

APPLICATION NO.	P15/V2019/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	24.8.2015
PARISH	BUSCOT
WARD MEMBER(S)	Simon Howell Elaine Ware
APPLICANT	Cotswold Boat Hire
SITE	Brandy Island, Buscot, SN7 8DA
PROPOSAL	Removal of condition 7 (storage of boats) of planning permission P12/V1083 (Change of use of former water treatment works to boat hire business, including construction of new moorings, use of former chlorinator building for visitor reception, use of former pump house and garage building for storage, maintenance and repair of boats, minor external alterations to former pump house, laying out of parking and boat manoeuvring area, creation of ecological restoration area and associated works)
AMENDMENTS	None
OFFICER	Laura Hudson

Summary

This application seeks to remove condition 7 of planning permission ref: P12/V1083 which restricted the use of the site for the external storage of boats at the permitted marina site.

The application comes to committee as the Parish Council object.

The main issues are the visual impact on the character of the area, of external boat storage during the winter months when they cannot be stored on the river, and the impact on the residential amenity of nearby residential properties.

Given the permitted use of the site and the need for boat storage in the winter months to enable the business to continue, it is considered that the visual impact and neighbour amenity impact are acceptable subject to conditions.

The application is recommended for approval subject to conditions which include those applied to the original permission.

1.0 INTRODUCTION

1.1 This application relates to Buscot Mill known locally as Brandy Island, located around 350m north of Buscot village. The site is located on the River Thames immediately upstream from Buscot Lock and has a long history of uses including as a brandy distillery and more recently as a Thames Water Pumping station and for river management purposes by the Environment Agency.

1.2 The site is bounded to the north by the River Thames and to the south by a turbine channel thereby creating an island accessed via a small vehicular bridge at the south-east end of the site. The Thames Path runs along the northern bank of the river to the north of the site and there is another right of way running along the southern edge of

the turbine channel to the south of the site.

1.3 The site is located in the North Vale Corallian Ridge as defined in the local plan proposals map. Lock House and Lock Cottage to the east of the site are grade II listed. To the west of the application is the grade I listed Church of St Mary and grade II* listed Old Parsonage, both approximately 300m away. The site is outside the village conservation area. The site is located in flood zones 2 and 3.

1.4 Planning permission was granted in September 2012 for the change of use of a former water treatment works to boat hire business including construction of 14 new moorings, use of former chlorinator building for visitor reception, use of former pump house and garage building for storage, maintenance and repair of boats, minor external alterations to former pump house, laying out of parking and boat manoeuvring area, creation of ecological restoration area and associated works). This permission has been implemented although the main onsite building is still in the process of re-furbishment.

1.5 The application comes to Committee as Buscot Parish Council objects.

2.0 **PROPOSAL**

2.1 The September 2012 permission included a number of conditions including a requirement that “no boats shall be stored on the site outside the building at any time unless moored on the river” (Condition 7). The intention at the time was that all winter storage of the boats moored at the site in summer could be stored within the water treatment building or at other sites managed by the applicant at various locations along the Upper Thames many of which flood.

2.2 The current application seeks to remove the condition to enable the storage of some of the smaller boats within the landscaped car park area during the winter months when the marina is not in use to the public. The applicant seeks to store in the region of 28 boats. These would be the smaller boats as previous conditions applied to the permission restrict the use of cranes on site and boats being brought in by road.

2.3 A copy of the site plan is **attached** at Appendix 1 which shows the location of the carpark where boats would be stored.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

Below is a summary of the responses received to both the original plans and the amendments. A full copy of all the comments made can be viewed online at www.whitehorsedc.gov.uk.

3.1	Parish/Town Council	Object. “The Parish Council has considered the application to remove planning condition No7 (no boats shall be stored on site outside the building at any time unless moored on the river) and reiterates its objection raised to the original application permitted in September 2012, regarding the visual impact of the storage of boats during the winter months, when viewed from the two footpaths running along the river. If the condition is removed the Council requests that adequate screening at the site is provided to protect the amenities of both local residents and visitors to the area.”
	Local MP – Ed Vaisey	Object for the same reasons as the Parish Council and District Councillors.

Vale of White Horse District Council – Committee Report – 27 January 2016

<p>Cllr Simon Howell – Local Member</p>	<ul style="list-style-type: none"> • Very little has changed since the original application to justify its removal. • Maintaining the condition is important due to visual impact given the number of visitors to the area and the negative impact the boats would have. • Current screening around the site is inadequate particularly in the winter months. • The proposal would result in noise of boats being moved and worked on outside. • The area is susceptible to flooding and boats could come loose and drift downstream.
<p>Neighbour objections x 5</p>	<ul style="list-style-type: none"> • No changes since previous permission. • Financial justification by the applicant not material. • The proposal would have a negative visual impact on the area. • The proposal would harm the nearby listed buildings including the Church and Old Parsonage. • The boats will be clearly visible from outside the site. • Boats will be stored on plinths which are much higher than cars. • The proposal will increase flood risk to surrounding houses. • The area is a high flood risk area. • If permitted no maintenance should take place outside and increased screening should be included. • The original permission was flawed. • The proposal will harm wildlife habitats on the site. • There will be other paraphernalia associated with repairs. • The proposal will result in extra traffic from people attracted by the boats. • The island will look cluttered.
<p>Church Council</p>	<ul style="list-style-type: none"> • The proposed additional screening will be inadequate. • The environment in which the church is set will be damaged. • Further pressure on the church car park. • The area has a unique character with many visitors which will be harmed.
<p>National Trust</p>	<ul style="list-style-type: none"> • The Trust were disappointed in the original decision however the conditions went some way to addressing concerns. • Open storage was originally ruled out. • The open storage would be at odds with the original low key use of the site. • The removal of the condition would be contrary to policy and the NPPF.
<p>CPRE</p>	<ul style="list-style-type: none"> • The removal of the condition is a backward step. • In winter the boats will be prominent and landscaping inadequate.

	<ul style="list-style-type: none"> Setting of adjacent historic buildings will be harmed.
Countryside Officer	No Objections – no ecological issues associated with the application.
Environment Agency	No Objections – the proposal is of low environmental risk as far as EA remit is concerned.
County Archaeologist	No Objections
Council Drainage Engineer	No Objections
Environmental Health	No Objections
Landscape Officer	Original concerns in relation to minimising the landscape impact of the proposal in relation to winter storage still stand.

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P13/V1041/DIS](#) - Approved (05/07/2013)

Discharge of Conditions 4, 12 and 14 of Planning Permission P12/V1083.

[P13/V0153/DIS](#) - Approved (25/03/2013)

Discharge conditions 3, 9, 16, 17 and 19 of planning permission P12/V1083.

[P12/V1083](#) - Approved (17/09/2012)

Change of use of former water treatment works to boat hire business, including construction of 14 new moorings, use of former chlorinator building for visitor reception, use of former pump house and garage building for storage, maintenance and repair of boats, minor external alterations to former pump house, laying out of parking and boat manoeuvring area, creation of ecological restoration area and associated works.

[P96/V0100/COU](#) - Refused (04/04/1996) - Refused on appeal (21/01/1997)

Change of use from Water Works to residential.

[P85/V2307](#) - Approved (23/08/1985)

Erection of a stone boundary wall.

[P82/V0120](#) - Approved (03/03/1982)

Construction of a contact tank including pump dry well with brickwork superstructure to house pump motors.

[P80/V0144](#) - Approved (06/02/1980)

Erection of new admin/stores and mess room.

[P75/V0115](#) - Approved (21/02/1975)

Two garage type buildings for storage purposes in connection with water supply.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse District Council Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

Policy No.	Policy Title
DC1	Design
DC5	Access
DC6	Landscaping
DC9	The Impact of Development on Neighbouring Uses
DC12	Water quality and resources
DC13	Flood Risk and Water Run-off
DC14	Flood Risk and Water Run-off
NE7	North Corallian Ridge
L9	Small scale countryside recreation
L12	Protection of use of the Thames Path
L17	Development adjacent to the River Thames

5.2 Emerging Local Plan 2031 – Part 1

The draft local plan part 1 is not currently adopted policy. Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies with the NPPF. The relevant policies are as follows:-

Policy No.	Policy Title
Core Policy 1	Presumption in favour of sustainable development
Core Policy 31	Development to support the visitor economy
Core Policy 37	Design and local distinctiveness
Core Policy 38	Design strategies for strategic and major development sites
Core Policy 39	The historic environment
Core Policy 42	Flood risk
Core Policy 43	Natural resources
Core Policy 44	Landscape
Core Policy 46	Conservation and improvement of biodiversity

5.3 National Planning Policy Framework (NPPF) – March 2012

The NPPF sets out a presumption in favour of sustainable development. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles. Among the 12 core planning principles set out in paragraph 17 the document seeks to drive and support sustainable economic development, support thriving rural communities whilst recognising the character and beauty of the countryside, encourage the re-use of resources including the conversion of existing buildings and re-use of previously developed land, conserve and enhance the natural environment, and deliver sufficient community facilities to meet local needs.

5.4 Paragraph 28 supports the rural economy and the sustainable growth and expansion of all types of businesses in rural areas. This includes supporting tourist and visitor facilities in appropriate locations.

5.5 Material Considerations

Thames Waterways Plan (River Thames Alliance) 2006 -2011

This plan has been prepared by the Environment Agency on behalf of the River Thames Alliance, a group of organisations with an interest in the river, including local authorities who border the river. The document sets out policies to promote the river, both as a recreational resource and in terms of biodiversity.

5.6 Policies 17, 18 and 19 of the plan seek to encourage more boating facilities, including repair facilities, and the provision of more permanent and visitor moorings. The accompanying document “*aspirations for the future*” identifies the old waterworks site at Buscot as a potential boatyard site with moorings.

5.7 The new Thames Waterways plan has been approved covering the period 2015 to 2021. One of the Strategic objectives of this plan is to develop a Thames wide Mooring Strategy to resolve the problem of unauthorised moorings.

5.8 **Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

5.9 **Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues to consider in determining this application are;

- i) Policy context
- ii) The principle of the proposed outside storage and rationale for change in circumstance;
- iii) The impact on the landscape character of the area.
- iv) The impact on the setting of nearby listed buildings;
- v) The impact on the residential amenities of nearby properties;

Policy Context

6.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Section 70 (2) of the Town and Country Planning Act 1990 provides that the local planning authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. The development plan currently comprises the saved policies of Vale of White Horse Local Plan 2011. Paragraph 215 of the NPPF provides that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater the weight that may be given).

6.3 The relevant policies in relation to landscape and visual impact, neighbour impact and supporting leisure related development in appropriate locations are consistent with the NPPF.

6.4 Other material planning considerations include national planning guidance within the NPPF and NPPG and the emerging Vale of White Horse Local Plan: Part 1-Strategic Sites and Policies. The NPPF includes a presumption in favour of sustainable development which is seen as the golden thread running through the decision making process. In order to judge whether a development is sustainable it must be assessed against the economic, social and environmental roles.

Principle

6.5 Planning permission is sought for the removal of Condition 7 of the permission to enable the winter storage of boats within the existing car parking area of the site. This

is required given the constraints and limited availability of alternative storage along the Upper Thames. External storage was not included in the previous application as it was stated that the boats would either go elsewhere or be stored within the building. The building has yet to be re-furbished and is currently therefore not an option.

- 6.6 In addition it is understood that the location of some of the smaller boat storage will no longer be available to Cotswold Boat Hire for the next season due to the circumstances of the landlord of the property.
- 6.7 The intention is that approximately 28 of the smaller boats would be stored within the car park area only and would be supported at ground level with purpose built adjustable stands which are lower than those used elsewhere, thereby reducing the resulting height of the boats. The size of boat that can be stored is limited due to the lifting equipment that can be used at the Brandy Island site. The maximum size boat would be 27ft cruiser and no heavier than 3.5 tonnes.
- 6.8 Given the permitted use of the site and the small scale level of business in addition to the limitations on the size and number of boats due to lifting equipment and car parking area, officers consider that this is a reasonable and justifiable request to enable this important local rural business to prosper. However the economic needs of the business must be balanced against the environmental impacts of the proposal.

Landscape and visual impact

- 6.9 The NPPF seeks to enhance the natural and local environment by protecting and enhancing valued landscapes (paragraph 109).
- 6.10 The site is located within the North Vale Corallian Ridge as defined in the local plan proposals map. This local designation covers the northern part of the district and is recognised for the striking landform with steep north facing scarp slope separating the clay vale from the Thames Valley. The ridge is characterised by woodland and expansive views. Although falling within this locally designated area, the site is not located immediately on the ridge and would not therefore be overly prominent from the wider landscape.
- 6.11 It is acknowledged that the boats would be visible from the immediate area and from the Thames Path which runs along the opposite river bank to the north of the site. This is a nationally recognised and important right of way with a significant footfall. However, in the summer months when the path is most heavily used, there are boats moored along a significant stretch of river as part of the authorised use, in addition to boats waiting to use the lock. This is a normal and accepted part of river life. Officers consider that the proposed storage would not have a significantly greater impact than the summer moorings which can be utilised by passing boats when not in use by the business.
- 6.12 In addition the permitted car park area includes landscaping around its immediate perimeter as part of the previous permission. The applicants have offered additional planting to soften the impact of the stored boats further. It is recommended that a condition requiring some further appropriate planting is added to any new permission. This will not screen the boats entirely but will soften the appearance from key public vantage points.
- 6.13 There is a public footpath running along the southern side of the site, however this route is contained by mature vegetation on both sides and views of the site not a prolific as from the Thames Path to the north. From this direction the boats would be viewed in

the context of the large former pump house which dominates the site.

- 6.14 It is acknowledged that the landscape officer has raised concerns, however your Officers consider that in weighing the landscape impact, which can be mitigated to some degree, against the needs of the business, that the proposal is acceptable in landscape terms.

Impact on nearby heritage assets

- 6.15 Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Considerable importance and weight should be given to this requirement.

- 6.16 Policy HE4 of the adopted local plan seeks to protect the setting of listed buildings and Policy HE1 of the adopted local plan seeks to preserve or enhance the character or appearance of conservation areas.

- 6.17 Concern has been raised locally due to the proximity of listed buildings. Lock House and Lock Cottage to the east of the site are grade II listed. To the west of the application is the grade I listed Church of St Mary and grade II* listed Old Parsonage, both approximately 300m away. However it is considered that given the distance of these buildings and the mature screening in between that they would not be viewed within the same context as the boat storage area. It is therefore considered that the proposal would have no harmful impact on heritage assets.

Impact on neighbour amenity

- 6.18 Adopted local plan policy DC9 seeks to prevent development that would result in an unacceptable level of noise and vibration.

- 6.19 Concern has been raised from neighbouring properties over the impact of the proposal on residential amenity particularly in terms of visual impact and noise/disturbance.

- 6.20 Private views of the site from neighbouring properties are not material to planning, and in any case the site is well screened from these nearby dwellings and would not be overly prominent.

- 6.21 In terms of noise and disturbance, whilst there may be some limited noise connected with the removal and replacement of boats from and into the river, this will be an infrequent occurrence at the beginning and end of each season and sporadically in between should a repair be required. It is not therefore considered to be of a level that would justify refusal on these grounds.

- 6.22 It is accepted however that any maintenance works which require mechanised tools could have a harmful impact on nearby properties and on visitors to the area therefore it is considered reasonable and necessary to apply a condition requiring mechanised repairs to take place within the building as originally intended.

- 6.23 With the addition of this additional condition, it is considered that the relationship of the boat storage to nearby properties is acceptable.

Other Issues

6.24 No objections have been received from the council drainage engineer, Environment Agency, council ecologist, or environmental health officer therefore the proposal is considered acceptable in terms of vulnerability to flooding, impact on protected species and noise/environmental considerations.

6.25 The proposal would not materially increase traffic to the site or the surrounding area therefore there would be no harm to the local highway network. There is separate staff parking therefore the loss of the parking area out of season would not have any impact on parking requirements at the site.

Conditions

6.26 Should permission be granted for the removal of Condition 7, this would result in a requirement to issue a new decision notice and would constitute a new permission. Conditions which have previously been discharged do not need to be replicated therefore the recommendation below contains the relevant conditions only, with the addition of further landscaping and restriction on the use of machinery.

7.0 CONCLUSION

7.1 It is acknowledged that the proposed storage of boats would have some environmental impact on the character of the area, however this must be balanced against the needs of the business and the contribution it makes to the social and economic vitality of the area. With the inclusion of additional conditions relating to landscaping and boat maintenance, it is considered that on balance the proposal is acceptable, and complies with the relevant policies in the adopted local plan and the NPPF.

8.0 RECOMMENDATION

To grant planning permission, subject to the following conditions:

- 1. Planning condition listing the approved drawings.**
- 2. Submission of further landscaping scheme.**
- 3. Implementation of further landscaping scheme.**
- 4. No boat storage outside the car park area marked on the approved plan.**
- 5. Restriction on hours of operation at site between 08:00 and 19:00.**
- 6. Delivery and removal of boats by river only and not road.**
- 7. Wildlife mitigation in accordance with previous report.**
- 8. Recommendation of reptile survey to be followed.**
- 9. All boats shall only be removed and replaced in river by forklift and not crane.**
- 10. Operation in accordance with permitted flood risk assessment only.**
- 11. Any works within 5 metres of the bank require a further water vole survey and submission of mitigation strategy.**
- 12. All repair works requiring mechanical equipment to take place within the building.**

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