

RESOLVED

That Dr Stephen Johnson be appointed as acting Chairman of the Committee for this meeting.

Dr Johnson in the Chair

13/2 Declarations of Interest

Members introduced themselves and indicated that they had no declarations of pecuniary interests other than those already registered and those set out in Appendix 1.

The Chairman declared an interest on behalf of all members in relation to Application BA2014/0165/FUL Ellingham Mill (South), Mill Pool Lane, Ellingham.

13/3 Minutes: 23 May 2014

The minutes of the meeting held on 23 May 2014 were agreed as a correct record and signed by the Chairman.

13/4 Points of Information Arising from the Minutes

No points of information to report.

13/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

13/6 Chairman's Announcements and Introduction to Public Speaking

(1) Parish Forum – Lower Bure & Thurne Parish Forum: 12 June 2014

The Director of Planning and Resources reported that the third in the series of Parish Forums had been held at Fleggburgh on the 12 June 2014 from 5.30pm to 8.30pm for the Thurne area. Although there had not been as many members of the public in attendance as the previous meetings, there was a wide range of interesting questions and the feedback had been positive. This was endorsed by a member who commented that it had been a worthwhile informative event which helped to provide a good relationship with the community.

(2) Reminders of the Annual Public Meeting and Open day on Saturday 28 June 2014 at the Dockyard and the Authority's Annual Site Visit on 24 July 2014.

Members were reminded of the Authority's Open day and Annual Public meeting to be held at the Dockyard on Saturday 28 June

between 10.00am and 1.00pm and the Authority's Annual Site visit for Members, which would be in the eastern part of the area, on Thursday 24 July 2014.

(3) **Broads Site Specifics Development Planning Document**

The Chairman reported that the Inspector's report on the Broads Site Specifics Development Planning Document had been received indicating that this was "sound" and a report would be prepared for the Authority's meeting on 11 July 2014 proposing that it be formally adopted. Unfortunately, the Inspector's report had not been available in time for a report to be presented to this meeting, prior to making a recommendation to the full Authority.

(4) **Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for members and officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

13/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests for deferral of any applications had been received.

13/8 Applications for Planning Permission

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) **BA/2014/ 0150/COND Land adjacent to Broadacre, Thrigby Road, Filby**

Variation of Condition 2 on BA/2007/0313/FUL to allow plot 3 garage to be relocated to the front of the property

Applicant: Oldman Homes Ltd

The Planning Officer provided a detailed presentation on the proposal for a variation of the application BA/2007/0313/FUL to enable the garage for Plot 3 of the development on land adjacent to Broadacre in Filby to be relocated from the rear of the property to the front. The application included an amendment to the use of materials for the

garage to be timber boarded with a pantile roof rather than brick. She provided the context of the application site pointing out that other dwellings in Thrigby Road had garages to the front and the other 2 properties that were part of the overall scheme had integral garages at the front of their properties. The garage would be 6.0m wide (not 5.6m as stated in the report) by 6.0 m long and 4.5m to the ridge sited adjacent to the treed boundary.

The Planning Officer drew attention to the consultations received and the objections received from a neighbour and the Parish Council. In assessing the application the Planning Officer addressed the questions raised by the objectors. In conclusion the location, scale and design of the garage was considered to be appropriate for the plot and in character with the wider area. It was not considered to be overbearing or have an adverse impact on neighbouring amenity, highways, trees or flood risk and therefore the proposal was recommended for approval subject to conditions.

Mr Pitcher, Managing Director of Wellington Construction, which had been responsible for the original plans, and on behalf of the applicant, explained that as the building of the development progressed, the siting of the garage to the rear of the property was proving to be detrimental to the rear garden amenity space and the access was far from ideal especially when considering safety for young children. These conclusions were confirmed by the views of a potential buyer. In addition, garages to the front of the property were characteristic to the area and the proposal was that this garage would still be in line with the other two properties in the overall development. He considered that the amended proposal was a vast improvement, more sustainable, in keeping with the overall development and the area and safer for new occupants. He urged the Committee to support the proposal.

Members gave careful consideration to the proposal and concurred with the officer's assessment, commenting that the amendment would provide more useful amenity space for the new occupants.

Mr Dixon proposed, seconded by Mrs Hemsall that the application be approved as set out.

It was RESOLVED unanimously

that the application be approved subject to the conditions as outlined within the report. The development is acceptable in respect of Planning Policy and in particular in accordance with Policies CS1 of the Core Strategy (2007) and Policies DP2, DP4, DP11, DP28 and DP29 of the Development Management Policies DPD (2011)

(2) **BA/2014/0165/FUL Ellingham Mill (South), Mill Pool Lane, Ellingham**

Construction of new canoe portage with new fence, grass protection on access path and regarding of slope

Applicant: Broads Authority

The Planning Officer explained that the reasons for the application coming to the Committee were that it was a Broads Authority application and objections had been received. She provided a detailed presentation of the proposal for the installation of a relatively modest canoe portage point, on a site currently used informally and accessed by a narrow path, which would be cleared and widened and the gradient access to the river improved. This would enable connection to a similar but smaller formal portage point provided by the Environment Agency situated immediately upstream of Ellingham sluice. This would provide canoeists with a more easily accessible exit from the river downstream of Ellingham Mill and re-entry to the river thus providing improved canoe access on this stretch of the River Waveney between Bungay and Geldeston. It was confirmed that the proposed development was on private land with the landowner in agreement. The Waveney River Trust had agreed to take on the ongoing management of the portage point once established.

Since the writing of the report further consultations had been received from Ellingham Parish Council in support of the application, the Norfolk and Suffolk Boating Association and Suffolk County Council Highways providing no objections. In addition a total of three letters had been received in support of the application and six letters objecting and expressing concerns in relation to highway safety, potential increased use, parking provision and the effect on the ecology of the area.

In assessing the application, the Planning Officer commented that the proposals would be small in scale and the design was considered to be appropriate to the rural nature of the site. It was not considered that there would be any adverse ecological impacts. Given that the site was used as a transit point rather than termination or starting point it was not considered that the proposal would result in unsafe traffic movements and the highways authority had not objected. The application was also in accordance with the Authority's Integrated Access Strategy. It was therefore recommended for approval subject to conditions.

Mr Woodcock, the closest resident to the portage point and on behalf of some objectors, explained that they fully appreciated the need for a portage point on the east side of Ellingham Sluice but had concerns over the size of the portage and the nature of the development in general. He commented that the proposed plans did not mirror the canoe portage on the other side of the sluice and was not convinced that all respective parties had been consulted. The main concerns

were that the structure was disproportionate and therefore an overdevelopment of the site having an environmental impact contrary to the obligation of protecting an area equivalent to a national park; the resultant potential increase in anti-social behaviour, including litter and use of the portage by non-canoists; the use of the portage as an embarkation point and resultant increased use of roadside verge for parking which was inadequate and would be unsafe. It was considered that the portage could be smaller in scale and there should be signage.

Mr King, on behalf of the applicant explained that the proposed size of the improved portage was due to the nature of the steep gradient into the river which was currently awkward and unsafe. The proposed re-grading of the bank and ramp down to a level access platform would provide safer access to and from the river at both high and low water levels. It was also designed to enable two canoes to enter the river at one time. The site was not seen as an embarkation point but a transit point from one side of the sluice to the other. It was designed to linkup the river system and was part of the integrated access trail.

Members gave careful consideration to the application and the concerns raised. A member commented that the access to the next section of the river across Ellingham Sluice and existing informal portage was very difficult for manoeuvring canoes and considered that the effect of the development and the arrangements for the maintenance would provide welcome improvements. Members were satisfied with the proposal on safety grounds and that the site was a transit point rather than embarkation. Members were mindful of the Authority's objective to encourage the sustainable use and enjoyment of the Broads and in particular the Integrated Access Strategy. They gave weight to the Authority's Policy DP12 Access to the Water and considered that the proposal met the criteria and under this had no grounds on which to refuse the application. They considered that the proposal would result in an overall improvement to the facilities for broads' users and concurred with the officer's assessment. They accepted the concerns relating to parking and appropriate signage being required and agreed that this be added to the proposed conditions.

Mr Ollier proposed, seconded by Prof Burgess and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report including an additional condition for appropriate signage to include reference to parking and safety. The proposal is considered acceptable. The development is considered to be in accordance with the development planning policies within the adopted Core Strategy (2007) and the Development Management Policies (2011) particularly Policy DP12.

Having declared an interest, Mrs Hemsall left the meeting.

Mr Stevens entered the meeting.

13/9 Neighbourhood Plans

(1) Acle Neighbourhood Plan – Proceeding to Publication

The Committee received a report providing members with a summary of the Acle Neighbourhood Plan and the procedures for dealing with Neighbourhood Plans in general. Officers were seeking member approval for publication for public consultation over a six week period. Broadland District Council's approval was also sought. The documents for the Acle Neighbourhood Plan had been included on the Authority's website as part of the whole report. Officers were satisfied that the criteria for publication had been met. A further report would be brought to Committee following the consultation period and parish council consideration.

RESOLVED

- (i) that the report be noted;
- (ii) that the Submission version of the Acle Neighbourhood Plan (NP) be endorsed and approved for proceeding to publication (consultation); and
- (iii) that the Chief Executive be delegated to authorise the submission of the Acle Neighbourhood Plan to independent examination on assessment of the comments received after the public consultation (publication) ends subject to no new major issues being raised.

(2) Making the Strumpshaw Neighbourhood Plan part of the Development Plan for the Broads Authority

The Committee received a report relating to the Strumpshaw Neighbourhood Plan which had been the subject of referendum on 22 May 2014 following the consultation period between January and February 2014 and the Independent Inspector's report. A majority "yes" vote of 66% of the 281 who had voted were in favour of the Plan. Given that this was more than half of those who had voted, the Local Planning Authority in this case, the Broads Authority and Broadland District Council were recommended to adopt the plan. Both Authorities would then be required to consider the document alongside their own Local Plan documents when determining planning applications within the Strumpshaw Neighbourhood Area and therefore it would become part of their own Local Plans. As such it was considered that the full Authority was required to adopt the Plan and that a report be submitted to its next meeting on 11 July 2014.

The Committee were in agreement and

RECOMMENDED

that the Broads Authority adopt the Strumpshaw Neighbourhood Area Plan as part of the Development Plan/Local Plan for the Broads Authority Executive Area.

13/10 Pre-Application Advice and the Options for Charging

The Committee received a detailed report from the Head of Development Management setting out the background and options for charging for pre-application planning advice. It was noted that the Government had long been in favour of the provision of pre-application advice in order to improve the quality of applications, enable local engagement and speed up the process by identifying and resolving contentious issues at an early stage. Section 93 of the Local Government Act 2003 introduced a discretionary provision which enabled Local Planning Authorities (LPAs) to charge for that advice. Due to budgetary pressures, many LPAs were now charging for pre-application advice. The Authority had agreed to look into the question as a possible income stream in light of the reduction in the National Park Grant and members' views were sought.

Members noted the advantages and disadvantages that were outlined and the practices of other LPAs within Norfolk and the English National Park Authorities as well as the responses received from some of the agents with whom the Authority had dealings, many of whom had been very complimentary about the pre-application advice currently received and expressed reservations about charging. Members were also made aware of the financial implications, noting that the introduction of pre-application charges would incur costs, it would require additional administrative time including the financial processing and a need for the Authority to increase its public liability insurance cost – this could be between £3,000 - £4,000 per annum. It was also noted that should charging for pre-application advice be introduced, a very clear set of service standards and processes would be required and possible thresholds introduced. Members recognised that it would be important to identify what was the real objective behind charging for this advice: if the main driver was potential income generation, the scale of the benefit which could be achieved must be weighed against potential effects on the quality of the planning service and overall outcomes for the Broads.

Members recognised the value of pre-application advice but were concerned that this should not take a disproportionate amount of officers' time, particularly if this did not result in a successful outcome. Some members considered that by charging this could provide focus for the applicants/agents as well as enable officers to manage workload. Some members considered that nothing was "free" and the user should pay - at least some contribution towards the costs incurred of providing such a service. On this premise the

simplest scheme for charging, either as a flat rate or on a sliding scale was advocated.

Others considered given the special status of the Authority (equivalent to a national park), that the Authority's duties included encouraging economic wellbeing, emphasising high quality developments as well as engaging with the community at an early stage in the process. The introduction of charges for pre-application advice could compromise those aims and discourage applicants from using the service thereby jeopardising goodwill and the Authority's reputation. There was also a risk that in charging for such a service there could be an increase in costs in the future through an increase in the administration of appeals and enforcement cases where pre-application advice had not been sought. Members considered that the resultant costs of administering charges would be disproportionate to the forecasts of income generated particularly given the scale and profile of the applications which the Authority deals with. Some members had considerable concerns about the reputational damage to the Authority of introducing charges.

The Chairman concluded that there was a split of strong views being expressed on both sides of the argument, with a slight numerical balance among those present in favour of not introducing charges for pre-application advice. These views would be reported to the Financial Scrutiny and Audit Committee on 8 July 2014 and to the full Authority on 11 July 2014.

13/11 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee.

RESOLVED

that the report be noted.

13/12 Appeals to the Secretary of State: Update

The Committee received a schedule showing the position regarding appeals against the Authority since January 2013 as set out in Appendix 1 to the report. In addition, a decision had also been received on the Appeal against the Authority's decision to refuse the application at Broads Edge Stalham for 12 camping pitches and replacement toilet and shower building. This had been allowed and planning permission granted, details of which had been circulated to members and were on the Authority's website.

RESOLVED

that the report be noted.

13/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 12 May 2014 to 9 June 2014. It was noted that the application for amendments to the proposed development at Utopia and Arcadia, Stalham had been a Committee decision, not delegated, and that it was within the Stalham Town (not parish) Council area.

RESOLVED

that the report be noted.

13/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 18 July 2014 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The Director of Planning and Resources provided members with a brief report from the discussions she had had with Mr Mike Haines and Mr Andrew Ashcroft on behalf of the Planning Advisory Service on their review of the Committee's proceedings. These had been positive and it was hoped that their review would be available in time to be reported for the full Authority with recommendations based on receipt of their written report.

The meeting concluded at 12.00 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee** 20 June 2014

Name <i>Please Print</i>	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	Items 13/8(2) and	Application BA2014/0165/FUL Ellingham Mill (South)
Mrs L Hempsall	Item 13/9	Acle Neighbourhood Plan (non-pecuniary) <i>(Involvement in its development)</i>