

CHELMONDISTON – BARGE PANDORA, THE BARGES, PIN MILL

Erection of access jetty and shed.

Applicant: Mr J Andrews

Case Officer: Lynda Bacon

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SITE

1. Barge Pandora is a houseboat situated amongst others moored at the foreshore at Pin Mill, within the Suffolk Coasts & Heaths Area of Outstanding Natural Beauty and within the Consultation Zone for the Orwell Estuary Site of Special Scientific Interest.
2. Living accommodation is within an ‘arc’ shaped prefabricated superstructure above a traditional hull measuring some 14 metres in length. Access to the houseboat is via an existing jetty positioned between Pandora and the neighbouring barge ‘Adrianto’, over which there is currently a legal issue regarding ownership and access across the existing jetty.

PROPOSAL

3. Planning permission is sought to erect a jetty, a shed, and low-level walk way adjacent to the riverbank. The jetty is proposed to be erected in advance of the existing jetty to facilitate a separate pedestrian access to Barge Pandora. This jetty will be positioned at right angles to the existing gang way approach and the main jetty area will measure approximately 3.5m wide by 6.0m long.
4. It is also proposed to erect a shed on the proposed entrance jetty, through which visitors to the barge will pass in order to access the front of the barge. The shed will measure 1.0m wide by 3.5m deep with a curved roof of between 2.1m and 2.6m high. It will comprise painted timber cladding on a timber frame with a galvanised roof to match the house boat.
5. A low-level walkway parallel to the riverbank is to be reinstated and ‘post and rope’ will define the edge of the jetty.

PLANNING HISTORY

6. April 2000 – Planning permission granted for the retention of a wooden gangway to serve the houseboats Adrianto and Pandora’s Sox and the retention of a shed associated with the residential use of Adrianto, B/00/00108/FHA refers.
7. November 2000 – Enforcement investigations concluded that planning permission was not required for the superstructure placed on the vessel Pandora.

8. March 2006 – Planning permission refused under B/05/01524 for the erection of 2 no. jetties (one at the front and one to the rear) and a shed. Members undertook a site inspection on the 8<sup>th</sup> February before the application was refused for the following reason;
- obtrusive development detrimental to AONB
  - adverse impact on residential amenity by virtue of the siting of the proposed rear jetty in relation to Barge Pandora which would facilitate access to and the use of the ‘dry dock’.

## POLICY

**Please note that details or extracts of policies are no longer included in reports - see page 4 of these papers.**

9. The following national planning guidance notes and adopted and emerging development plan policies provide the framework against which this application should be judged:
- PPS7 (Sustainable development in rural areas)

### **Suffolk Structure Plan 2001 Policies**

- ENV4 – Landscape quality and character of the countryside
- ENV7 – Areas of Outstanding Natural Beauty

**Babergh Local Plan Alteration No.2 (2006) Policies** *the policy references below relate to the adopted version of the Local Plan - the policy numbers in some cases differ from those in the second deposit draft. Where this is the case, the previous reference number is given in brackets*

- CR01 – Protection of the countryside
- CR02 - Areas of Outstanding Natural Beauty
- EN08 (CR19) - Character and ecology of estuaries
- CR16 (CR28) – New & replacement Jetties and storage buildings.

## OBSERVATIONS

10. PC – Chelmondiston Parish Council resolved to recommend supporting this application with the proviso that the owners of the access are prepared to share it to the gate and that the new gate does not interfere with the existing entrance.
11. EA – Any comments received to be reported verbally at the meeting.
12. Suffolk Coasts and Heaths Project – Any comments received to be reported verbally at the meeting.
13. The National Trust – The new arrangements for the jetty and shed included in this amended application have been the subject of discussions between the applicant and the Trust following representations we made relating to the previous application. We have informed the applicant that we are now satisfied with the amended arrangements and so have no comments to make on the current application.

14. CHA – No highway involvement.
15. English Nature – the application does not appear to have implications for the SSSI.
16. SWT – advises that English Nature should be consulted, see above.
17. Pin Mill Preservation Society – Any comments received to be reported verbally at the meeting.
18. Letters - To date none have been received.

## ASSESSMENT

19. The barge has a longstanding use as a residential houseboat although this situation has not been formally recognised via the issue of a Lawful Development Certificate (CLEUD). It should be remembered however, that there is no compulsion to apply for a Lawful Development Certificate as any development or activity that is immune from enforcement action is lawful for planning purposes, whether or not a LDC has been issued.
20. The barge is situated amongst other houseboats within the defined houseboat area at Pin Mill and as such the wider impact of the proposal on the countryside or the AONB is insignificant.
21. English Nature has confirmed that the proposal does not appear to have implications for the SSSI and therefore, the ecology of the estuary.
22. The applicant has reduced the scale of development proposed following the refusal of the previous planning application under ref B/05/01524/FUL and the current proposal relates to the provision of a single access jetty and storage shed.
23. The policy relevant to the determination of this application is Policy CR16 (CR28), which in relation to the jetty proposed jetty requires, inter alia, that the total number of jetties serving the area do not exceed 17, that is constructed mainly from wood, its size is related to its need and any security measure is in the form of a simple gate. In this respect the jetty proposed is an addition to an existing larger jetty and does not therefore, increase the number of jetties in the area for the purpose of policy CM6. The jetty is to comprise a timber construction and is of a size commensurate to its purpose to accord with policy. In this instance, a gate is shown to be provided at the junction of the existing jetty with the proposed gangway and details of height and construction material have been requested.
24. In relation to storage buildings on jetties Policy CM6 goes onto state that planning permission will be granted for such buildings where the proposal has a maximum height of 2.5m, has a maximum volume of 5.5m<sup>3</sup>, is mainly a wooden construction and is in keeping with its surroundings. In this respect the shed walls will be clad in timber and it is of an appropriate design that reflects the host barge. The maximum height of the shed is 2.6m although its average height is 2.35m as a result of its curved design. The volume of the shed is approximately 8.2m<sup>3</sup>, which exceeds the maximum permissible volume of 5.5m<sup>3</sup> by 2.7m<sup>3</sup>, however as the shed is smaller than the shed previously refused, (which had a volume of some 14.4 m<sup>3</sup>), and will be significantly smaller than the neighbouring shed and given that it serves as a covered entrance in addition to providing a storage facility, it is concluded that the shed is of acceptable proportions.

25. The jetty and gangway approach is to be positioned on the land side of the host barge and does not depend on access over the existing jetty which is the subject of legal proceedings between the applicants and the occupiers of the neighbouring barge. As such it is considered that neighbouring amenity will not be harmed by the proposal.
26. In view of the above and having regard to the relevant Development Plan and its policies, the following recommendation is made.

#### REASON FOR APPROVAL

The proposal, for the erection of an access jetty and a shed, is considered to be in accordance with the provisions of policies CR01, CR02, CR16 and EN08 of the Babergh Local Plan Alteration No.2 (2006). Having regard to the pattern of existing development in the area it is considered that subject to compliance with the conditions attached to this permission and owing to the siting, scale, design and layout of the proposal, the development would not materially harm the amenities of adjoining residents, the character of the AONB or the ecology of the estuary.

#### RECOMMENDATION

Grant (Planning Permission) subject to condition –

- Details of materials to be used & colours (if any) to be applied
- No alterations to shed or jetty without planning permission

#### DECISION

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