

Application for Determination

Parish Surlingham

Reference: BA/2012/0312/FUL **Target Date:** 15/02/2013

Location: Surlingham Ferry House Public House, Surlingham

Proposal: Formation of public slipway, formation of boat trailer storage area and repair and replace existing quay heading.

Applicant: Miss Sonia Cox

Reason for referral: Objection from Parish Council

Recommendation: Approve with conditions

1 Description of Site and Proposals

- 1.1 The application site is a public house situated on the River Yare, at the northern end of the village of Surlingham.
- 1.2 The Ferry House sits in an isolated location, remote from any neighbouring development but can be accessed river, by private road leading south-east to the village and by a permissive footpath which forms part of the Wherryman's Way long distance footpath.
- 1.3 The site is enclosed to the north, south and east by carr woodland and is open to the river along its western boundary.
- 1.4 The Ferry House site comprises the public house itself, an area of lawns at the edge of the river, an area of hardstanding car park to the south of the pub and, south of this car park, a grassed area and overflow car park. The pub provides free moorings to visitors and is a popular waterside location in the summer months.
- 1.5 This application seeks consent for the creation of a new public slipway, the siting of a marquee during the summer months and for use of the overflow car park area as a winter boat store. The marquee and winter boat store elements of the application are retrospective, with boats being stored on the site over the winter period 2012/13 and the marquee being erected during the summer of 2012.

2 **Site History**

None.

3 **Consultation**

Surlingham Parish Council – Object. This area is used by walkers and the boatyard should be screened sufficiently so as not to become a public eyesore; the public footpath should not be impeded; the boats moored over winter should be securely and safely moored so as not to be a danger to the public; provision should be made for the removal of any cleaning fluid and debris so that the land is free from contamination.

District Councillor – No response received.

Highways – No objection.

Environment Agency – No objection. Flood defence consent will be required for works to slipway and quay heading.

Norfolk and Suffolk Boating Association – Noting the particular lack of publicly accessible slipways on the southern bank of the Yare, the NSBA welcomes the application. The NSBA expects that appropriate planning conditions would be imposed requiring that construction work is carried out in such a way as not unnecessarily impede navigation during the course of the works.

Yare Users Group – No response received.

Highways – No objection, though it is requested that consideration is given to formalising the availability of the overflow car park during the summer months by an appropriate condition on any grant of permission your Authority is minded to make.

4 **Representations**

None.

5 **Policy**

5.1 **Adopted Broads Development Management DPD (2011)** [DMP DPD - Adoption version.pdf](#)

DP1 – Ecology
DP2 - Landscape
DP19 – Employment Diversification

5.2 **Material Consideration - National Planning Policy Framework** <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

6 Assessment

6.1 This application seeks consent for the continued use of part of the site as a winter boat store, the seasonal erection of a marquee to supplement the function space within the pub and the construction of a new public slipway to provide access for canoes and small boats to the River Yare. These three individual elements each raise different issues and considerations in planning terms and, consequently, this report shall consider each element in turn.

6.2 Seasonal change of use of over flow car park

6.2.1 The first element of the proposal to consider is the proposed change of use of the overflow car park to operate as a winter boat store.

6.2.2 The overflow car park is situated south of the public house building and immediately west of an area of riverside lawns and moorings associated with the public house. The area measures approximately 40m by 20m and is surfaced with woodchip laid over the soft, peaty soil characteristic of riverside sites.

6.2.3 This application seeks retrospective consent for the seasonal change of use of the overflow car park to a boat store. Boats are taken out of the water and stored at the site from (approximately) October 1st and stay on site until (approximately) Easter Sunday.

6.2.4 In determining whether or not this proposed use is acceptable in planning terms consideration must be given to the principle of the development and any landscape and ecological impacts associated with the proposed change of use.

6.2.5 In terms of principle of the development, policy DP19 permits business diversification to provide a range of employment uses subject to the satisfaction of certain defined criteria.

6.2.6 In this instance the proposed diversification of the public house site to incorporate an area of winter boat storage is not, in itself, an employment use (in that the storage of boats will not necessarily generate employment). However the income provided by the boat store will help support the public house during the quieter winter months and the presence of boats on site will also ensure a regular number of potential customers, as the owners come down during the winter months to service and maintain the vessels.

6.2.7 Consequently, it is considered that the provisions of Policy DP19 are applicable to this application and that the proposal is acceptable in principle.

6.2.8 Addressing the criteria set out in DP19, criteria 'a' requires that the proposed new use is complimentary in scale and kind and that it would

support the original business operation. In this instance the proposed winter boat store would occupy an area underutilised in the quieter winter months and that the purpose of the new use is to support the operation of the pub by diversifying its revenue stream and providing a pool of potential customers at a time of year when the core business of a riverside pub traditionally diminishes. Accordingly, the proposal is considered to satisfy criterion 'a'.

- 6.2.9 Criterion 'b' requires there would be no loss of tourism or visitor facilities and 'c' states that there should be no unacceptable impact on the local transport network.
- 6.2.10 In this application the proposed new use would support an existing tourism/visitor facility and there is no reason to consider that the proposed change of use would have any detrimental impact on the safe functioning of the local highway network; as confirmed by the consultation response from the Highways Officer.
- 6.2.11 The final criterion of policy DP19, criterion 'd', requires that the proposed new use accords with the Core Strategy and other policies within the development plan.
- 6.2.12 In respect of this element of the proposal, the principle concerns are the potential impacts on the ecology (policy DP1) and landscape (DP2) and of the Broads.
- 6.2.13 Policy DP1 requires that new development protects biodiversity value and incorporates biodiversity features where possible. Whilst the temporary storage of boats on an area of overflow parking does not, in itself, pose any ecological concerns, the maintenance and cleaning down of the boats associated with this storage use does raise the potential for pollutants to contaminate the water and ground, with the potential for contaminants arising from the boat to permeate through the porous surface of the car park area.
- 6.2.14 The application site is a sensitive, riverside location surrounded by a semi-natural riparian habitat. In this context, appropriate steps must be taken to minimise dispersal of pollutants arising from any commercial uses into the local environment.
- 6.2.15 To address these concerns the applicant has submitted a site management plan which prohibits any pressure washing of hulls, bans the use of any beach based hull cleaners and requires that all works to scrape down the exterior of boats must be carried out over an impermeable tarpaulin (supplied by the site), with any arisings deposited in the designated trade waste bin. The applicant has indicated that compliance with the site management plan will be enforced by the site manager and reinforced by signage at the site and, additionally, by requiring all boat owners storing boats at the site to sign an agreement stating they understand and agree to comply with the rules of the site.

- 6.2.16 Having regards to the above, it is considered that the proposals represent the very minimum acceptable standards to ensure the proposed boat storage use has no detrimental impact on the ecology of the Broads. It is recognised that the specification of an area of hardstanding incorporating a boat wash down with interceptor facility would offer ecological benefit, but also that this would represent a very significant capital outlay for the business and, additionally, would have significant landscape impacts which could render the scheme unacceptable.
- 6.2.17 It is concluded then, that the proposed management of the site, enforced with appropriately located signage details of which would be required by condition, would effectively protect the biodiversity and habitat value of the area. No details of ecological enhancements have been submitted and it is considered that details of enhancements should be required by planning condition attached to any consent issued. Consequently, subject to this condition, the proposal is considered to be in accordance with Policy DP1.
- 6.2.18 Considering the landscape impacts of the proposal, the applicant has submitted a landscaping plan which proposes the retention of all trees on the site and the planting of a mixed native species hedge along the western (river facing) and southern boundary of the overflow car park.
- 6.2.19 This scheme of retention and protection of existing trees (which would also be subject of a condition, should consent be granted) and enhancement is considered to offer appropriate screening to the proposed winter boat store area and, additionally, screen the overflow car park during the summer months. Whilst stored boats will still be visible from the river such a site is not uncommon on a commercial riverside site during the winter months and the proposed screening hedge will significantly soften and enhance the appearance of the site.
- 6.2.20 It is the case, however, that the character and appearance of the site would be significantly altered if the boat storage use were to be continued year-round. Not only would this result in a loss of car parking spaces during the busier summer months (with potential highways impacts associated with cars parking on the public highway) but year-round use would change the character from that of a riverside public house to a mixed use site including a commercial boatyard. The site is not considered to have the infrastructure to serve such a use (in terms of areas of hardstanding, interceptor tanks etc) and to introduce such a level of infrastructure would, it is considered, have a significantly detrimental impact on the landscape and character of the Broads. Consequently, it is considered that any consent issued should restrict the use of the overflow car park for the storage of boats to between October 1st and the no more than seven days after the Bank Holiday of Easter Monday.
- 6.2.21 Having regards to the above it is concluded that the application would have no detrimental impact on the ecology or landscape and, consequently, accords with criterion 'd' of Policy DP19.

6.3 Marquee

- 6.3.1 The second element of proposed development is the erection of a temporary marquee during the summer months. The marquee would be situated on an area of lawns between the overflow car park (to the east) and the river (to the west).
- 6.3.2 The marquee measures 12m by 6m and is a steel framed, plastic sided tent structure and provides additional function space used in association with the public house.
- 6.3.3 It is the case that temporary structures such as marquees do not always require planning consent. In this instance, however, due to the size of the structure, its attachment to the ground (pegged and lashed) and the length of time the structure remains on the site (throughout the summer season) it is considered that the marquee does constitute 'development' and, as such, does require planning consent.
- 6.3.4 In terms of assessment, it is the case that the marquee structure is not of a standard of design or materials which could be considered acceptable for a permanent building and, additionally, if the structure were permanent it is not a location which minimises the visual impact of the development. However, the marquee is a (relatively) lightweight, temporary structure which, when viewed in association with the public house, lawns and moorings, appears modest in scale and temporary in nature.
- 6.3.5 Addressing the issue of flood risk, the Environment Agency has confirmed that the temporary marquee can be considered an extension to the existing public house and, as such, they raise no objection to the application.
- 6.3.6 The benefits of the structure to the business in terms of offering a flexible, affordable covered area to supplement the space in the public house at the busiest times during the months are clear and, on this basis, it is considered that the structure is an acceptable form of temporary development with a condition restricting its erection on the site to the period between 1 May – 30 September.

6.4 Slipway

- 6.4.1 The final element of development proposed is the installation of a new public slipway. The slipway would be located at the southern end of the site and would be accessed through the overflow car park. The slipway would measure 2.5m wide and 5m long and would be constructed from tanalised timber.
- 6.4.2 The slipway would be accessible by members of the public and, given its size and location, would be used for the launching and recovery of small boats and canoes.

- 6.4.3 Policy DP12 seeks to promote access to the water and states that developments such as the slipway proposed in this application will be permitted subject to the satisfaction of four defined criteria.
- 6.4.4 In this instance the proposal would not result in any hazardous boat movements (criterion 'a') as the river in this location is approximately 60m wide and there are already a number of temporary moorings adjacent to the location of the proposed slipway; would not compromise access to and along the waterside as there would be sufficient space on the site for walkers using the existing footpath which runs through the site to continue to safely pass by the slipway ('b'); is considered to be consistent with the objectives of protecting and conserving the Broads landscape and ecology as the slipway would punctuate a bank which is already hard quay headed ('c'); and would not prejudice the current or future use of any adjoining land ('d') as the slipway would simply enhance the Ferry House as a 'destination' riverside public house within the Broads.
- 6.4.5 The application has not been considered by Navigation Committee as, due to the modest scale of the development proposed, it is not considered that the development would have any significant impacts on the use or enjoyment of any aspect of the navigation area and that the proposed development would not materially conflict with any policy, plan, strategy or procedure of the Authority; these being the terms of reference set out in Section 4 of Schedule 7 of the Broads Authority Act 2009.

7 Conclusion

- 7.1 This application seeks consent for three separate elements of development; the change of use of part of the site to permit operation of a winter boat store; consent for the seasonal erection of a temporary marquee structure during the summer months; and consent for the installation of a new public slipway.
- 7.2 Whilst the separate elements of development raise different planning issues and require consideration on an individual basis, it is the case that each of the three represent an attempt by the operator of the Ferry House public house to diversify the business and increase both the number of visitors to the site and the site's ability to cater for these visitors.
- 7.3 As a historic waterside pub the Ferry House is a valuable community asset and forms part of a small but important network of inns, cafes and restaurants which, in turn, is part of the infrastructure essential for a successful tourism industry.
- 7.4 In this context the diversification and investment in the site is welcomed and, in particular, the proposal to create a new public slipway is seen as an example of development which has the potential to benefit both the commercial operation at the site and access to the water for members of the public.

7.5 Each individual element of the proposal has been assessed and it is considered that the development proposed, both individually and cumulatively, satisfies the requirements of policies DP1, DP2, DP12 and DP19.

8 Recommendation

8.1 Approve subject to the following conditions:

1. Time limit
2. In accordance with approved plans
3. Planting in accordance with the approved planting scheme carried out in next available planting season
4. Trees on site to be retained and protected during boat movements
5. Replace any plant which dies within 5 years
6. Boats stored in dedicated boat store only; no boats stored outside this area
7. Boats stored only between 1st October and the date seven days after the Easter Monday Bank Holiday
8. Operation of boat store to be in strict accordance with approved site management plan
9. Within 1 month of grant of consent details of winter boat storage signage to be agreed
10. Marquee as depicted on approved plan to be erected only between 1st May and 30th September. No other temporary structure to be erected on the site in lieu of or in addition to this approved marquee without prior consent of the Authority.
11. Within 1 month of grant of consent details of protected species enhancements

9 Reasons for Recommendation

9.1 The proposed development represents an acceptable diversification of the existing public house use. Each individual element of the proposal; namely the use of part of the site as a winter boat store, the seasonal erection of a marquee and the installation of a public slipway; has been assessed and it is considered that the development proposed, both individually and cumulatively, satisfies the requirements of policies DP1, DP2, DP12 and DP19 of the Broads DM DPD.

Background Papers: Application File BA/2012/0312/FUL

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Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2012/0312/FUL - The Ferry Inn, Ferry Road, Surlingham
Formation of public slipway, formation of boat trailer storage area and repair and replace existing quay heading.

