

Reference:

BA/2018/0154/FUL

Location

Former Site of the Broads Hotel Cottage, Station
Road, Hoveton

BA/2018/0154/FUL Broads Hotel, Station Road, Hoveton



Application for Determination
Report by Planning Officer (Compliance and Implementation)

Target Date	03 July 2018
Parish:	Hoveton
Reference:	BA/2018/0154/FUL
Location:	Former site of The Broads Hotel Cottage, Station Road, Hoveton
Proposal:	Temporary 5 year approval for 38 space public car park, plus widening of footpath
Applicant:	Mr E Roy
Recommendation:	Approval with conditions
Reason for referral to Committee:	Departure from Policy

1 Description of Site and Proposals

- 1.1 The application site was formerly occupied by the Broads Hotel Cottage which was demolished in 2014 and has remained empty since. The site currently has no buildings or features other than remnants of concrete flooring, a hard surfaced car park and a garden. The site is surrounded by a high fence to the east, a conifer hedge to the north and a temporary fence to the west.
- 1.2 In terms of surrounding development, the site sits between Station Road to the east and the River Bure to the west. Roys Department Store and carpark sits on the opposite side of Station Road, to the east of the application site. To the immediate north is a public footpath leading down to the river and a public car park, to the south is the side wall of Massingham Bros butchers, and an existing informal car park sits to the west. A fairly mature landscape follows the banks of the River Bure in this location. The site is within the development boundary for Wroxham and Hoveton.

- 1.3 The proposal is for a 5 year temporary approval for the laying out and use of the site as a 38-space public car park with associated landscaping. The car park is proposed to be used whilst a percentage of the car parking at Roy's Department Store (known as Forge House) is displaced whilst works are being undertaken to construct a sizable extension at the store (PF/17/1270-application approved by North Norfolk District Council). These works are due to commence in 2018. As part of the works it is proposed that the footpath along Station Road will be widened.
- 1.4 It should be noted that the application site is currently being used as a temporary works compound in connection with the extension to the Roy's Department Store. The works compound is being undertaken in accordance with Permitted Development Rights for temporary uses and will cease within 28 days. The works compound is proposed to be moved to the main Roy's car park on the site opposite which is outside of the Broads Executive Area.

2 Site History

2.1 Applications relating to the site:

BA/1987/3540/HISTAP- Convert cottage to 7 units as annexe to hotel and formation of car park- Approved

BA/1990/2804/HISTAP- Illuminated advertisement- Approved

BA/2002/1655/HISTAP- Change of use from hotel annexe to dwelling- Approved

BA/2007/0310/FUL- Demolition of existing building and erection of mixed use development comprising of residential units, wine bar and retail with ancillary car parking- Refused

BA/2008/0197/FUL- A mixed use development for two ground floor retail units, one ground floor wine bar and eight first and second floor residential units (6no two bedroomed and 2no one bedroomed) together with 20 car parking spaces. Four of the proposed residential units will be allocated to short term holiday rental- Approved

BA/2011/0088/EXT8W- Extension of existing time limit of previous Planning Permission- Approved

BA/2014/0086/DEM- Proposed demolition of the Broads Hotel cottage- Prior Approval not required

2.2 Neighbouring Planning Application relating to this application:

PF/17/1270- Erection of two-storey rear extension to retail store and change of use of former Broads Hotel site to provide car-parking- Approved

3 Consultations

3.1 Consultations received

Parish Council (Hoveton)- No objection

Adj. Parish Council (Wroxham)- Wroxham Parish Council consider that this application should be refused on the basis it is extending car parking in Hoveton which will add to the volume of traffic on the road network, particularly the A1151 Norwich Road. To reiterate what the Council said in response to the Forge House extension:

“This road is in a Conservation area and park of the Broads National Park. The road is already heavily congested with large traffic queues during the summer months. Residents of Wroxham already have serious concerns about the level of pollution caused by this traffic and additional traffic would only exacerbate an already unbearable situation. The Parish Council believes that the development would have an adverse effect on the Broads Special Area of Conservation. The Parish Council is unhappy that this was not in the original application.

District Member- This application can be determined by the Head of Planning (delegated decision)

North Norfolk District Council Planning Department- No comments

Highways Authority- No objections subject to conditions

Whilst I am minded that, notwithstanding the location of the proposals, the provision of a new car park is contrary to national and local policies in terms of sustainable development and promoting sustainable travel modes, I am aware of the planning consent granted for the extension to Forge House and for the change of use of the former Broads Hotel site.

It is accepted that the extension of Forge House will result in loss of car parking, which is offset by the provision of car parking on the former Broads Hotel site. Obviously during construction works parking will be lost and whilst not fully addressing the loss during construction, I do not consider that I could raise an objection for such temporary use during the construction works.

Whilst noting that the application seeks temporary approval for 5 years, in light of the above I would recommend that the use be limited to the completion of the works at Forge House and the former Broads Hotel site or 5 years whichever is sooner, however, I will leave that determination to the LPA.

It is noted that the proposals also include of the widening of the footway fronting the site. The widening of the footway is welcomed but the application does not indicate whether or not the widened footway will be dedicated as public highway. I have, however, discussed this matter with the applicant's agent and it has been confirmed that the applicant is prepared dedicate land to enable the footway to be widened to 1.8m which is acceptable to the LHA.

3.2 Representations received

None

4 Policies

- 4.1 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.

[NPPF](#)

Development Management Policies DPD [Development-Plan-document](#)

DP2- Landscape and Trees

DP4- Design

DP11- Access on Land

DP27- Visitor and Community Facilities and Services

DP29- Development on Site with a High Probability of Flooding

Site Specific Policies DPD

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

HOV1- Development Boundary

- 4.2. 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.

Development Management Policies DPD

DP28- Amenity

- 4.3 Emerging Local Plan for the Broads
Policy PUBHOV3: Brownfield land off Station Road, Hoveton

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0017/1041812/Broads-New-Local-Plan-Publication-Final-version-no-tracked-changes.pdf

- 4.4 The National Planning Policy Framework is a material consideration

5 Assessment

- 5.1 The main issues to consider in determining this application are the principle of the development, need proven for the use, landscaping and design, highways, flood risk and amenity.

Principle

- 5.2 In terms of the principle of the development, development plan policy is currently silent on whether the installation of a temporary car park would be

an acceptable form of development at this site, but it is, however, noted, that adopted policy HOV1 allows for development within the Development Boundary of Hoveton and it is therefore considered that there is a general presumption in favour of development at this site, subject, of course, to that development being in accordance with other development plan policies.

- 5.3 Emerging Local Plan Policy PUBHOV3: Brownfield land off Station Road, Hoveton provides guidance on what sort of development would be acceptable here, and states at (a) that “Former Broads Hotel Cottage site is allocated for A3 and A4 land uses ... Retail and an element of residential, in particular affordable housing, may be acceptable”. The reasoned justification reiterates the above preferred land uses, whilst it is also noted in respect of car parking proposals along Station Road more generally that “Any proposals for car parking for public use must be thoroughly justified through a car park assessment undertaken at peak times over a suitable time period, assessing weekend and weekdays”. This policy may be given some limited weight as the Local Plan has been submitted for examination.
- 5.4 Together these policies indicate that some development on this site is acceptable, but that it should be a commercial use appropriate to the location, plus potentially an element of housing or retail. A car parking use, even on a temporary basis, does not accord with these objectives so it is necessary to consider whether there are significant material considerations to be taken into account and which would outweigh the uses indicated in the policy

Use

- 5.5 The application does not propose the use of the land for car parking on a permanent basis, but for it to be used whilst a percentage of the car parking at the nearby site is lost during building works. It is therefore in effect being presented as replacement development on a temporary basis.
- 5.6 Roys’ car park provides free public car parking for visitors and locals using Hoveton’s facilities, which is of considerable economic benefit to Hoveton. The agent has advised that the extension to the store will result in the permanent loss of 84 existing parking spaces. Of these, 46 permanent replacement spaces are proposed on the former Broads Hotel site on the opposite side of Station Road outside of the Broads Executive Area, which will leave a permanent shortfall of 38. This shortfall will be exacerbated for the duration of the building works by the loss of further spaces from the land occupied on a temporary basis by the site compound (although these will, of course, be reinstated when the compound is removed at the end of the building works). The application proposes the use of the former Broads Hotel cottage site to provide replacement for these 38 spaces on a temporary basis whilst the work is underway, which will help to offset the disruption to users. It should be noted that on the completion of the works and the cessation of the temporary permission on the application site these replacement 38 spaces will be lost, however there is adequate alternative provision elsewhere in Hoveton. The argument around providing replacement parking for the duration of the works is a material consideration.

- 5.7 Turning to the previous and future uses of the site, the site previously contained parts of the Broads Hotel and falls within a development boundary and there is therefore, as detailed above, a policy presumption in favour of development. It would therefore be appropriate to ensure any proposed temporary use did not prejudice or restrict any beneficial potential future redevelopment of the site. As detailed above, emerging Policy PUBHOV3 allocates an A3 (restaurant or cafe) or A4 (drinking establishments) land use, indicating also that either residential or retail use of the site may be considered appropriate. However given that a number of proposals have been approved at the site and the fact that these haven't been built out may indicate an issue with either viability or market conditions at the present time. Given that the site has remained empty since the demolition of the cottage there would be benefits to finding a temporary use to improve the security and visual amenity of the site in the interim. The works to provide the temporary car parking facilities are neither expensive or extensive and it is not therefore considered that the proposal would prejudice a return to a more favourable use when market conditions allow.
- 5.8 In conclusion, given the very specific situation locally with respect to the extension to Forge House it is considered that the use of the site as a temporary car park can be justified and potential future development of the site will not be restricted.

Landscape and Design

- 5.9 It is considered that there would be a significant visual improvement resulting from a new use, albeit temporary, for the currently redundant site. The outline landscaping scheme which has been submitted is considered appropriate and will help soften the appearance from the river and the road. Existing large mature trees will further screen the development from the river further. It is not considered that there will be an adverse impact on existing trees as a result of the development. It is therefore considered that the development is acceptable and in accordance with policies DP2 and DP4 of the Development Management Policies DPD.

Highways

- 5.10 Whilst the concerns of Wroxham Parish Council (as the neighbouring Parish Council) are acknowledged, given that the proposed spaces replace displaced spaces at the main car park opposite it is not considered that there would be a significant increase on traffic in the area or an adverse impact on highway safety as a result of the proposals. The Highway's Authority have no objection to the application subject to the imposition of a number of conditions. The recommendation that the temporary use should be limited only to the period that it is required for replacement parking is a sound one and this can be covered by planning condition.

Flood Risk

- 5.11 The site is situated within Flood Risk Zone 1 and 2 and the development proposed is considered an appropriate form of development within these Flood Risk Zones. The development is therefore considered in accordance with policy DP29 of the Development Management Policies DPD.

Amenity

- 5.12 Given the nature of the proposed development and surrounding land-uses, (which are predominantly car parking and retail) it is not considered that there will be any adverse impact on neighbouring amenity as a result of the proposals, in accordance with policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 Development Plan policies seek to protect the Broads from inappropriate development, including the expansion of car parking in areas where this is not required or where a more beneficial land use should be sought. The principle of the proposal for car parking here is in conflict with a number of these policies.
- 6.2 Section 38(6) of the *Planning and Compulsory Purchase Act 2004* requires that planning applications should be determined in accordance with the Development Plan unless there are other material considerations which indicate otherwise. Whilst development here is in principle allowed by adopted policy HOV1, emerging policy PUBHOV3 indicates that this should be a commercial development, and some weight can be accorded this.
- 6.3 The circumstances in which proposals that conflict with the development plan can be considered for approval are where they meet the following three tests: does the proposal harm the objectives of the policy and plan; does it comply with other development plan policies; and, are there any other material considerations that weigh in favour of the proposal. In this case it is not considered the proposal would detract from the visual quality of the area (indeed, it would offer benefits) so there would be no significant harm to objectives of the policy or wider plan were the proposal to be permitted. The proposal has also been found to be in compliance with the other relevant policies, and, finally, there are material considerations which weigh in favour of a temporary use as replacement parking.
- 6.4 Whilst the primacy of the development plan is appreciated, on balance, it is considered that the objectives of the plan would not be significantly harmed by allowing this development as a departure from the development plan nor would any undesirable precedent be created.

7 Recommendation

- 7.1 Approve subject to conditions:
- 1) Temporary 5 Year time limit or as required as temporary replacement parking for the duration of the use of the site at Forge House for the works compound, whichever is the shorter;

- 2) In accordance with plans submitted
- 3) Landscaping scheme to be submitted
- 4) Landscaping scheme to be undertaken within the next available planting season
- 5) Vehicle access to be provided prior to first use
- 6) PD rights removed to retain unobstructed access
- 7) Visibility splay to be provided prior to first use
- 8) Parking and turning area to be laid out prior to first use
- 9) Off-site highway improvement works to be submitted prior to commencement
- 10) Off-site highway improvement work to be completed prior to first use

Highways Informal:

It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained and typically this can take between 3 and 4 months. Advice on this matter can be obtained from the County Council's Highways Development Management

Group based at County Hall in Norwich. Please contact Stuart French on 01603 638070.

Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer.

If required, street furniture will need to be repositioned at the Applicant's own expense.

Background papers:	BA/2018/0154/FUL
Author:	Kayleigh Judson
Date of report:	07 June 2018
Appendices:	Appendix 1 – Map

BA/2018/0154/FUL Broads Hotel, Station Road, Hoveton

