

Application for Determination

Parish	Rollesby
Reference	BA/2012/0297/FUL Target date 15.11.2012
Location	The Waterside, Main Road, Rollesby
Proposal	Proposed erection of a new barn to hold a shop, museum and events area and erection of extension to boathouse to hold a children's wildlife activity room
Applicant	Mike Minors, The Waterside (Rollesby) Ltd
Recommendation	Approve subject to conditions and Section 106 Agreement
Reason referred to Committee	Third Party Objections

1 Description of Site and Proposals

- 1.1 The application site contains a restaurant which is situated on the northern bank of Rollesby Broad, a Site of Special Scientific Interest (SSSI) and a Special Area of Conservation (SAC). The wider area is rural in character with residential dwellings lining the main road which bounds the site to the north end and overlooks the application site.
- 1.2 The erection of the restaurant and associated boatshed and boat hire business gained planning approval in 2005 (01/05/0001/BF). This application is for an erection of a new barn to hold a shop, museum and events area, and the erection of an extension to the existing boathouse to hold a children's wildlife activity room.
- 1.3 The existing restaurant is approximately 4.2m to the ridge 20m long x 17m wide and the existing boathouse is approximately 4m to the ridge 15m long x 7m wide. They are constructed with larch cladding with a steel sheet roof and glazing.
- 1.4 The new barn is proposed to be approximately 4.8m to the ridge, 24m long, and 9.3m wide, and to be constructed in cedar with a steel sheet roof and glazing. The new barn would be constructed to the north of the site between the existing buildings and the proposed car park which itself would sit adjacent to the road. The proposed extension is to be approximately 4.5m to the ridge, 2m long by 3.5m wide, to be constructed

in larch cladding with a steel sheet roof. An existing overflow parking area is proposed to be formalised to provide additional parking.

2 Site History

In 2001 planning permission was granted for the erection of the restaurant and boathouse (01/05/0001/BF).

In 2009 planning permission was granted for the variation of condition 17 of the original permission to amend the opening times of the restaurant (BA/2009/0339/COND).

In 2010 planning permission was granted for the extension of the kitchen (BA/2010/0331/FUL).

3 Consultation

Broads Society - No objection.

Parish Council - Two observations made by the Parish Council. 1 - the barn shop and events building is large in relation to the restaurant and may obstruct the view towards the broad from the road. 2 - The plans state 45 new car parking spaces but this area already exists and is being used as the overflow car park.

District Member - No response.

Highways Authority - No objection to the principle, but

- provision should be made within the development for a bus/coach drop off/pick point together with an appropriate turning facility.
- the layout should be looked at to provide some additional parking, even if only available as 'over-flow' parking, to cater for periods that may exceed the main allocation.

Natural England - No objection. This application is in close proximity to Trinity Broads, Burgh Common and Muckfleet Marshes and Hall Farm Fen, Hemsby Sites of Special Scientific Interest (SSSI's). However, given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your Authority that these sites do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(1) of the Wildlife and Countryside Act 1981 (as amended), requiring your Authority to re-consult Natural England. Technical advice followed.

Environment Agency - No objection.

Essex and Suffolk Water - No response.

Great Yarmouth Borough Council Environmental Health - No response.

4 Representation

2x Neighbour representations regarding:

- concerns over height and possible obstruction of view;
- light pollution;
- increase in noise and traffic;
- speed limit should be reduced due to increase in use of site by children; and
- concerns over the type of events that will be used within the events building

1x Neighbour objection regarding:

- overdevelopment of the site;
- extra traffic;
- noise;
- effect on house value; and
- loss of view.

5 Policies

5.1 Material Planning Consideration - National Planning Policy Framework (2012)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

5.2 Core Strategy (2007)
[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS1 - Protection of Environmental and Cultural Assets

CS9 - Supporting, Widening and Strengthening Tourism

CS10 - Creation and Enhancement of Gateways and Entrances

CS11 - Appropriate Location of Tourism and Recreation Development

CS17 - Safe Recreational Access

5.3 Development Management Plan DPD (2011)
[DMP DPD - Adoption version.pdf](#)

DP1 - Natural Environment

DP2 - Landscape and Trees

DP10 - Advertisements and Signs

DP11 - Access on Land

DP14 - General Location of Sustainable Tourism and Recreation Development

DP18 - Protecting General Employment

DP19 - Employment Diversification

DP27 - Visitor and Community Facilities and Services

DP28 - Amenity

6 Assessment

6.1 The main issues to consider in the determination of this application are the principle of development, scale and design of development, impact on highways and parking provision, impact on trees, impact on ecology and the SSSI, impact on flood risk and impact on neighbouring amenity.

6.2 *Principle*

In terms of the principle of the development, both National and Local Planning Policies are supportive of schemes that help improve existing local and visitor facilities. It is considered that the erection of a building which would hold a shop, museum and educations/crafts events area, and the erection of an extension to house a children's wildlife activity area, would achieve this and therefore the development is considered acceptable in principle. The proposal would also strengthen the employment potential of the site which is welcomed.

6.3 *Scale and Design*

This application was the subject of pre-application discussion and it is considered that the applicant has taken on board advice regarding siting and design of the proposed barn which is welcomed.

The applicant established a need for an extension to the existing facility and discussions took place regarding the buildings siting, scale and function. In order to minimise the impact from the sensitive Broad the building is proposed to be positioned away from the Broads edge, behind the existing buildings on site. The intent was to create an internal courtyard area to focus the main activities of the site and it is considered the proposal achieves this by facing the proposed building towards the entrance of the restaurant. This will make the building more visually prominent from the highway elevation but this is considered acceptable given its simple form, existing hedge screening, and proposed landscaping.

It is considered that the proposed building has been sympathetically designed to ensure it complements the existing modern larch, glazed and steel sheet roof of the restaurant and boathouse. The rear of the building remains simple in form and is set at an angle to ensure views of the Broads at the main entrance of the site are maintained. The glazing at the corners of the building proposed is considered to soften the development and helps to further maintain views of the Broad through the building. The roof, although 4.8m to the ridge, remains low in profile due to the sloping nature of the site, and the massing has been broken up by the introduction of hips at both ends. The extension of the boathouse will be screened by existing trees on site and has been designed to match the boathouse which is considered appropriate. The design of the proposal is therefore considered acceptable.

6.4 *Highways*

There are concerns expressed from the Highways Authority regarding the possible increase in use of the site and insufficient parking provision and bus parking/turning. The Highways Authority's full response is attached at Appendix 2. The applicant is currently in discussion with the Highways Authority and is satisfied that they can amend the proposal to satisfy the Highways requirement. The site is situated on a principle road and has an appropriate visibility splay. It is therefore considered that the site can accommodate an increase in use and the consequent traffic without an adverse impact on highway safety. Subject to the concerns of the Highways Authority being addressed by the proposed amendments, the impact on highways is considered acceptable. Members will be updated verbally on the amended parking provisions.

6.5 *Impact on trees*

A good specimen Weeping Willow sits close to the boathouse. It is considered that the Weeping Willow is of Tree Preservation Order quality and its retention is therefore considered paramount. The extension to the boathouse would encroach within its Root Protection Area and this would usually be expected to have a detrimental impact on the tree. However, a previous service trench runs within the Root Protection Area cutting off the root supply. It is therefore considered that the extension would not interrupt roots being used by the Willow. Further advice is being sought on this element and members will be updated verbally.

6.6 *Impact on ecology and the neighbouring SSSI*

Given the nature of the proposal and as the buildings are proposed to be set away from the Broads it is not considered that there would be an adverse impact on the SSSI. As the site of the proposed buildings is well used and does not hold a high habitat potential, it is not considered that Protected Species will be adversely affected by the proposal. It is considered that appropriate biodiversity enhancements should be sought, the details of which could be agreed via condition.

6.7 *Impact on Flood Risk*

The Environment Agency's Flood Map shows the site to fall within Flood Zone 3, the high probability flood zone, with an annual probability of flooding of 1 in 100 (1%) with the risk of flooding from Rollesby Broad to the south of the site. However the flood map is indicative and is based on an undefended scenario.

The submitted Flood Risk Assessment has assessed the actual flood risk to the development, and concludes that in reality the Trinity Broads system, of which Rollesby Broad is part, is actually a managed system, used by Essex and Suffolk Water (E&SW) as a water supply reservoir who abstract more than 5,000m³ of water a day. The levels in the Broad are managed by a sluice into the Muckfleet channel which links the southern-most Broad to the River Bure. The water level in the Broad is agreed with the Environment Agency to be managed at 0.2mAOD, and E&SW aim to hold the level at between 0.05mAOD to 0.10mAOD to allow additional capacity for storm events. When storm events are anticipated the sluice is used to drop the levels and allow

additional storage for the storm water. Therefore there is only a low risk that the water levels in the Broad will rise significantly due to storm events increasing the Broad levels.

Given this, it is not considered that there is significant risk of flooding or risk to the site. The proposal is therefore considered appropriate subject to conditions covering flood resistant/resilient construction and Flood Response Plan and Notice. The Environment Agency was consulted and have raised no objection.

6.8 *Impact on Neighbouring Amenity*

In terms of impact on neighbouring amenity, the comments and concerns made by the objector and others who have commented on the application are noted. The restaurant is popular and can see high levels of activity at times which is acknowledged. A line of residential cottages sit facing the application site on the opposite side of Main Road and three residential garden areas extend down along the north eastern boundary of the site. Neighbours have expressed concerns regarding the intended use of the events room. The applicant had explained that it is intended to be used as an educational room used in connection with the proposed museum or as an events area to hold craft stalls, etc. Given the types of uses proposed it is not considered that such uses would create noise or disturbances on a significant level. However, given the close proximity of this building to neighbours' rear gardens, and to reduce the possibility of disturbance to neighbours, especially in terms of the possibility of late night events, it is considered that conditions are required regarding restrictive opening hours (09.00-19.00), controls on external lighting, no external amplification and additional landscaping. Subject to the above restrictions being conditioned it is not considered that there will be an adverse impact on neighbouring amenity.

6.9 In terms of the Section 106 Agreement, the original decision for the erection of the restaurant and boatshed was subject to a Section 106 Agreement which required the owner to ensure all persons hiring a boat from the facility were given a map of the Trinity Broads (Ormesby, Rollesby, and Filby) which showed those parts of the Broad where navigation is prohibited. As the current application seeks an extension to the boatshed whereby the original permission and which was linked to a Section 106 Agreement, the new approval requires the Section 106 to be carried over to ensure the Section 106 and its requirements stay linked to the current application. As Rollesby Broad is considered to be an area of high nature conservation interest the restriction zones are considered important to ensure the most sensitive areas are free from disturbance. The issuing of the Section 106 linked with the current application will ensure that the applicant is still legally required to issue maps of prohibited boating areas to hire boat users which will ensure the protection of the sensitive sites of the Broad.

7 Conclusion

- 7.1 It is considered that the principle of improving an existing local and visitor facility is acceptable. It is considered that the proposal has been appropriately designed and scaled to complement the existing built development on site. Subject to further amendments regarding parking and bus turning provision it is considered that there will be no adverse impact on the existing highway network. Subject to recommended conditions, it is considered that there will be no adverse impact on neighbouring amenity.
- 7.2 The issuing of the Section 106 Agreement linked with the current application will ensure that the applicant is still legally required to issue maps of prohibited boating areas to hire boat users which will ensure the protection of the sensitive sites of the Broad which is considered appropriate given the nature conservation interest in accordance with Policy CS1 of the Core Strategy.

8 Recommendation

- 8.1 Delegate authority to officers to approve subject to satisfactory amendments regarding parking provision and adequate protection of the Willow being received and the Section 106 Agreement being completed, and the following conditions:
- Time limit.
 - In accordance with plans submitted.
 - Full landscaping and planting scheme to be agreed.
 - Biodiversity enhancements to be agreed.
 - Details of signs and advertisements to be agreed.
 - Details of external lighting to be agreed.
 - No external amplification allowed on site.
 - Restricted opening hours of 09:00- 19:00.

9 Reason for Recommendation

- 9.1 The development is considered to be in accordance with the National Planning Policy Framework (2012) which is a material planning consideration. It is also considered to be in accordance with Policies CS1, CS9, CS10, CS11 and CS17 of the Core Strategy (2007) and DP1, DP2, DP10, DP11, DP14, DP18, DP19, DP27 and DP28 of the Development Management Policies DPD (2011).

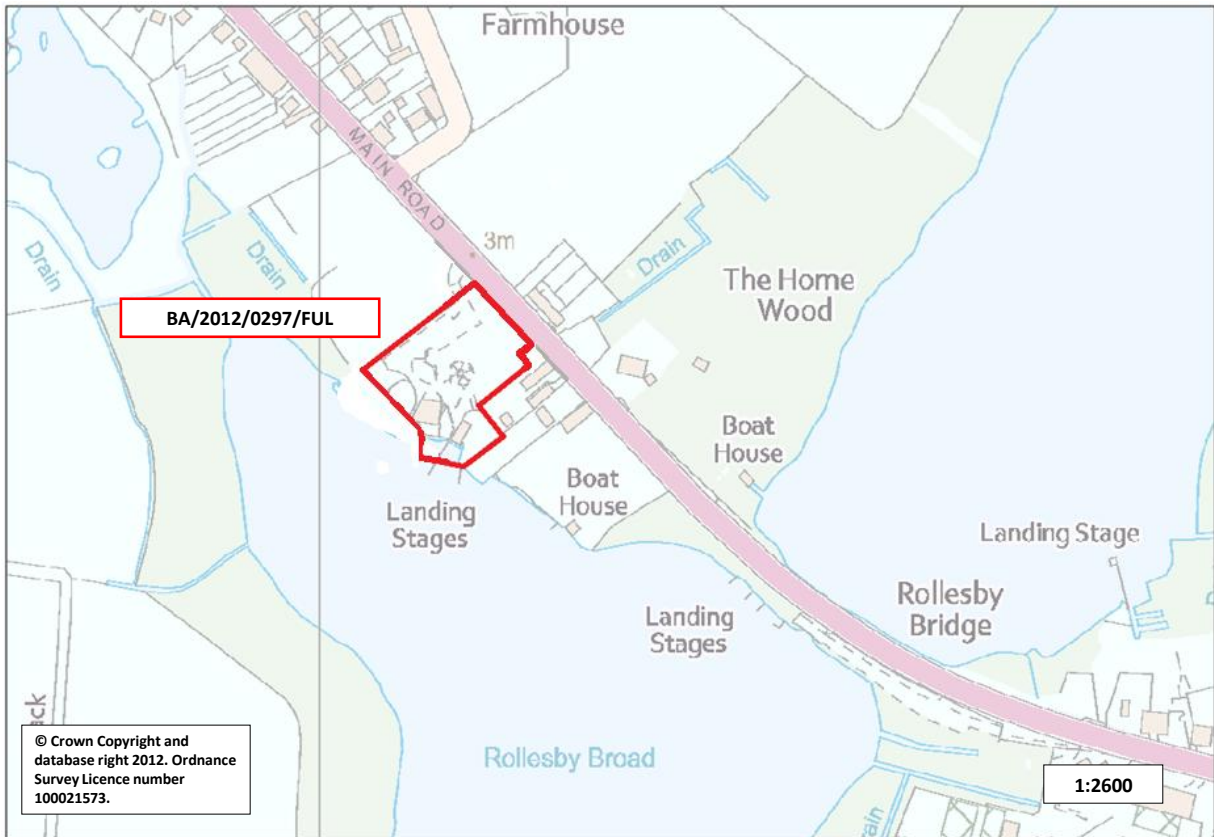
Background papers: BA/2012/0297/FUL

Author: Kayleigh Wood
Date of report: 23 October 2012

List of Appendices: APPENDIX 1- Site Location Plan
APPENDIX 2 - Highways Authority Response

APPENDIX 1

BA/2012/0297/FUL - The Waterside Limited, Main Road, Rollesby
Proposed erection of new barn shop and events building together with children's wildlife activity room



via e-mail

Ms K Wood
 The Broads Authority
 Dragonfly House
 2 Gilders Way
 NORWICH
 Norfolk
 NR3 1UB

NCC contact number: 0344 800 8020
 Textphone: 0344 800 8011

Your Ref: BA/2012/0297
 Date: 25 September 2012

My Ref: TTS.9/BA/2012/0297
 Tel No.: 01603 638070
 Email: stuart.french@norfolk.gov.uk

Dear Ms Wood

**Form of Notification by Norfolk County Council
 Relating to an Application for Development affecting a County Highway**

With reference to your consultation letter dated 21 September 2012 relating to the following planning application:

Location: The Waterside Limited, Main Road, Rollesby, Great Yarmouth

Proposal: Proposed erection of new barn shop and events building together with children's wildlife activity room

Applicant: The Waterside (Rollesby) Ltd

In relation to highways issues only, notice is hereby given that Norfolk County Council requests the following amendments be submitted.

The proposed development uses the existing highway access and I am satisfied that access is suitable and that the visibility splays at the junction accord with current standards.

The car parking provision for the increased development is not proposed to be increased from the present and only just accords with current parking standards. Considering the nature of the proposed development, along with its current attractions, it is likely to attract customers and that they will stay longer than present which will reduce the turn round in parking spaces. In this respect I am concerned that there may be occasions whereby the car parking provision is not adequate for the development, which could lead to an increase in on-street parking to the detriment of highway safety; and this is an area of future concern with this development.

Continued.../

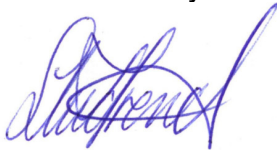
Similarly it is proposed that activities for children area increased, which according to the application will include educational and school visits. In this respect it is likely that the visits may be made by mini-bus or even coach, yet there is no provision within the development for coach turning or parking. The current parking standards for use Class D2 does require a coach/bus drop-off and pick up point. It would not be acceptable on safety grounds for a coach to stop to on the A149 Main Road (a principal road within the Norfolk County Council route hierarchy) outside of the development to drop off and pick up passengers, especially if they are children.

Accordingly, in light of the above comments, the Highway Authority requests the following amendments:

- Provision is made within the development for a bus/coach drop off/pick point together with an appropriate turning facility.
- The layout be looked at to provide some additional parking, even if only available as 'over-flow' parking, to cater for periods that may exceed the main allocation.

I would therefore be grateful if you could pass my comments onto the applicant/agent, and I would be willing to discuss my concerns with them should they so wish. Upon receipt of any amendments/comments I will give my formal response to the application.

Yours sincerely



Highways Development Management & Licensing Officer
for Director of Environment, Transport and Development