authority on 3 September 2015) shall be made available at all times for short-stay visiting boats with the exception of 08:00 to 16:00 on Fridays and Saturdays if there is insufficient space. These moorings shall be occupied by visiting boats for a maximum period of up to 24 hours each and no one boat shall moor in the area identified in red on drawing titled 'Visitor Mooring Layout at 1:200' again within the following 24 hours. These moorings shall be kept available for this use at all times in perpetuity, notwithstanding closures for maintenance.

- 1.8 The submitted plan identifies all the existing mooring areas within the Hoveton site and it is proposed to provide a new riverfront sign with the following wording: *'Visitors please request that staff direct you to a suitable mooring location'*.

2 Site History

BA/2008/0266/FUL Realignment of quayheading to allow stern on mooring, removal of office building and the provision of four public mooring spaces – Approved subject to conditions

BA/2009/0284/COND Variation of condition 6 of previously approved planning permission BA/208/0266/FUL to allow boats of 10m to moor stern on in indicated area and not 16m as previously approved - Approved subject to conditions

BA/2009/0353/FUL Resubmission of PP BA/2009/0184/FUL for a minor alteration to mooring basin to allow side on mooring for 2 boats – Approved subject to conditions

BA/2011/0316/FUL Realignment of quay heading and demolition of two wet boat sheds – Approved subject to conditions

BA/2013/0019/FUL Part demolition of boat shed and erection of a terrace of three detached houses – Approved subject to conditions

BA/2015/0316/FUL 182m of replacement quayheading – Pending consideration

3 Consultation

Wroxham Parish Council – No objections (Response to original proposal, no response to consultation on amendment).

Hoveton Parish Council – No objections (Response to original proposal, no response to consultation on amendment).

Wroxham District Member – To be updated orally

Hoveton District Member – To be updated orally

Broads Society – No objections (Response to original proposal, no response to consultation on amendment).

Norfolk and Suffolk Boating Association – The amended proposal does answer the NSBA's argument that six visitor moorings should be provided. It does not, however, specify a dedicated area for these moorings. Ensuring compliance with what is now proposed could be problematic. The amended proposal would not apply between 0800 and 1600 Fridays and Saturdays if there was insufficient space. There is no such temporal limitation in respect of condition 5 which Barnes Brinkcraft wish to see removed and DP16 (h) does not provide for such a limitation to be imposed in respect of the additional two moorings.

Inland Waterways Association – The increased number of moorings from the original application are acceptable, as is the proposed wording of the signage.

It was not considered necessary to consult the Navigation Committee on this application as the proposal relates only to a change of use of existing moorings which are largely off the main river and therefore the proposal would not significantly affect the use or enjoyment of the navigation area. Both the Chairman and Vice Chairman of the Navigation Committee have confirmed that they are satisfied with this approach.

4 Representations

None received.

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 this application.

Adopted Broads Core Strategy (2007)
[Core Strategy Adopted September 2007 pdf](#)

CS9 – Sustainable Tourism
CS14 – Water Space Management
CS23 - Economy

Adopted Broads Development Management DPD (2011)
[DEVELOPMENTPLANDOCUMENT](#)

DP27 – Visitor and Community Facilities and Services

- 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 this application.

DP16 - Moorings

6 Assessment

- 6.1 The key consideration in the determination of this application is whether the proposal complies with DP16 and other development plan policies which seek to ensure a network of visitor facilities, including moorings, are provided throughout the system.
- 6.2 The proposal seeks to remove the requirement for visitor moorings to be provided, allowing these moorings to be used for other purposes. Providing additional private moorings within this site is considered acceptable in principle and to comply with criteria a, b, d and e of Policy DP16 as the impact on the navigation, landscape character, species and habitats and amenity would be no greater for private moorings than visitor moorings. With regard to criterion c, the applicant has cited the long walk to the local services to be one reason why visitor moorings are not appropriate or viable here. It is considered that, in general, those visiting private boats moored are likely to have lower demands for visitor services (shops, restaurants, information, *etc.*) than those visiting the area and mooring for up to 24 hours and, on balance, the access to facilities is considered acceptable for private moorings.
- 6.3 It is also necessary for criteria f – k to be satisfied as this site is part of an existing marina. Criterion f of Policy DP16 only allows for new development in marinas if they would not result in the loss of visitor/short stay moorings.

This is consistent with the objectives of Policies CS9 (i), CS14, CS23 and DP27 which all seek to encourage, maintain and protect existing visitor facilities, including moorings. Furthermore, criterion h of Policy DP16 requires developments in existing marinas to provide new visitor (short stay) moorings at not less than 10% of total new moorings, with a minimum provision of two.

- 6.4 The amended proposal would provide a total of six (four replacement and two additional) visitor moorings within the Hoveton site. The applicant notes this side of the river has better access to the facilities in Hoveton (within 250 metres) and this site is staffed, has waste disposal, toilets, showers, water, fuel, pump out and an on-site engineer. In principle, transferring the provision of visitor moorings from the Wroxham side to the Hoveton side is considered acceptable and six moorings are considered necessary to comply with Policy DP16
- 6.5 When approving new visitor moorings, it would usually be considered necessary to ensure these are in a dedicated area, appropriately signed and available at all times exclusively for visitors. The applicant does not consider this possible within the constraints of the existing boatyard and the proposed condition at paragraph 1.7 has been drafted as a compromise position.
- 6.6 Whilst the provision of dedicated moorings available for the exclusive use of short-stay visitors would be preferable, it is appreciated that the boatyard offers visitor moorings on a voluntary and flexible basis at present when capacity allows. When the yard's hire boats are out cruising, there are many berths available for this use, often in excess of the necessary six. The proposed condition would take account of the peak changeover times when the hire boats are back at their base and outside these times allow for visitors to be accommodated either on the riverfront or within the basins wherever there is space. This is not the optimum solution, however the applicant has indicated that a condition requiring constant provision of dedicated moorings exclusively for visitors could not and would not be complied with. The proposed condition would ensure that visitor moorings are available overnight on Fridays and Saturdays, but not during the day unless capacity allows.
- 6.7 The proposal would ensure that six visitor moorings are available the majority of the time and these would be better located in relation to existing services and facilities than the four existing moorings. Without any alternative provision of visitor moorings, the proposal to remove the four existing moorings is contrary to Policy DP16. On balance, the proposed replacement provision and two additional moorings is considered to be acceptable and to meet the objectives of Policies CS9 (i), CS14, CS23, criteria f and h of DP16 and DP27. Providing these moorings at the Hoveton site and the private moorings at Wroxham also complies with criteria g, l, j and k of Policy DP16.

- 6.8 It is noted the Norfolk and Suffolk Boating Association are concerned the proposed condition could not be satisfactorily enforced. In the same way that the proposed signage would require visitors to ask staff to direct them to the available visitor moorings, it would be necessary for any officer monitoring compliance with the condition to ask for the moorings available to visitors at any one time to be identified by staff. The keeping of a formal log or register of the use of each mooring is not considered practical at such a busy site. On balance it is considered the provision of visitor moorings can be satisfactorily monitored and enforced.
- 6.9 Rather than remove the existing condition altogether, it is considered necessary to vary it to allow only private moorings in place of the previously approved visitor moorings and, as this application affects the conditions of an existing permission, it is considered necessary to re-state the original conditions as appropriate.

7 Conclusion

- 7.1 The application proposes replacing existing visitor moorings with private moorings and replacing and increasing the provision of visitor moorings within the boatyard on the opposite bank. The site in Wroxham is considered appropriate for private moorings and the Hoveton site is considered to be better served for visitor facilities. Four existing visitor moorings would be replaced and a further two would be provided. For the majority of the week, the proposal would result in an increase in provision and this is welcomed. These moorings are already often available on a voluntary basis and this proposal would secure this arrangement. Although, during busy daytime periods on Fridays and Saturdays, the required visitor moorings may not be provided, the proposal is, on balance, considered acceptable and to comply with Policies CS9, CS14, CS23, DP16 and DP27.

8 Recommendation

- 8.1 Approve subject to conditions:
- (i) Standard time limit
 - (ii) In accordance with approved plans
 - (iii) A minimum of six moorings within the areas identified in red on the drawing titled 'Visitor Mooring Layout at 1:200' (received by the Local Planning Authority on 3 September 2015) shall be made available at all times for short-stay visiting boats with the exception of 08:00 to 16:00 on Fridays and Saturdays if there is insufficient space. These moorings shall be occupied by visiting boats for a maximum period of up to 24 hours each and no one boat shall moor in the area identified in red on drawing titled 'Visitor Mooring Layout at 1:200' again within the following 24 hours. These moorings shall be kept available for this use at all times in perpetuity, notwithstanding closures for maintenance.
 - (iv) Approved signage to be installed prior to first use of private moorings
 - (v) The moorings indicated in red on the submitted Site Location and Layout Plan (received by the Local Planning Authority on 15 July 2015) shall be used for the mooring of private boats only and shall not be

used for the mooring of commercial (hire) boats or for residential moorings.

- (vi) Boats moored in the area edged in purple on the submitted plan (Titled 'Site location and site layout plan' received by the Local Planning Authority on 21 October 2009 in respect of application BA/2009/0284/COND) shall only be moored stern on and shall not be greater than 10 metres in length.

9 Reason for Recommendation

- 9.1 The proposal is considered acceptable in accordance with Policies CS9, CS14 and CS23 of the adopted Core Strategy (2007), Policies DP16 and DP27 of the adopted Development Management Policies (2011) and the National Planning Policy Framework which is a material consideration in the determination of this application.

Background papers: Planning File BA/2015/0244/COND

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List of Appendices: APPENDIX 1 – Site Plan

APPENDIX 1

BA/2015/0244/COND Barnes Brinkcraft, Riverside Road, Wroxham

