

Planning Committee

23 June 2023

Agenda item number 7.1

BA/2022/0436/HOUSEH Hoveton - Construct new mooring with boathouse, extend decking area and replace quayheading

Report by Planning Assistant

Proposal

Proposal to construct new mooring with boathouse, extend existing decking area and replace quay heading

Applicant

Mr Paul Rayner

Recommendation

Approve subject to conditions

Reason for referral to committee

Material considerations of significant weight raised by local Members

Application target date

30 June 2023

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1. Description of site and proposals

- 1.1. The application site is a dwellinghouse known as Hickling House at 4 Bure Court, Hoveton. Bure Court is a private residential cul-de-sac at the southern extent of Marsh Road which runs roughly north-south between two private dykes off the River Bure. The area is largely residential with a scattering of boatyards and moorings; however, Bure Court is solely residential.
- 1.2. The dwelling of 4 Bure Court lies on the eastern side of the cul-de-sac and the curtilage extends for approximately 55 metres along the dyke to the east. The curtilage is widest at the south-western edge and narrows towards the north-east. To the northwest the dwelling has a separate parking area for up to three cars. The dwelling itself is a storey and a half, black and white timber clad, detached building with attached car port and garage to the south. A small octagonal summerhouse is located some metres to the northeast of the dwellinghouse, to which it is connected by a timber walkway through the garden.
- 1.3. The application proposes the creation of a new mooring with a boathouse to be positioned in the south-west corner of the plot. The boathouse is to be constructed from timber with black shiplap timber cladding with white fascias and trims that will match Hickling House. There will be a black roller shutter door on the front which is to be recessed within the elevation. The roof is to be cedar shingles and the external piles will be timber, and the internal piling is proposed to be steel. The boathouse measures 8.9m in length, 4.4m in width with a height of 4m.
- 1.4. The application also proposes to replace the existing quay heading and walkway that is currently bowing into the river and is in a poor state of repair. This is proposed to be replaced like for like with timber. Due to the damage of the quay heading, the ground has eroded away behind it, and it is proposed to fill this area. The design of the quay heading will include one timber cap and waling board. It is also proposed to extend the decking area and bring this forward to be in line with the existing decking. This is to provide a seating area.

2. Site history

- 2.1. BA/1991/2702/HISTAP - Erect one detached dwelling – Approved
- 2.2. BA/1995/2376/HISTAP - Erection of detached dwelling – Approved
- 2.3. BA/2013/0147/FUL - Replacement timber quay heading and replacement of and extension to decking (partially implemented) – Approved
- 2.4. BA/2020/0174/HOUSEH - Replacement Summerhouse (with a Barbeque Summerhouse – Approved

- 2.5. BA/2020/0381/HOUSEH - Installation of two rooflights and a soil vent pipe to serve first floor loft conversion – Approved

3. Consultations received

Parish Council

- 3.1. No response received

BA Historic Environment Manager

- 3.2. Initial response - firstly, it is acknowledged that the application results in the loss of a mature tree and I would recommend Stephen Hayden is consulted on the appropriateness of this. There would be a concern regarding its removal if you receive an objection from Stephen and the size/location of the boatshed may need to be amended if this is the case. If the removal of the tree is considered appropriate, I would recommend a suitable replacement is conditioned. Subject to the tree issue being resolved I can advise that there is no objection to the principle of erecting a boatshed. It is considered the design of the boatshed could be slightly amended to a more traditional form, with a larger roof to wall ratio to help 'anchor' the building and reduce its visual prominence. This could be achieved by lowering the eaves, potentially increasing the ridge height, and ensuring a larger eaves overhang to produce a more traditional form. Timber boarded doors would also be preferable to the roller shutter proposed. I do have strong concerns regarding the appropriateness of the proposed faux slate roof material and would recommend this is amended to either clay tile, a tile to match the existing chalet, cedar shingles or even a profiled metal roof might be appropriate. I would also recommend a condition for all external materials and hard landscaping, joinery details (windows and doors), bargeboards, soffits, and rainwater goods to be agreed.
- 3.3. Second response – thank you for consulting me on the amended proposal. The amendments follow previous recommendations over a change in form and materials. The new proposal provides a traditionally formed boatshed in traditional materials and with modern detailing and I can therefore advise I no longer object to the scheme. The replacement tree is also welcomed. Whilst the materials are considered appropriate and welcomed in principle I would recommend a condition for all external materials samples and treatment, joinery details (windows and doors - inc. details of the roller shutter door), bargeboards, soffits, rainwater goods and hard landscaping to be agreed and also a plan to show a small set back in the positioning of the proposed roller shutter door (these look visually recessive and less industrial when recessed into a set-back rather than flush to the external walls).

Ward Member

- 3.4. Cllr Nigel Dixon – Initial response - this application can be determined by the Head of Planning (delegated decision).

3.5. Cllr Nigel Dixon – Second response - further to my email of 7 Dec 22, and having carried out a site visit, I now withdraw my agreement for the subject application to be decided under delegated powers on the following planning grounds: Over Intensive Development - the relatively narrow gap between Hickling House and Bure Court House Boat Shed is barely big enough to site a boat shed of the size stated and it will destroy the sense of separation between the 2 properties and create an impression of overbearing continuous built form, similar to an urban terrace effect, harming the sense of open space in an area which needs to retain it. This is a very busy and narrow dyke serving many hire boat businesses and is particularly visible to all such traffic and to that extent it creates a poor impression of conserving something of an area which, not long ago, was undeveloped open ground. I note with concern the comments of the Heritage Officer seeking to increase the height of the boat shed ridge and lowering the eaves; these changes may seem reasonable when looking at the drawing, without the context of the setting, but they will increase the harm by increasing the frontal area. This suggests the Heritage Officer hasn't visited the site to view the setting from the dyke and Birchwood vantage points. It's not clear why this site has been chosen when there's more space with better navigable access to the north of Hickling House. Navigable Access - the chosen site is at the narrowest point of the dyke and entering and leaving the proposed boat shed will be particularly difficult and disruptive to the free flow of traffic during busy periods of the tourist season and inevitably will cause damage to the quay heading on the opposite bank. Quay Heading Replacement - the current quay heading of the site has clearly bulged into the dyke and the ground behind appears unstable. The submitted details omit to state whether the current quay heading will be removed and the new quay heading placed behind it, thereby restoring the original dyke width; or, whether it will be placed in front of it, thereby further narrowing the dyke. This needs to be clarified to ensure the original dyke width is restored and irrespective of the proposed boat shed this work need the be carried out to stabilise this part of the dyke edge. Walkway/Decking - there seems to be significant differences between the submitted plans of the walkway/decking area and what's actually in place now; that makes it difficult to assess the impact of the proposed changes. Anything which bring the development line nearer to the dyke would be harmful to the character of the area. Paucity of Information - there's very little information showing how the proposed boat shed and walkway/decking changes would fit into the current dyke-side scene and thus the over intensive development and tight navigable access would only be fully appreciated once the proposed development was in place. With that in mind, I strongly recommend the Planning Committee conducts a site visit and views the proposals from both Hickling House and Birchwood on the opposite bank of the dyke using ranging poles to illustrate the width, length, ridge and eaves heights of the boat shed. Using only imaginative approximations I was shocked at how the dyke-side scene would be significantly harmed and how the free flow of boat traffic would be impeded at times. A photo of the site front elevation with the boat shed superimposed on it might help to illustrate the adverse impact but the full effect on the scene can only be properly appreciated by a site visit to Birchwood, which I

gather the owner would welcome. 2 To conclude, for the planning grounds and reasons stated, above, this application should only be decided by the Planning Committee if the Officer recommendation is to approve; and, the current proposals would cause significant harm to the character of the area and adverse impact to traffic navigation such that it greatly outweighs the benefit to the applicant. I should add, such a boat shed facility is capable of delivery on the site, north of the House, with much less harm and adverse impact.

- 3.6. The amended application doesn't change the planning grounds and reasons to "call in" the application for the Planning Committee if the Officer recommendation is to approve. I have recently been made aware of boundary and mooring rights issues which appear to strengthen the grounds for concern over navigational conflict.
- 3.7. Cllr Gerard Mancini-Boyle – Initial response - I am happy for delegated powers on this application.
- 3.8. Cllr Gerard Mancini-Boyle – Second response - today I visited Susan Bell, as you are aware she has concerns regarding the boat house planning application opposite her property. Having looked at the proposed piece of land in the application, I has some concerns. Firstly, this is a very narrow stretch of water to navigate a boat into the boat house. The boat house would appear to take up all of the space. In my view the boat house could be better moved to a more suitable space further along the property. May I suggest that this application could be called in to the planning committee for discussion. I would also remove my decision on delegated powers.

Tree Officer

- 3.9. Further to your recent request I have now visited the above-mentioned site and can offer the following. The proposed new boathouse will require the loss of a small alder tree that has been heavily reduced in the past, presumably due to its proximity to the existing outhouse. This is a small tree with limited visual amenity that could be replaced elsewhere on the site if removed. Given this I have no objection to the proposed development if we can condition the planting of a replacement tree as part of a landscaping scheme for any consent that may be issued. I am happy to discuss with the applicant suitable size and species for replacement trees if they wish.

Navigation

- 3.10. This stretch of river is not part of the main navigable channel and so falls outside of our jurisdiction from a navigation point of view (and so why we did not comment on this application first time round). I expect the properties involved will have deeds, etc with details of the rights they have over this stretch of water which will apply here.

Ecologist/Rivers Engineer

- 3.11. No concerns about the development provided the specified peat mitigation is undertaken and any peat excavated is kept wet and used immediately in backfill.
- 3.12. No objections to planning application, works licence required for construction.

4. Representations

- 4.1. Mr Alan Irvine- Initial response - I am instructed by Sue Cadamy, the owner and occupier of Birchwood which is located to the east of the application site. I have now had the opportunity of visiting her property to understand the impact that the proposed development will have. I would be grateful if you would provide clarification on the following issues: 1. Quay heading. The application seeks permission for a new quay heading. In the Design and Access Statement it states the new quay heading will be like for like. Please clarify if this means removal of the old heading and its replacement in the same location rather than the placing of the new quay heading either in front of or behind the existing. 2. The site plan as submitted is inaccurate. I enclose a copy for ease of reference and have circled in red the area of concern. This shows, edged green, an extension of decking along the eastern elevation of the property. I enclose a photograph of the property taken at my recent visit. Please note that the drawing does not correctly define the extent of decking already at the property. On the photograph you will note that the decking wraps round the gable end of the building at its northern and eastern edge and the existing decking extends much closer to the quay heading than is shown on the drawing. Without an accurate 'as existing' site plan, a proper assessment of the decking extension cannot be made. 3. The Design and Access Statement says the new quay heading will be at the same level as the quay heading of the property to the south, Bure Court House. The revised drawings of the proposed boat house show it being 5 metres to ridge above the top of the new quay heading. Please clarify the differential between the existing quay heading height and the new quay heading height so a true height for the new boathouse is established. Without knowing the actual height above existing heading height it is difficult to fully assess the impact of the new boathouse. We estimate the new quay heading will be almost half a metre higher than the existing quay heading but look forward to your clarification of this.
- 4.2. Mr Alan Irvine- Second response - Please find enclosed a copy of the revised, proposed boathouse elevations drawing provided by the applicant. The drawing has been dimensioned to scale and the measurements given for the building do not correspond to the building as drawn. For example, if one uses the stated width of the building as being correctly dimensioned on the drawing, the height as shown measures 5.165 metres not the 5 metres as stated. The length of the building is stated to be 11 metres, but the actual length of the building as drawn is less than 11 metres. I have also reviewed the site plan as provided by the applicant. The plan has been checked using stated dimensions and information provided on the OS plan and shows the site plan to be in error. The proposed boatshed is stated to be 11 metres long by 4.7 metres wide, but the building shown edged red on the site plan provided by the applications measures 9.5 metres by 3.81 metres. The dotted black line shows the outline with measurements of 11 metres x 4.7 metres and as you will note, it does not fit into the available space. The front corner of the building would be on the quay heading and the rear corner of the building would touch the dwelling by the time the overhang of the

roof and the guttering is attached to the building. The above information has been taken from data supplied by the applicant and has been processed using detailed AutoCAD software and I consider it to be very accurate. There are clearly further issues with the information provided by the applicant beyond those raised in my email of 13 March. You have set a deadline of 22 March for comments to be submitted. Only once the applicant has provided accurate revised plans and confirmed the exact nature of the proposal can a proper assessment of the application can be made.

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:
 - DM10 – Peat Soils
 - DM13 – Natural Environment
 - DM21 – Amenity
 - Dm43 - Design

6. Assessment

- 6.1. In terms of the assessment of this application the main issues to be considered include the principle of the development and the impacts on neighbouring amenity and the design of the proposed development, as well as the impact on the natural environment.

Principle of development

- 6.2. The applicant wishes to create a mooring and erect a boathouse to moor a boat for the enjoyment of the river. The boathouse will protect the boat and ensure the boat is out of the navigable dyke when not in use, which protects other boat users and the allows the safe passage of the dyke. The purpose of the replacement quay heading is to increase safety and usability and the enlargement of the decked area is to improve the visual and amenity of the property as well as its usability. This is an area where many properties have direct access to the water and the principle of the development is therefore considered acceptable.

Design

- 6.3. Whilst assessing the design of the proposed development, Policy DM43 states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness, and landscape character and preserve or enhance cultural heritage. The character of Bure Court is entirely residential with large, detached properties of mixed design and appearance. There are multiple boathouses and moorings along this part of the dyke, including large, pitched roof boathouse.

- 6.4. The design of the boathouse that is proposed under this application has been amended over the course of the application in response to issues raised and there is no objection from the Heritage Officer to the revised design. The materials that are proposed are traditional and commonly used throughout the Broads. Timber shingles for the roof are a natural material and in keeping with the soft and muted materials in the local area. It is proposed to clad the boathouse in black timber cladding which will reduce the visual impact and match similar boathouses in the local area. The size of the boathouse has also been reduced during the application. The original scheme measured 4.7m by 11m and this was reduced in length to 8.9m and in width to 4.4m. The size is considered suitable in the limited space available within the plot and allows for the resident to still retain garden space as well as a mooring, which the property currently does not have.
- 6.5. The quay heading is proposed to be replaced on a like for like basis, as the existing material is timber. Timber is a natural resource and its impact on the environment is significantly less than the alternatives, which are steel and plastic. It is proposed to use steel piling on the inside of the boathouse, as this will not be seen, and this is considered acceptable. The extension of the decked area immediately outside the door is currently narrow in places and wrapped around this elevation of the dwelling. It is proposed to continue this further into the garden to enlarge the area for seating. The material is to match the existing decking and the enlargement is not considered significant and this is acceptable in terms of design and Policy DM43 of the Local Plan for the Broads.

Amenity

- 6.6. With regards to amenity, there has been an objection raised which, whilst it covers multiple aspects of the application, is concerned primarily about the impact of the proposed development on the local amenity. These are all considered in this section.
- 6.7. In terms of navigation, there is concern that the dyke is not wide enough to facilitate the mooring of a boat in the proposed mooring and various drawings and scans of the area have been provided. Although not required as part of the application, the agent has provided images of the potential boats that are proposed to be moored and the sizes of these. After reviewing these and acknowledging that the neighbouring properties are permitted to moor boats along the opposite side of the dyke, it is concluded that whilst the dyke is narrow there is enough space to safely moor a boat in the boathouse and mooring proposed, subject to it being of the size indicated. The BA's Navigation team was consulted on the application, but as this is a private dyke (i.e., not on the public navigation) this is a private matter and any issues with the blocking of the dyke by vessels would be a civil matter between the applicant and the neighbouring residents and is not a material consideration in terms of the planning application.
- 6.8. Another concern raised was the size and footprint of the building, and that the building would not fit in the specified location based on the dimensions provided. In response to this a further site visit has been conducted and it confirmed that the building does fit, and this has been measured. The building has undergone a reduction in width and

length to ensure that it is a good fit and continues the built development in Bure Court. It is noted that there is currently a gap in development here, where views can be seen through the residential properties. The right to a view is not a planning consideration and it is considered that the space available is suitable for such development. There is a shed and tree in this location which currently are dilapidated, and the boathouse will be an improvement visually.

- 6.9. The boathouse has a 4m tall ridge which is set below both the host dwelling and the neighbouring property. This reduces the dominance of the building and ensures it is not overbearing.
- 6.10. It has been suggested that the boathouse could be moved to an alternative location within the curtilage of the dwelling. These locations have been considered by the applicant but as this is the widest section of the plot, nowhere else would accommodate the boathouse as well as the chosen location.
- 6.11. The proposed boathouse will not increase overlooking due to there being no windows in the building and there is only one door on the rear and a roller shutter door on the front, which will likely be closed when the boat is inside. The building will also not reduce light to neighbouring properties due to its location. In terms of visual amenity, the derelict shed, and tree removal and erection of the boathouse will improve the appearance of the area and make use of land which otherwise is unused. The proposal is therefore considered acceptable in terms of Policy DM21 of the Local Plan for the Broads.

Other issues

- 6.12. The site is located within an area of potential peat soils. A peat survey was conducted and submitted as part of the application and found that there was limited peat in the excavation site. It has been confirmed that peat mitigation methods will be implemented when necessary and if necessary. The proposal is considered acceptable in terms of peat soils and Policy DM10 of the Local Plan for the Broads.
- 6.13. The BA's Ecologist was consulted on the application due to the peat soils and the replacement quay heading. No objections have been raised and suggested mitigation methods for the soil and bio-diversity enhancements, as well as wildlife conditions and informatives have been provided. The proposal complies with Policy DM13 of the Local Plan for the Broads.
- 6.14. The proposed location of the boathouse does involve the removal of a mature tree. The Tree Officer was consulted as part of the application and confirmed that the removal was acceptable and that a replacement should be planted elsewhere in the curtilage; the agent confirmed the replacement and specified this on the site layout plan.
- 6.15. The existing quay heading has over time failed and bowed into the narrow navigation channel at the entrance of this particular dyke. This has visually narrowed the dyke and reduced the useability of the plot. The replacement quay heading is to be replaced in the same place as the existing, however it would be taller than the existing. This to

match the quay heading heights of the neighbouring properties which are taller. The removal of the quay heading in the entrance of the proposed mooring will open the dyke up further and return the dyke to full width.

7. Conclusion

- 7.1. Planning permission is being sought for the erection of a boathouse with a new mooring, as well as like for like replacement quay heading and an extension to the existing decking area. The design and materials of the proposals are considered to be in accordance with the requirements of Policy DM43 of the Local Plan for the Broads and as there are no detrimental impacts in terms of amenity of the neighbours, the proposals are in accordance with Policy DM21 of the Local plan for the Broads. The Ecologist raised no concerns with regards to the peat soils and the replacement of the quay heading, which means the proposals are in accordance with Policy DM10 and DM13 of the Local Plan for the Broads. On this basis, it is considered that the application is acceptable.

8. Recommendation

- 8.1. Approve subject to conditions
1. Three-year timeframe for commencement
 2. In accordance with the approved plans and material details
 3. Material details of the boathouse to be agreed
 4. Ecology condition for the placement of a bird box

Author: Callum Sculfor

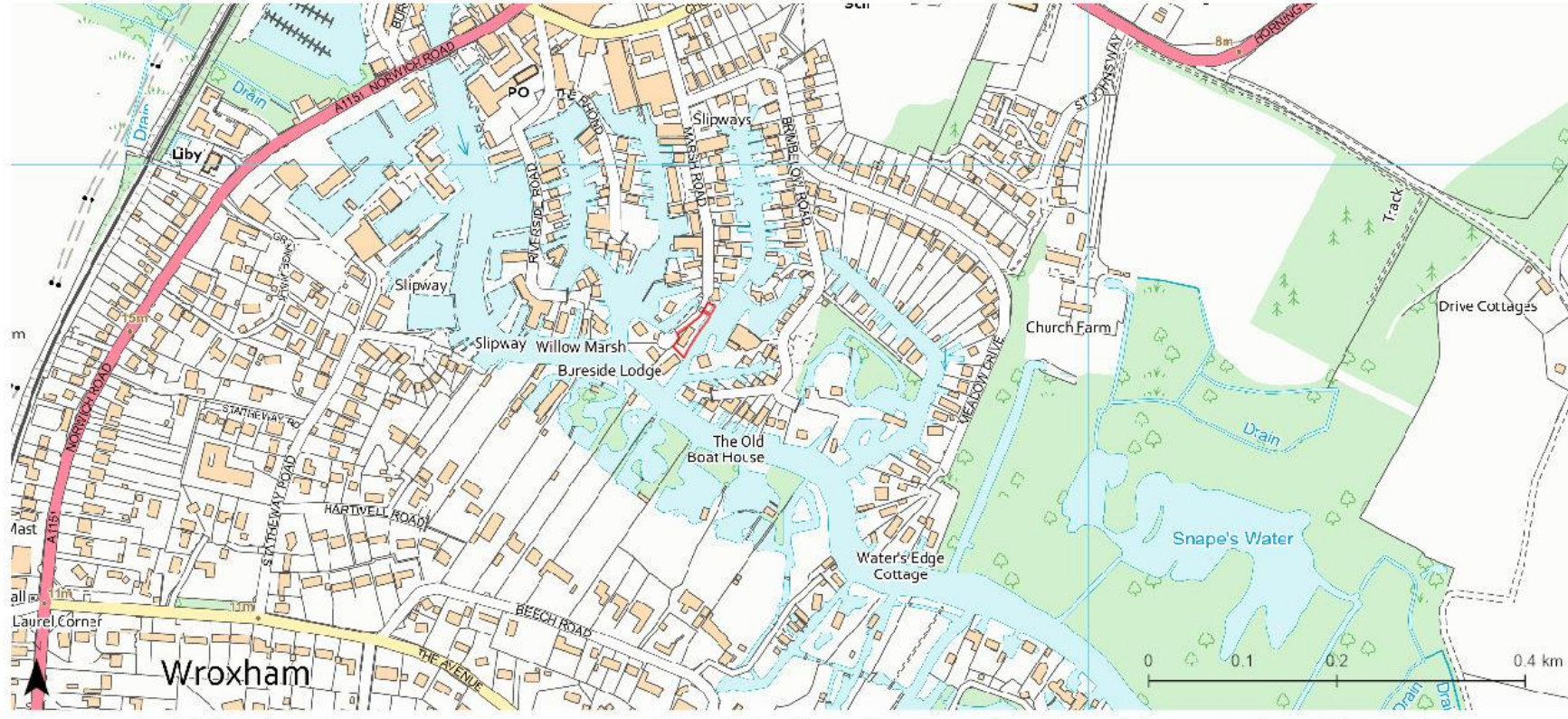
Date of report: 12 June 2023

Background papers:

Appendix 1 – Location map

Appendix 1 – Location map

BA/2022/0436/HOUSEH - Hickling House, 4 Bure Court, Marsh Road, Hoveton



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