

# Broads Authority Delegation Decision Report – Approval

<b>Application Number</b>	<b>BA/2025/0326/FUL</b>
<b>Proposal Description</b>	<b>The siting of a single person use toilet cubical for staff and customers of Percival Moorings Retrospective</b>

## Consultations Responses Received

Parish Council - *Please note that the Parish Council objects to this application on the basis of design and appearance. Whilst the Parish Council recognises that the cubical may be required it is not in keeping with the surroundings and visually negatively impacts the area.*

Landscape Officer - *The site lies within Landscape Character Area 23 (Wroxham to Fleet Dyke, South Walsham), where both tranquil, inaccessible landscapes and more settled, seasonally busy waterways exist side by side. The application site is within the latter context, characterised by existing development, moorings and waterside activity. The unit is sited on a prominent area of grassland adjacent to the car park, and the wider area is sensitive, but this part of the site is already influenced by buildings, uses and activity. The Consultant notes that, while it would generally be preferable to group buildings to reduce visual clutter, there is some logic to the location beside the already somewhat urbanised car park. In landscape terms the building is not overly obtrusive due to its small scale and recessive colours; however, the raised height and the white plastic window are identified as the most challenging visual elements. The proposed mitigation (screening, planting and lighting) is not supported, as it could appear incongruous in the open location and introduce a domestic character; these measures are therefore not considered acceptable as proposed. The Consultant advises that the facility supports the ongoing viability of the moorings, and that loss of viability could place pressure on more intact locations. Overall, the impacts are not considered significant enough to warrant an objection, but the Consultant recommends that any consent should be temporary, as a permanent permission is not supported due to the low quality of design and suboptimal siting, and encourages pre-application discussions for a longer-term solution.*

## Representations Received

Ian Storey Buttercup Lodge - *The objector states that they were not notified of the application, despite having objected to the earlier submission. They consider the resubmitted proposal to be largely unchanged other than the introduction of screening and argue that screening would be ineffective given the presence of three-storey properties and elevated patios which overlook the site. They object to the siting and appearance of the unit, stating it has been installed without adequate regard to the surrounding marina context and that it harms views and the outlook from nearby residential and holiday accommodation, including their own property. They also raise concerns regarding potential disturbance and odour associated with the chemical toilet and effluent tank arrangement (not connected to mains drainage). Finally, they consider that granting permission would set an undesirable precedent for the area and request that the unit be refused and removed.*

Guy Wilkes, 3 Ferry Quay - *The objector states the unit is sited on an open grassed area adjacent to a car park in a prominent position next to private moorings and opposite the Ferry Marina residential development, and that it has been in use for several months without planning permission. They consider the structure to be widely visible from numerous viewpoints (including the River Bure, Lower Street and neighbouring properties) and state that at least nineteen properties directly overlook the site. The objector refers to the previous retrospective application which was refused and considers the current submission to remain a freestanding, containerised toilet and shower unit of industrial/temporary appearance, not connected to mains drainage and relying on an effluent tank below with tanker removal. The objection raises conflict with Policy DM43, arguing the development is not high quality, fails to respond positively to local character, and causes significant visual harm in this exposed location, and that the proposed screening would not be effective (particularly given overlooking from first/second floor balconies).*

Concerns are also raised that the landscaping details do not clearly show the overall height, and that any screening capable of obscuring the unit would need to be very tall and would itself harm open views and the character of the area. The objector also raises concerns about light spill from the unit at night. Under Policy DM21, the objector raises amenity concerns, including potential odour and disturbance associated with the chemical toilet/effluent tank arrangement. Finally, they state that there are existing toilet/shower facilities within nearby buildings and refer to a covenant requiring those to be maintained, concluding that there is no justification for the unit and that approval would set an undesirable precedent for similar development along the riverside.

Daisy Lodge, Ferry Marina - I would strongly like to object to this toilet block and shower unit , my Holiday cottage looks directly at it is an eyesore and has been noisy in the summer ,it is detrimental to the area and spoils the whole ambience and the tranquillity and landscape of the area. This should not be sighted in this position and should be out of public view . I do not believe screening it will make it any less of an eyesore. This is not the right position for this toilet and shower block under any circumstances.

Jane Pendlebury-Green and Julian Hatley Orchid Lodge - The objectors raise concerns regarding the retrospective application for the toilet/shower unit and associated screening, noting that a previous retrospective application for the same block (BA/2025/0150/FUL) was refused and that the unit remains in place. They object on the grounds that the proposed screening is not in keeping with the character of the area and would be insufficient to fully obscure the structure, with potential for the screening itself to appear visually intrusive. They also raise amenity and business impacts, stating that the unit and its use would be noticeable from their neighbouring holiday let and could reduce the amenity of occupiers, potentially affecting their holiday letting business. In addition, they comment that the proposed facility would not fully meet users’ needs as it may be closed in poor weather and suggest the applicant should instead address the underlying issues that created the need for the temporary facility.

### Development Plan Policy

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.

### Local Plan for the Broads (2019)

DM16 – Development and Landscape

DM21 – Amenity

DM43 - Design

### Material Considerations

National Planning Policy Framework

Planning Practice Guidance

### Reason for Delegated Decision

This application meets the criteria set out in Section 2 (e) of the Broads Authority scheme of delegation (July 2023).

### Site History – (DC Cases Only)

Application Number	Proposal Details	Application Status
BA/2006/1192/HISTAP	Removal of conditions 2 and 4 of planning permission ref. 19980373 to allow workshops to be used for other than marine activities and the moorings to be used other than in connection with the workshops	APCON

BA/2009/0105/COND	Removal of condition 4 and condition 4 of planning permission 1998/0373 to allow workshops to be used for other than marine activities and the moorings to be used other than in connection with the workshops at The Old Boatyard.	APCON
BA/2010/0402/FUL	Replacement of existing timber quay headings, walkways and jetties.	APCON
BA/2011/0059/FUL	Re-alignment of quayheading to widen Woods Dyke (east/west)	APCON
BA/2011/0263/COND	Variation of Conditions 2, 6 and 7 of pp BA/2010/0307/FUL	APS106
BA/2012/0143/EXT8W	Extension of time limit of previous PP BA/2009/0105/COND - to allow workshops to be used for other than marine activities and the moorings to be used other than in connection with the workshops at The Old Boatyard.	APCON
BA/2021/0173/TPOA	<p>***NOT IN A CA OR SUBJECT TO A TPO, APPLICATION NOT REQUIRED***</p> <p>Large oak tree on roadside, over hanging boat shed, parking area and neighbours fence. Not sure if it has a tpo?. Branches are falling off on pedestrians and on the building and parked cars. Do not want the tree removed. We want to make the tree safe by removing deadwood or if necessary crowning if advised by a tree surgeon .</p> <p>We have a pedestrian witness that a large branch fell in very close proximity to her which could have injured her badly.</p>	RET
BA/2001/1717/HISTAP	Erection of four dwellings together with associated garaging, site landscaping and accesses	REF
BA/1995/2345/HISTAP	Erection of 5 houses	REF
BA/1995/2289/HISTAP	Erection of 5 houses	REF
BA/1995/2346/HISTAP	Alterations to existing boatbuilding shed	APCON
BA/2010/0167/FUL	Alignment of quay heading with boardwalk, new vehicular access with alignment of vehicular access from School Road. New roller shutter and PVC doors for units 1 - 4 and provision of shingle surface to parking and turning areas.	APCON
BA/1988/3466/HISTAP	Excavation of land to form mooring spaces	REF
BA/1987/3544/HISTAP	Non-illuminated advertisements	APCON
BA/2013/0134/COND	Removal of conditions 2, 3 and 4 of PP - PF/98/0373 - to allow ground floor workshops to be used as ancillary accommodation to dwellings above	REF

BA/2023/0319/FUL	Replacement of 570m of quay heading in timber (Part retrospective)	APCON
BA/2025/0150/FUL	Installation of self-contained, freestanding toilet unit with internal effluent tank not connected to mains drainage (retrospective)	REF

## Site Description

The application site comprises an open, part grassed, part hardcore area enclosed by a low timber post fence. It lies in a prominent position immediately adjacent to the private moorings owned and managed by Percival Moorings, in a part of Horning that experiences high levels of boating activity. The site is surrounded on multiple sides by established boatyards and boat sales businesses, with a significant presence of moored vessels. To the west, there is a mix of residential properties and holiday lets, many of which overlook the site. The moorings and surrounding development fully enclose the area, making it visible from a wide range of public and private vantage points. This part of Horning is particularly busy, with frequent boat movements and several public access points to the river, contributing to a generally active and well-used riverside character.

## Proposals

The application seeks retrospective planning permission for the installation of a self-contained, freestanding toilet and shower unit. The structure is not connected to the mains drainage network and instead incorporates an internal effluent tank designed to store waste on site until it can be removed by an appropriate waste management service. The unit is positioned on an open, part grassed, hardcore area adjacent to the private moorings and car park and is intended to provide toilet facilities in connection with nearby boating activity. It is also proposed to plant a mixture of plants and shrubs as part of the proposed landscaping scheme.

## Assessment

In assessing the proposal, consideration has been given to the relevant policies of the adopted Broads Local Plan, alongside national planning policy and the specific characteristics of the site and its surroundings. The key issues in this case are the impact of the development on the character and appearance of the area, including design quality, and the effect on the amenity of nearby occupiers.

Policy DM43 requires development to be of high-quality design that responds positively to local character, reinforces local distinctiveness, and respects the area's special qualities. The development comprises the retrospective siting of a single-person toilet and shower unit to serve Percival Moorings, as well as a landscaping scheme.

It is acknowledged that the unit is functional in appearance and not reflective of local vernacular detailing. However, the site sits within Landscape Character Area 23, where the character includes areas of settled broad and seasonally busy waterways with boatyards, moorings and waterside development. The application site falls within this more developed and active waterside context. The unit is located adjacent to the existing car park, which is already described as a somewhat urbanised part of the site, and the landscape consultant accepts there is "some sense in the location" in these terms. The landscape consultant advises that whilst the building is "arguably poor in design terms", it is "not overly obtrusive" due to its relatively small scale and recessive colours.

The most challenging elements in visual terms are identified as the unit's raised height and the white plastic window. These impacts can be reduced by condition requiring the external window to be painted green, which would lessen contrast and help the unit sit better within its setting.

The application also includes proposed screening and landscaping measures. The landscape adviser considers that, given the open location, these measures could appear incongruous and introduce a domestic appearance and therefore does not support the screening/planting/lighting as currently proposed.

It is considered that whilst the planting is not a typical feature in this landscape setting, it will go some way of reducing the dominance of the unit, and will be a natural feature, rather than just the unit on its own.

While the landscape consultant recommends that, if approved, permission should be temporary given the quality of design and location, she also confirms that the impacts are not significant enough to warrant an objection. In this case, it is considered that a temporary permission would be unnecessary and disproportionate. The moorings are an established, ongoing use and the need for welfare facilities is not short-term in nature. Importantly, the landscape advice also recognises that the continued viability of this moorings location is beneficial in landscape terms and that it would be more damaging if pressure were displaced to more intact locations. On that basis, and subject to conditions securing improved external appearance and appropriate landscaping, the development is considered acceptable in terms of Policy DM43.

Policy DM21 seeks to ensure that development safeguards the amenity of existing and future occupiers and users of nearby land and buildings. The unit is located within an active moorings environment where seasonal activity and day-to-day comings and goings are already part of the site context. The facility is limited in scale (single person) and can be controlled through condition to ensure it is used only by staff and lawful users of Percival Moorings, preventing intensification through general public use. Whilst servicing and maintenance will be required, the limited size and restricted user group means that, subject to the use restriction, the development would not give rise to unacceptable harm to amenity through noise or odour. The proposal is therefore considered to comply with Policy DM21.

The proposal has some limited harm arising from its utilitarian form and open siting. However, the landscape consultant does not object on the level of impact, notes the building is not overly obtrusive at this location, and recognises the wider benefit of supporting the viability of the moorings at a developed waterside site. With conditions to restrict use, improve the appearance of the unit (window colour), and secure the appropriate landscaping scheme, the planning balance weighs in favour of granting permission.

## **Recommendation: Approve Subject to Conditions**

### **Condition**

1. The development hereby permitted shall be carried out in strict accordance with the application form, plans and drawings and other documents and details received as listed below:

### **Reason**

For the avoidance of doubt and to ensure the satisfactory development of the site in accordance with the specified approved plans.

### **Condition**

2. The toilet and shower unit hereby approved shall be used only by staff working at Percival Moorings and by persons using Percival Moorings for mooring purposes, and for no other purpose (including any use by the general public).
  - Proposed Landscaping plan & 3D prospective (Received by the Local Planning Authority on 24<sup>th</sup> October 2025)
  - Planning Statement (Received by the Local Planning Authority on 24<sup>th</sup> October 2025)
  - Site Location Plan (Received by the Local Planning Authority on 24<sup>th</sup> October 2025)
  - Site Plan (Received by the Local Planning Authority on 24<sup>th</sup> October 2025)
  - Annotated Aerial Plan (Received by the Local Planning Authority on 24<sup>th</sup> October 2025)

### **Reason**

To ensure the development remains ancillary to the lawful use of Percival Moorings and to safeguard the character of the area and residential amenity, in accordance with Policy DM21 of the Broads Local Plan.

### **Condition**

3. The approved landscaping plan (submitted 24<sup>th</sup> October 2025) shall be implemented in full during the first planting season following the date of this permission (or within such other timescale as may be agreed in

writing by the Local Planning Authority). Any trees or plants which, within a period of three years from the date of planting, are removed, die, are severely damaged or become seriously diseased shall be replaced in the next planting season with others of similar size and species (or as otherwise agreed in writing by the Local Planning Authority).

**Reason**

To ensure appropriate landscape planting is established and maintained in the interests of visual amenity of the area, in accordance with Policy DM16 of the Broads Local Plan.

**Condition**

4. Within three months of the date of this permission, the external window to the toilet and shower unit shall be painted dark green, and thereafter retained as such, unless otherwise agreed in writing by the Local Planning Authority.

**Reason**

In the interests of visual amenity and to ensure the development integrates satisfactorily with its surroundings, in accordance with Policy DM16 of the Broads Local Plan.

<b>Planning Officer</b>	<b>Mr Callum Sculfor</b>
<b>Date of Report</b>	<b>13 January 2026</b>

Fee Confirmed? Yes      Date Fee Confirmed: 11.11.2025

Extension of Time Information on Uniform Checked? Yes      Date Agreed: 23<sup>rd</sup> January 2026

RAMS Paid? Not Applicable

Nutrient Neutrality Applicable? No



**Steve Kenny**  
**Development Manager**

**22 January 2026**