

Planning Committee

AGENDA

5 December 2014

10.00am

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|---------------------------------------------------------------------------------------------------------|--------|
| 1. To receive apologies for absence and introductions | |
| 2. To receive declarations of interest | |
| 3. To receive and confirm the minutes of the previous meeting held on 7 November 2014 (herewith) | 3 – 15 |
| 4. Points of information arising from the minutes | |
| 5. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

6. **Chairman's Announcements and Introduction to Public Speaking**
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
7. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - BA/2014/0336/HOUSEH Landfall, 8 Anchor Street, Coltishall 16 – 25
 - BA/2014/0369/COND Silver Dawn, Woodlands, Horning 26 – 34

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<ul style="list-style-type: none"> • Pound End Broad and Hoveton Marshes, Horning Road, Hoveton 	35 – 40
9. Enforcement of Planning Control: Enforcement Item for Consideration: Staithe 'N' Willow, Horning Report by Planning Officer (Compliance and Implementation) herewith	41 – 44

MATTERS FOR INFORMATION

10. Heritage Asset Review Group: 7 November 2014 Notes of Meeting (herewith)	45 – 52
11. Enforcement Update Report by Head of Planning (herewith)	53 – 57
12. Decisions made by Officers under Delegated Powers Report by Director of Planning and Resources (herewith)	58 – 60
13. Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications Report by Head of Planning (herewith)	61 – 64
14. To note the date of the next meeting – Friday 9 January 2014 at 10.00am at <u>Yare House, 62-64 Thorpe Road, Norwich</u>	

Member Workshop on Broads Local Plan – Initial Thoughts will be held after the Committee meeting

Broads Authority
Planning Committee

Minutes of the meeting held on 7 November 2014

Present:

Dr J M Gray – in the Chair

Mr M Barnard	Mr G W Jermany
Miss S Blane	Mrs L Hemsall
Mrs J Brociek-Coulton	Dr J S Johnson
Prof J Burgess	Mr P Ollier
Mr N Dixon	Mr R Stevens
Mr C Gould	

In Attendance:

Ms N Beal – Planning Policy Officer
Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for the Solicitor
Ms M Hammond – Planning Assistant
Mr B Hogg – Historic Environment Manager
Mr S Hooton – Head of Strategy and Projects
Ms A Long – Director of Planning and Resources
Mr A Scales – Planning Officer (NPS)
Ms C Smith – Head of Planning
Ms K Wood – Planning Officer

Members of the Public in attendance who spoke:

BA/2014/0297/FUL Compartment 9: Left bank of the River Bure between Thurne Mouth and Acle Bridge, Ashby-w-Oby

Jeremy Halls BESL On behalf of applicant (Environment Agency)

BA/2014/00336/HOUSEH Landfall, 8 Anchor Street, Coltishall

Mr Peter Cobb/Jonathan Applicant and Agent
Burton
Mr Philip Atkinson Lanpro on behalf of Objectors Mr and Mrs Smith (neighbour)
Mr Alan Mallett District Ward Member.

BA/2014/0307/FUL H E Hipperson Ltd, Gillingham

Mr Simon Sparrow Applicant

5/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting particularly members of the public.

Apologies were received from: Mr John Timewell and Mr Peter Warner.

5/2 Declarations of Interest

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

5/3 Minutes: 10 October 2014

The minutes of the meeting held on 10 October 2014 were agreed as a correct record and signed by the Chairman.

5/4 Points of Information Arising from the Minutes

David Matless Lecture in the Julian Centre at UEA

The Chairman reported that David Matless had provided an extremely interesting lecture on 3 November 2014 at the UEA on Nature and Landscape as one of the events to mark the 25th Anniversary of the Broads Authority being set up. The event had been well attended.

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

No items had been proposed as matters of urgent business.

5/6 Chairman's Announcements and Introduction to Public Speaking

(1) Dates for Members to note: BA Planning Policy – Shaping the Broads Local Plan – 5 December 2014

The Chairman reminded members that there would be a workshop for all members of the Authority on Friday 5 December 2014 following the Planning Committee meeting. The aim was to give members the opportunity to help shape the Broads Local Plan in its early stages. All members had received an email and asked to respond as to their intention to attend as soon as possible.

(2) **Public Speaking and Openness of Local Government Regulations**

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. The Chairman also asked if any member of the public intended to record or film the proceedings and if so whether there was any member of public who did not wish to be filmed.

5/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests for deferral had been received.

5/8 Applications for Planning Permission

The Committee considered the following application 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 decision.

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/2014/0297/FUL Compartment 9: Left bank of the River Bure between Thurne Mouth and Acle Bridge, Ashby-w-Oby**

Removal of piling along the river's edge, and re-grading of the edge and the original bank along the left (eastern) bank of the River Bure between Thurne Mouth and Acle Bridge

Applicant: Environment Agency

The Planning Officer provided a detailed presentation of the application for the removal of a total of 1,532 meters of piling in five areas along the eastern bank of the River Bure between Thurne Mouth and Acle Bridge. This was now no longer used for flood defence purposes since the majority of flood defence works within this compartment 9 were now completed. The proposal to remove the piling was as a result of the planning condition imposed on the original permission granted for those works. The application also included re-grading of the original flood bank and installation of temporary channel markers in place. He explained that the techniques to be used would be similar to those used elsewhere. He emphasised that the existing private and short stay moorings including those owned by the Authority would be retained.

The Planning Officer drew attention to the consultation comments received, particularly those of the Navigation Committee which had supported the application provided appropriate planning conditions relating to erosion monitoring, channel marking and timing of works

were attached to any planning permission. He reported that Natural England had reported that it was satisfied with the proposals but nothing officially had been received in writing as yet.

In providing a detailed assessment of the proposals against the relevant core strategy and development management policies as well as the NPPF, the Planning Officer particularly took account of the reservations raised by the Boating Associations in relation to the navigation Issues. The Planning Officer concluded that the scheme was acceptable and recommended for approval subject to conditions.

In response to a member's concerns relating to use of netting in the area which had caused problems elsewhere, Mr Halls, on behalf of BESL confirmed that netting had only been used in areas of significant erosion. BESL in association with Authority rangers would ensure that any remaining obtrusive structures or objects would be removed and this would require underwater survey.

Members welcomed the proposal and concurred with the Officer's assessment. The piling to be removed was no longer required for flood defence purposes. The pile removal would not increase flood risk in the compartments or elsewhere in the area. It was considered that with the imposition of planning conditions; navigation, recreation, ecological, highway, amenity and other interests could be protected

RESOLVED unanimously

that the application be approved subject to the receipt of formal comments from Natural England and conditions as outlined within the report together with an additional condition requiring an underwater survey post removal of the piling to ensure obtrusive artefacts were removed. The permission to be accompanied by an Informative referring to the Memorandum of Understanding between the Broads Authority and the Environment Agency 2003, the Water Resources Act 1991 and flood defence consent.

The proposal would meet the key tests of development plan policy, particularly Policies CS1, CS2, CS3, CS4, CS15 of the adopted Core Strategy and Policies DP1, DP13 and DP29 of the Development Management DPD and would be consistent with NPPF advice.

- (2) **BA/2014/0336/HOUSEH Landfall, 8 Anchor Street, Coltishall**
Resubmission of BA/2013/0313/FUL to remove existing conservatory and provide first floor extension / side extension
Applicant: Mr P Cobb

The Planning Assistant provided a detailed presentation on the proposal for the removal of an existing conservatory and to provide a first floor extension and side extension in its place to form a cross-wing arrangement. It was intended that the materials to be used would

match the existing to include concrete tiles and matching brickwork on the ground floor with the first floor being of timber cladding.

The Planning Assistant drew members' attention to the consultation responses received particularly those expressing concern about the adverse impacts on landscape, Conservation Area and listed buildings, the proximity to existing dwellings and amenity of adjoining occupiers. Since the writing of the report, further consultations had been received from the Broads Society which had not objected (letter circulated).

The Planning Assistant provided photographs to illustrate the proximity of the Grade II Curtilage Listed Building of Old Maltings with views from that property to Landfall. She explained that planning permission had been granted in 1989 to the Old Maltings for an extension adjacent to Landfall part of which had been constructed. Extant permission existed for the remaining conservatory with glass roof, not yet built. The owners had submitted results of a light survey contending that the application before members would result in loss of light to certain parts of the Old Maltings.

Having provided a detailed assessment of the proposals, taking account of the main issues in relation to the design, impact on the Conservation Area and listed building, amenity and trees (notably the copper beech tree,) the Planning Assistant concluded that whilst the objections were appreciated, on balance, the application was acceptable and an appropriate type of development. Although it was appreciated that the relationship with the Curtilage Listed building would change, it was not considered that the listed building or amenity of the occupiers would be detrimentally affected as to justify a refusal. It was considered that the extension would relate far better to the predominant scale and form of dwellings along Anchor Street and within the Coltishall Conservation Area. The recommendation was for approval subject to conditions including a tree protection plan.

Mr Atkinson, on behalf of the objectors expressed deep concerns on the basis that he considered the application to be flawed due to factual inaccuracies and that it had not been properly assessed in relation to rights to light. He provided members with diagrams of the potential light restrictions based on assessments undertaken in line with BRE Good Practice Guidance. He considered that the 25 degree test had not been met. He therefore requested that the application be deferred in order to make the appropriate assessments concerning the impact of the proposed development on the neighbour. The proposal would affect the views into the habitable room of the conservatory which had extant planning permission but had not yet been built. He considered that the impact of the proposal on the Old Maltings would be significant and impact on the sunlight to that property.

Members commented that Mr Atkinson seemed to have mixed up his points of the compass and was confusing north and south.

Mr Burton on behalf of the applicant commented that Anchor street had evolved as an area of mixed development. The existing 1960s bungalow did little to enhance the area and the way in which the proposal had been designed was to provide a more agreeable development harmonious to the setting. It was significantly different to the previous application which had been withdrawn and realigned to minimise the impact on the listed building. He explained that the conifer trees at about 3.5metres to 2metres high, which originally formed part of the boundary between the Old Maltings and Landfall had been removed at the request of the owners of Old Maltings and replaced temporarily by a 2 metre high fence in order to provide privacy.

Mr Mallett the Ward Member commented that he considered there to be a serious matter of procedure. He contended that the first he had been made aware of the application was from a phone call from a fellow District member and from only receiving notification within the last week that the application was to be considered at this planning committee meeting. The Parish Council seemed also to be unaware of the application and therefore there had been insufficient time for either to provide an adequate assessment or comment.

The Case Officer confirmed that consultation letters had been sent out to the Local Member and the Parish Council on 7 October. In addition all ward members would have received the weekly list of validated applications. However, given that there was doubt about whether these notifications had been received, Members considered that the application should be deferred. In addition, it was suggested that due to the complex relationship between the two buildings and the difficulty in appreciating his relationship just in plan form, it would be appropriate for Members to undertake a site visit.

It was RESOLVED by 7 votes to 2

- (i) that the application be deferred to enable the Parish Council and Ward Member sufficient time to provide any comments on the proposal and for issues raised by the objectors to be considered further; and

by 6 votes to 2

- (ii) that the Committee have a site visit to clarify a number of issues raised by the objectors. The site visit to take place on Friday 28 November 2014 at 10.00am in order to gain a full appreciation of the site and examine the proposals in the context of the Conservation Area and the Grade II Listed properties.

- (3) **BA/2014/0307/FUL H E Hipperson Ltd, Gillingham, Beccles**
Change of use of mooring from leisure to residential
Applicant: Mr Simon Sparrow

The Planning Officer provided a detailed presentation of the proposal for the change of use of one mooring plot currently used for leisure to be used as residential mooring in order for the new owners/managers to live on their barge which is on the site of a long established boatyard providing a range of boating and visitor facilities. The 17m mooring was off the main navigation within a mooring basin and was used in association with the wider boatyard use.

The Planning Officer explained that no objections to the application had been received but it was before members on the basis that it was a departure from policy.

The Planning Officer provided an assessment of the application. In particular it was assessed under the criteria within Policy DP25 for Residential Moorings. On this basis with reference to criteria (b) to (i) relating to change of use of moorings, the application was considered acceptable. However, with reference to criteria (a), the application did not fall within or adjacent to a development boundary and was therefore in conflict with this specific criterion. However, with the reduction in the number of development boundaries in the Site Specifics DPD to only 4, the fact that these had been reduced on flood risk grounds, the fact that the site was in a sustainable location with sufficient appropriate facilities and services available nearby, it complied with every other element of Policy DP25 and the general policy support for encouraging residential moorings in suitable locations, it was considered acceptable. In conclusion, it was not considered that there would be an adverse impact on the use of the site as a boatyard, biodiversity, access, navigation safety, flood risk, neighbouring amenity or wider character of the area. Whilst the proposal represented a departure from criteria (a) of policy DP25 it was considered that the conflict with criteria (a) of the policy was outweighed by the specific circumstances of this site and type of departure and therefore the proposals was acceptable despite the departure from policy. The application was recommended for approval.

Some members expressed concern that by granting permission for a residential mooring this could set a precedent for unrestricted residential mooring use and they would not wish to see a proliferation of residential boats in this area. They considered that either a personal condition be imposed or that permission be conditional on association with the operation of the boatyard. Officers clarified that this would then need to be assessed against Policy DP26. The applicant had not specifically applied for permission on the basis that it was necessary or essential to be resident on site for the operation of the business. The boatyard had been managed as such without a resident on site for many years. Policy DP25 related to residential moorings. Policy DP26

related to the operation of boatyards. If members considered that policy DP26 was the appropriate policy against which the application should be assessed, this would not require advertising the application as a departure from policy. However, Members were advised that they would be approving an application under this policy without any justification having been put forward by the applicant.

Mr Gould proposed, duly seconded by Mrs Hemsall, that a condition should be imposed on any approval to restrict the use of the mooring for residential use in association with the running of the boatyard only. This was agreed by 10 votes to 1.

On this basis Members considered that the application could be considered under the criteria of Policy DP26 and as such would not be a departure from policy. It was

RESOLVED by 11 votes to 1

that the application be approved subject to conditions as outlined within the Committee report together with an additional condition restricting the use of the residential mooring in association with the use of the boatyard. In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with the NPPF and Policies CS1 of the Core Strategy (2007) and Policies DP11, DP12, DP20, and DP28 of the Development Management Policies DPD (2011). The proposal is considered to be in accordance with Policy DP26 and therefore does not require being re-advertised as a departure from policy.

5/9 Annual Monitoring Report

The Committee received the Annual Monitoring Report from the Planning Policy Officer for the financial year 2013/14.

RESOLVED

that the Annual Monitoring Report be noted, welcomed and endorsed and be placed on the Future Planning pages of the Authority's website

5/10 Acle Neighbourhood Plan: Inspector's Report

The Committee received a report from the Planning Policy Officer outlining the recommendations from the Inspector on the Acle Neighbourhood Plan.

The member appointed by Broadland District Council informed the Committee that Broadland District had approved the Neighbourhood Plan for a referendum.

It was clarified that with regard to the Acle Bridge Area there were no specific plans to improve the area but that this was a supportive contextual policy.

RESOLVED

that the Broads Authority accepts and endorses the proposed changes to the Neighbourhood Plan as set out in the Inspector's Report and supports the Plan to go forward to referendum.

5/11 Salhouse Neighbourhood Plan Designating Salhouse as a Neighbourhood Area

The Committee received a report from the Planning Policy Officer briefly summarising the comments received during the 6 week consultation period on the whole of Salhouse Parish becoming a Neighbourhood Area in order to produce a Neighbourhood Plan. Since the writing of the report an additional representation had been received from a resident concerned about the inclusion of a particular site and suggesting a boundary change. The site fell outside the Broads Authority's area. The parish council would be discussing the matter on 10 November and Broadland District Council subsequently assessing the objection. Therefore members considered that it would be inappropriate to approve designation until this matter had been fully assessed.

RESOLVED

- (i) that the comments received be noted; and
- (ii) that, subject to the Parish Council and Broadland District Council assessing and coming to a conclusion on the objection, the Chairman of the Authority's Planning Committee in consultation with the Director of Planning and Resources be delegated to approve the whole of the Salhouse Parish being designated as a Neighbourhood Area as the first step in the process of preparing a Neighbourhood Plan.

5/12 Consultation Documents Update and Proposed Responses Norwich City Council: Affordable Housing Supplementary Planning Document (SPD)

The Committee received a report from the Planning Policy Officer on the publication by Norwich City Council of its Affordable Housing Supplementary Planning Document which would provide further detail to support the adopted *Joint Core Strategy* Policy 4 (JCS4) and the Development Management Policies Plan Policy DM33, which was due to come into force in late 2014. The SPD would form part of the new local plan for the city which set out policies and proposals to guide development and change in Norwich until 2026. As the Authority sought guidance in respect of housing policy from its adjoining Districts, this was important when considering affordable housing. The policies would be taken into account when the Authority was required to make decisions within the area.

Members welcomed and endorsed the proposed comments.

RESOLVED

that the proposed consultation response together with the comments made be endorsed.

5/13 Norfolk Coast Area of Outstanding Natural Beauty (AONB) Management Plan 2014 – 2019

The Committee received a report from the Head of Strategy and Projects, advising it of the contents of the Norfolk Coast Area of Outstanding Natural Beauty (AONB) Management Plan for 2014 – 2019. This was produced by the Norfolk Coast Partnership which managed the area and consisted of relevant local authorities with other public sector agencies including Natural England. It was noted that the plan built upon the previous five year period plan, and was designed as a framework for all the organisations involved in it, similar to the Authority's approach to its own Broads Plan. Although there was only a small section of the Authority's area which came within the AONB area it was appropriate to be included in association with the duty to cooperate. The Planning committee on behalf of the Authority was requested to consider the document and formally adopt it.

Members considered that the AONB Management Plan was consistent with and did not appear to be in conflict with the aim and objectives of the Broads Authority or the Broads Plan, in many cases was complementary and would be useful with regard to the review of the Broads Plan 2011.

RESOLVED

- (i) that the report be noted and it be
- (ii) RECOMMENDED to the Broads Authority

that the Norfolk Coast AONB Management Plan 2014 – 2019 be adopted.

5/14 Consultation on Sustainable Urban Drainage Systems (SUDS)

The Committee received a report by the Head of Planning on the Government's consultation document relating to Sustainable Urban Drainage Systems (SUDS). Following consultation in 2013, the proposals for dealing with drainage had been revised. The closing date for consultation was 24 October 2014 and therefore officers had responded on the Authority's behalf. Members noted that the revised proposals were significantly reduced in both scale and complexity compared to the former proposal to establish and administer separate SUDS Approval Body (SAB)s. The revised proposals were intended to build on the existing planning system and planning guidance provided to LPAs and Developers on SUDS based on the National Standards and Specified Criteria published in early 2014. The precise details were not set out in the consultation and Officers had provided a number of key questions and issues which needed to be addressed. It was noted that there would be

significant operation issues to be addressed if the objectives were to be achieved. The proposed implementation timetable of Spring 2015 would be challenging to meet.

RESOLVED

that the consultation response be noted and endorsed.

5/15 Appeals to the Secretary of State: Update

The Committee received a schedule showing the position regarding appeals against the Authority since May 2013 as set out in Appendix 1 to the report. Members noted the decision by the Planning Inspector on the Enforcement Appeal relating to Thorpe Island which was part allowed and part dismissed. Members noted that the Authority's legal and planning case had been accepted. The Inspector had considered that the area would be appropriate for the mooring of 25 boats within the marina and therefore planning permission had been granted for these but this was dependent on the fulfilment of a number of conditions within a limited timescale of three months from the date of the decision (20 October). Compliance was required by 20 January 2015 and Officers had provided the landowner with guidance.

RESOLVED

that the report be noted.

5/16 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. In particular the Head of Planning reported that in accordance with the Committee's decision on 10 October (Minute No 4/9(iii), direct action had been undertaken on the land at Thurlton and the fence had now been removed.

Members congratulated officers on the successful outcome.

RESOLVED

that the report be noted.

5/17 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 29 September 2014 to 27 October 2014.

RESOLVED

that the report be noted.

5/18 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 5 December 2014 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich. This would be followed by a Member Workshop to help frame policies for the new Broads Local Plan.

Today's session would be followed by a meeting of the Member Working Group the Heritage Asset Review Group.

The meeting concluded at 12.25pm

CHAIRMAN

Code of Conduct for Members**Declaration of Interests****Committee:** **Planning** 7 November 2014

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Lana Hempsall	5/10	Acle Neighbourhood Plan (Member of Broadland District Council)

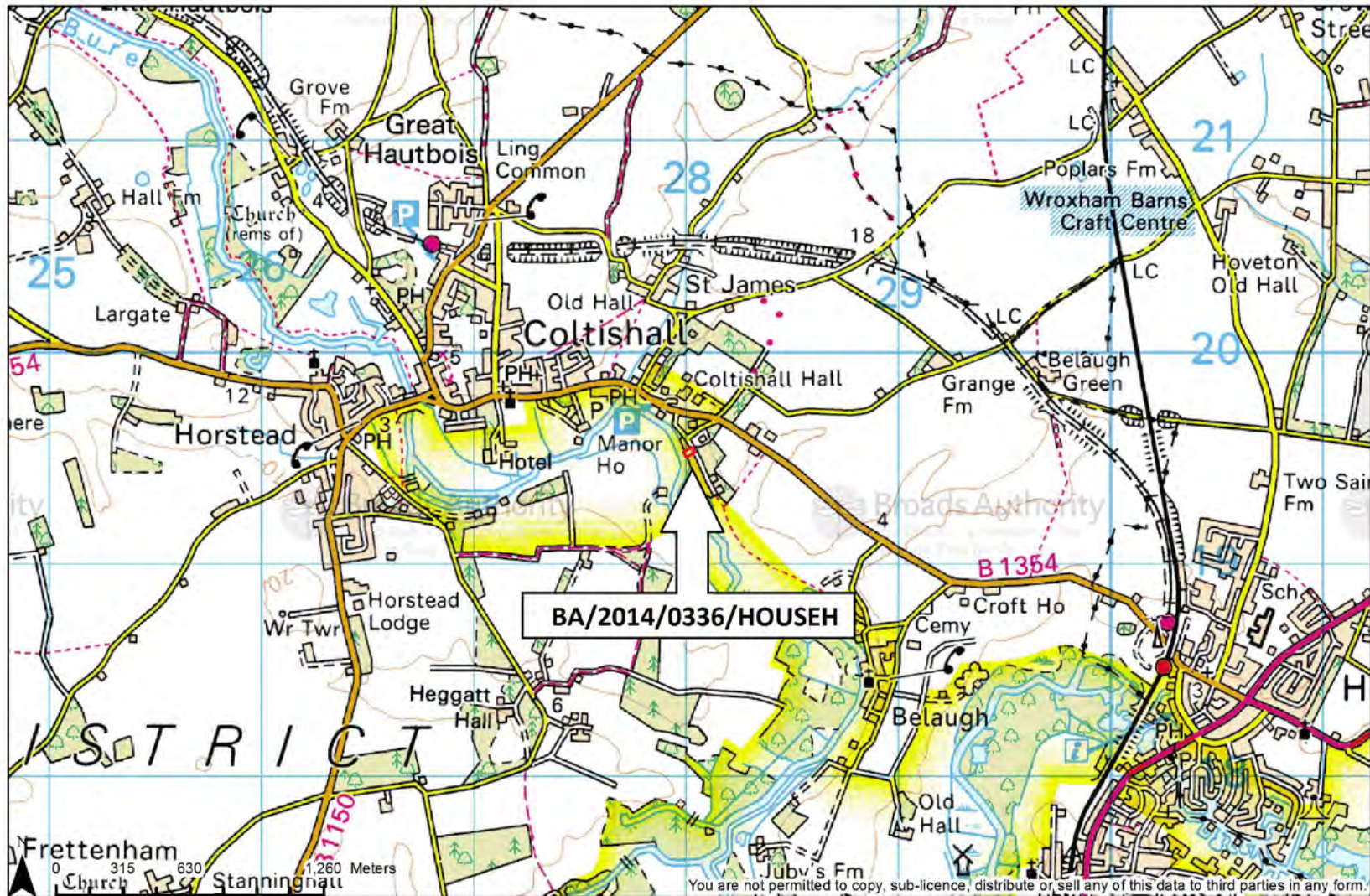
Reference

BA/2014/0336/HOUSEH

Location

Landfall, 8 Anchor Street, Coltishall

· BA/2014/0336/HOUSEH Landfall, 8 Anchor Street, Coltishall



Application for Determination

Parish	Coltishall		
Reference	BA/2014/0336/HOUSEH	Target date	2 December 2014
Location	Landfall, 8 Anchor Street, Coltishall		
Proposal	Resubmission of BA/2013/0313/FUL to remove existing conservatory and provide first floor extension / side extension		
Applicant	Mr P Cobb		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Deferred from 7 November 2014 meeting pending re-consultation and a site visit		

1 Introduction

- 1.1 In September 2014, an application for the removal of an existing conservatory and erection of a first floor/side extension was submitted. A report was presented to the Planning Committee meeting on 7 November 2014 recommending approval subject to conditions. A copy of that report is attached at Appendix 1.
- 1.2 At that meeting it was queried whether the Parish Council and District Member had been correctly consulted. Officers confirmed that all consultations had been sent out correctly and responses had been received from various parties but not from the Parish Council or District Member.
- 1.3 Members considered it necessary to re-consult the Parish Council and District Member prior to determining the application and resolved to defer the application to allow time to do so. They also resolved to visit the site to assess the proposed development and likely impacts on amenity and heritage assets.

2 Site Visit

- 2.1 Members will undertake a site visit on Friday 28 November to assess the proposed development in the context of the existing dwellinghouse and neighbouring property. Notes of the site visit will be circulated prior to the meeting to determine the application.

3 Consultation

- 3.1 New consultations have been sent out by both post and email to the Parish Council and District Member. Responses are requested by Friday 28 November and Members will be updated verbally at the meeting.

4 Assessment

- 4.1 The main issues to consider in the determination of this application are the design, impact on Conservation Area and listed building, amenity and trees. A full assessment is set out in the report at Appendix 1.

5 Recommendation

Approve subject to the following conditions:

- (i) Standard time limit
- (ii) In accordance with submitted plans
- (iii) Obscure glazing to ground floor window (also non-opening) on southeast elevation and first floor bathroom on northeast elevation
- (iv) Tree work to be completed in accordance with Arboricultural Implications Assessment
- (v) Tree protection plan to be submitted

8 Reason for Recommendation

The proposal is considered acceptable in accordance with Policies DP2, DP4, DP5 and DP28 of the adopted Development Management Policies (2011), Policy CS1 of the adopted Core Strategy (2007) and the National Planning Policy Framework which is a material consideration in the determination of this application.

Background papers: Planning File BA/2014/0336/HOUSEH

Author: Maria Hammond
Date of Report: 17 November 2014

List of Appendices: Appendix 1 – Report to 7 November 2014 Planning Committee

Application for Determination

Parish	Coltishall		
Reference	BA/2014/0336/HOUSEH	Target date	2 December 2014
Location	Landfall, 8 Anchor Street, Coltishall		
Proposal	Resubmission of BA/2013/0313/FUL to remove existing conservatory and provide first floor extension / side extension		
Applicant	Mr P Cobb		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Third party objections		

1 Description of Site and Proposals

- 1.1 The application site is a dwelling, Landfall, on the western side of Anchor Street, Coltishall. The site lies within the Coltishall Conservation Area and extends between Anchor Street and the river. A mid-twentieth century single storey dwelling with attached double garage extends 24.5 metres across the width of the plot and a mature copper beech tree stands to the immediate east of the dwelling. The dwelling has buff brickwork walls, a concrete tile roof and timber windows. A lean to conservatory stands at the southern end of the southwest elevation, opening onto a raised patio which then steps down to a lawn that extends to the river.
- 1.2 A two storey dwelling of more recent construction lies to the northwest and immediately south of the site is the former maltings site which is Grade II listed, consisting of two dwellings fronting the road with a larger detached dwelling, The Old Maltings, behind. A single storey section of The Old Maltings abuts the boundary of the application site at the eastern end.
- 1.3 The application proposes an extension to the existing dwelling. This would include the removal of the existing conservatory and extending over two floors at the southern end of the dwelling. The footprint would be extended out 4.3 metres to the southwest, 2 metres further than the existing conservatory, and 7.85 metres across. This would form a cross-wing arrangement with the roof

at 90 degrees to the existing dwelling over this extended southern end of the dwelling.

- 1.4 Ground levels drop gently across the site towards the river and at the lowest ground level, the eaves would be at 4.6 metres and the ridge at 7.25 metres. This is 1.8 metres higher than the existing ridge and the eaves would be 0.8 metres below that height.
- 1.5 On the ground floor, the southwest and northwest elevations would be largely glazed and on the southeast elevation there would be one high level window which is proposed to be non-opening and obscure glazed. At first floor level, there would be a balcony across the southwest elevation, covered by the roof and with solid side walls. The southwest elevation would have a balustrade across and the window and door openings to the internal accommodation would be set 1.5 metres back from this. There would be no first floor openings on the southeast elevation and only three rooflights on the northwest elevation. The northeast elevation, facing the road, would have two first floor windows.
- 1.6 The new section of roof is proposed to be covered in concrete tiles to match the existing and the ground floor would have matching brickwork. Above this, the first floor would have timber cladding and all windows would be timber to match the existing. The existing patio would be extended across the river elevation of the extension.

2 Site History

- 2.1 In 1997 planning permission was granted to replace a flat roof over the garage with a pitched roof (BA/1997/4361/HISTAP).
- 2.2 A porch was granted permission on the northwest elevation in 2011 (BA/2011/0013/FUL) and subsequently amended (BA/2011/0268/NONMAT).
- 2.3 A first floor extension was proposed in 2013 (BA/2013/0313/FUL) and this application was subsequently withdrawn to allow further consideration of the design, impact of amenity and tree. The current application is a resubmission of this.

3 Consultation

Broads Society – To be reported orally.

Parish Council – To be reported orally.

District Member – To be reported orally.

Representations

Seven letters of objection received: advising Landfall is not the only bungalow on Anchor Street and that there is a gap of approximately four metres to The

Old Maltings (not 7.4 metres as stated in the application); concerned about adverse impacts on landscape, Conservation Area and listed buildings; consider the development is too close to existing dwellings; inappropriate scale and design; and, amenity of adjoining occupiers, including in respect of overlooking and loss of privacy from the extension and extended patio and loss of daylight to windows of the adjacent dwelling.

4 Policies

- 4.1 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.

Adopted Core Strategy (2007) [Core Strategy Adopted September 2007 pdf](#)
CS1 – Landscape Protection and Enhancement

Adopted Development Management Policies (2011)
[DEVELOPMENTPLANDOCUMENT](#)
DP2 – Landscape and Trees
DP4 – Design

- 4.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application. [NPPF](#)

Adopted Development Management Policies (2011)
DP5 – Historic Environment
DP28 – Amenity

- 4.3 Adopted Site Specific Policies (2014)
No policies relevant to this site or proposal.

5 Assessment

- 5.1 In terms of assessment, an extension to the dwelling is acceptable in principle and it is necessary to consider the design, impact on the Conservation Area and listed building, amenity and trees.
- 5.2 With regard to scale, the introduction of first floor accommodation is considered acceptable in principle and the existing single storey dwelling is somewhat out of character with the surrounding development that is predominantly two storeys. The increase in height would not be out of scale with neighbouring dwellings and the majority of the dwelling would remain at the existing height with the cross wing form reducing the mass of the extension when viewed from the road and river. The extended footprint would occupy the area of the existing conservatory and part of the raised patio and the scale is considered acceptable.

- 5.3 The detailed design of the extension is contemporary and considered appropriate to the host building and the matching materials are acceptable. The fenestration is concentrated on the southwest and northwest elevations, maintaining views within the site, and the covered balcony design is considered appropriate with similar features existing in the local area. In terms of design, the proposal is therefore considered acceptable in accordance with Development Management Policy DP4.
- 5.4 As noted above, the scale and form of the existing dwelling is not typical of other dwellings on Anchor Street or the wider Conservation Area and the introduction of a gable feature to the road and river would improve the relationship with the established form of development here. The cross wing form would also direct the mass of the extension away from the listed buildings and would not compete visually with these. The existing gap to the listed buildings would be maintained and while some parts of The Old Maltings would be obscured in public views by the higher and extended roof, it is not considered the proposal would be unacceptably detrimental to the appearance or setting of the listed buildings and would result in an enhancement of the Conservation Area. The local concerns about the impact on the Conservation Area and listed buildings are appreciated. However, it is not considered that the proposal would result in any loss of or harm to these heritage assets, and the proposal is considered acceptable in accordance with Policy DP5 and the National Planning Policy Framework.
- 5.5 With regard to amenity, the extension is proposed within 4 metres of the boundary to the adjacent dwelling to the south (The Old Maltings). A single storey section of this dwelling abuts the boundary at the eastern end and it is understood there is an extant planning permission to continue that extension along the side in the form of a conservatory. On the existing two storey section of the adjacent dwelling (approximately 7.4 metres from the southeast elevation of the proposed extension) there are three ground floor windows, one landing window and two first floor windows on the northwest elevation facing towards the site. This dwelling is also set on slightly lower ground, so any views from the application site are downwards and it is noted the gardens of these dwellings are open to views from the river, reducing the level of privacy, however, any views from passing boats are transient, rather than the more fixed views from windows and balconies.
- 5.6 It is not considered that the proposed extension would result in any direct overlooking of the adjacent dwelling to the south. The only window in the southeast elevation would be non-opening and obscure glazed and this could be secured by condition. The first floor balcony would give views towards the river and oblique views across the adjacent curtilage nearest the river. Standing at the edge of the balcony it may be possible to look sideways towards the adjacent dwelling, but there would be no direct window-to-window view by virtue of the enclosed sides and roof covering over the balcony. The modest extensions to the patio would not significantly increase the available seating area or opportunities for overlooking from here. It is not therefore considered the proposal would

result in any overlooking or loss of privacy that would unacceptably reduce the amenity of adjoining occupiers.

5.7 The outlook from the northwest elevations of the adjacent dwelling would change and rather than the gable end and side of the conservatory, the dwelling would face a 13.2 metre long wall and roof slope. The eaves would be lower than the existing gable and the ridge would be 1.8 metres higher, but set a further 3.9 metres into the site. It is appreciated that the outlook would change significantly and a greater mass of building would be visible, however, the view would largely be of the roof which would be angled away from the dwelling. The rooms which would have this view are a kitchen and dining area on the ground floor, landing and a first floor bathroom; not primary living accommodation. It is not therefore considered that the proposal would result in an overbearing impact on the neighbouring dwelling or, due to the orientation, any overshadowing or loss of direct sunlight which would unacceptably impact on the amenity of adjoining occupiers. Whilst it is appreciated that the proposal would change the outlook from the adjacent dwelling to the south, on balance, it is not considered that any unacceptable impacts on amenity would result and the proposal is considered acceptable in accordance with Policy DP28.

5.8 The canopy of the copper beech tree on the roadside of the dwelling extends over the existing roof. Crown reduction prior to commencement and regular maintenance of the tree are proposed and it is considered that, subject to an appropriate condition securing this, the proposal would not significantly adversely affect the tree and an appropriate relationship between the tree and dwelling would be maintained.

6 Conclusion

6.1 The proposed extension would provide first floor accommodation and replace an existing lean to conservatory. The design, scale and materials are considered acceptable and the existing copper beech tree would not be detrimentally affected. It is appreciated that the relationship with the dwelling to the southeast would change, however, it is not considered that the listed building or amenity of the occupiers would be detrimentally affected so as to justify a refusal of planning permission. The extension would relate far better to the predominant scale and form of dwellings along Anchor Street and within the Coltishall Conservation Area and whilst the concerns raised in the objections received are appreciated, on balance and with reference to the Development Plan, the proposal is considered acceptable.

7 Recommendation

Approve subject to conditions:

- (i) Standard time limit
- (ii) In accordance with submitted plans

- (iii) Obscure glazing to ground floor window (also non-opening) on southeast elevation and first floor bathroom on northeast elevation
- (iv) Tree work to be completed in accordance with Arboricultural Implications Assessment

8 Reason for recommendation

The proposal is considered acceptable in accordance with Policies DP2, DP4, DP5 and DP28 of the adopted Development Management Policies (2011), Policy CS1 of the adopted Core Strategy (2007) and the National Planning Policy Framework which is a material consideration in the determination of this application.

List of Appendices: APPENDIX 1 - Location Plan

Background papers: Application File BA/2014/0336/HOUSEH

Author: Maria Hammond
Date of Report: 27 October 2014

APPENDIX 1

• BA/2014/0336/HOUSEH Landfall, 8 Anchor Street, Coltishall



Reference

BA/2014/0369/COND

Location

Silver Dawn, Woodlands Way, Horning

BA/2014/0369/COND Silverdawn, Woodlands Way, Horning, Norfolk, NR12 8JR
Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material



Application for Determination

Parish	Horning
Reference	BA/2014/0369/COND Target date 25 December 2014
Location	Silver Dawn, Woodlands Way, Horning
Proposal	Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material
Applicant	Mr Nick Barrett
Recommendation	Approve subject to conditions
Reason for referral to Committee	Third party objections

1 Description of Site and Proposals

- 1.1 The site is a dwellinghouse Silver Dawn, Woodlands Way, Horning. The development along Woodlands Way consists of single storey and storey and a half dwellings fronting the river along the western bank of the Bure to the southwest of Horning village. A replacement dwelling and new car port were permitted on the site in 2012 (BA/2012/0056/FUL) and this development is currently under construction.
- 1.2 The replacement dwelling fronts the river, it is storey and a half in scale, relatively lightweight and contemporary in design and the car port at the rear of the site is of a similar design and matching materials. During consideration of that application it was confirmed the dwelling would have painted timber clad walls and a pre-weathered standing seam zinc roof, a sample of which was submitted and seen by Members when determining the application. Condition 3 of the permission that was granted required precise details of the external materials to be agreed prior to commencement. When it came to discharging that condition it was confirmed that the roof covering would be pre-weathered zinc in accordance with the sample previously submitted during the application process and accordingly the condition was discharged in July 2013.
- 1.3 It became apparent when the roof covering was being installed in summer 2014 that this was not in accordance with the agreed material. This application seeks to regularise that situation and retain the roof material as completed.

- 1.4 The material proposed to be retained is zinc and is marketed as having a 'pre-weathered' appearance, however the product used is from a different manufacturer to the approved sample and is lighter in colour and there is a difference in the surface finish at the time of installation.

2 Site History

- 2.1 In 2010 planning permission was granted for the installation of a replacement sewage treatment unit (BA/2010/0071/FUL).
- 2.2 In 2012 planning permission was granted for a replacement dwelling and car port (BA/2012/0056/FUL). This application was the subject of a Planning Committee site visit on 3 August 2012 following objections from neighbouring residents.
- 2.3 The above 2012 permission has subsequently been amended twice to make changes to the approved decking and solar panels (BA/2014/0087/NONMAT and BA/2014/0241/NONMAT).

3 Consultation

Broads Society – Response awaited.

Parish Council - Object to this planning application as it is contrary to the original application which had been approved and they have ignored that agreement.

District Member – The application should only be determined by the Planning Committee. It is my belief the glare coming from the roof is causing a serious problem for the inhabitants of Broadshaven, the neighbouring property, in contravention of policy DP28.

4 Representations

- 4.1 Three representations received. One refers to comments made on original application for replacement dwelling (concerns about industrial appearance and reflections of zinc roof) and commenting that a greater contrast between roof and wall colour would help it blend in with its surroundings. One objection on the basis it is not the approved roofing material and the reflective glare causes a nuisance, is intrusive and will be worst in late spring and early summer.
- 4.2 An objection from the occupier of Broadshaven, the neighbouring dwelling to the north, notes the difference in colour from the approved material but states the main difference is the reflective glossy material at all times which results in a bright dazzling, blinding glare seen from all areas of Broadshaven. It is stated this glare directly shines into the lounge/dining room and kitchen is intolerable and that it has been impossible to sit outside on the veranda. It is questioned whether this material can be approved when it is not known what it

will look like in several years to come and that the decision cannot be based on what the roof looks like now in the winter months.

5 Policies

- 5.1 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.

Adopted Development Management Policies (2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP4 – Design

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Adopted Development Management Policies (2011)

DP28 – Amenity

- 5.3 Adopted Site Specific Policies (2014)

HOR4 – Waterside Plots

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

6 Assessment

- 6.1 In assessing this application it is necessary to consider whether this material is appropriate for the development, for its setting and what impact it has on amenity. The retrospective nature of this application and the breach of condition which has occurred are disappointing and regrettable. However, the circumstances of the application and how this material came to be used are not material considerations in the determination of the application.
- 6.2 As confirmed when approving the original application and discharging the condition, zinc is considered an appropriate roof material for this development and a pre-weathered finish is considered appropriate to mitigate any glare or reflection whilst it develops a natural patina and duller finish. The use of pre-weathered zinc has been accepted, it is therefore only necessary to consider whether the particular pre-weathered zinc product actually used is appropriate here.
- 6.3 It is understood zinc is a 'living' material that does change in appearance over time as it is exposed to the elements. The processes used to give a 'pre-weathered' surface finish when it is first installed do not prevent the appearance continuing to change as a natural patina develops on this. The

product that has been used is lighter in colour and has more of a sheen to the surface than the approved product.

- 6.4 The difference in colour is negligible and therefore considered appropriate to the dwelling and, although the surrounding roofscape is generally darker in colour (tile, shingle and felt coverings) it is not inappropriate to its setting. At present, the surface sheen is only apparent when there is direct sunlight on it and it is appreciated the extent to which this is the case will vary over the course of each day and through the year. In terms of the visual appearance, a sheen on the roof covering is not considered unacceptable. It is anticipated that this will dull in time, although it is appreciated that the extent of any dulling and the time period required cannot be quantified.
- 6.5 Any future change in the surface finish and appearance of the proposed material is as unknown as that for the approved material. Whilst this uncertainty may be considered unhelpful in determining this application, it must be considered whether the material is appropriate in its current condition and that is the same basis on which it was agreed the approved material was acceptable. With regard to Policy DP4, the proposed material is considered to be of a high quality and is appropriate to its context, this is also considered to be in accordance with Policy HOR4.
- 6.6 With regard to amenity, it is noted that in considering the application for the replacement dwelling concerns were raised that a zinc roof would result in glare to neighbouring properties. The pre-weathered, dull finish of the approved material was considered to satisfactorily mitigate any adverse impacts on amenity.
- 6.7 The application dwelling is orientated on a northwest–southeast axis and is sited closer to the neighbouring dwelling to the north (Broadshaven) than that to the southwest (Swallows Bank). It is understood that the sun shines on the northeast roofslope early in the day and moves round to the southwest roofslope later in the day. The occupiers of Broadshaven therefore experience any glare from direct sunlight on the roof in the morning and it is noted they have southwest elevation windows to a lounge/dining room and kitchen facing towards the site as well as an external veranda. There are also views of the car port (which is at 90 degrees to the application dwelling) from the conservatory at the rear of Broadshaven.
- 6.8 The occupier of Broadshaven has described the glare into the dwelling resulting from direct sunlight on the roof covering as intolerable. The roof covering was first installed in August and photos have been submitted by the occupier of Broadshaven showing the roof from their internal accommodation taken in August, September and October. All these photos are taken with the sun shining directly on the northeast roofslope and all show reflectivity and glare visible from Broadshaven. It is apparent from these photos that there has been no significant change in the level of glare in the eight weeks from the first dated photo to the last.

- 6.9 Swallows Bank is the second nearest dwelling, located approximately 13 metres to the southwest of the application dwelling, across a dyke, and closer to the river. The southwest roof slope of Silver Dawn is partly covered by solar panels and rooflights, reducing the visible area of zinc and this, in combination with the distance and relative position, is considered to mitigate any unacceptable impacts on the occupiers of Swallows Bank. With the exception of Broadshaven, no other neighbouring dwellings have direct views of the roof of Silver Dawn.
- 6.10 It has been assessed above that the proposed material is considered appropriate to its site and setting in accordance with Policy DP4. It has also been assessed that there would be no unacceptable impacts on the amenity of the occupiers of Swallows Bank, in accordance with Policy DP28. It must therefore be considered whether the impact on the amenity of the occupiers of Broadshaven is unacceptable, contrary to Policy DP28, and whether this otherwise acceptable proposal must be refused.
- 6.11 As the strong reflections and glare to Broadshaven only result when there is direct sunlight on the roof, this is an intermittent effect dependant on the time of day, weather and season. It is appreciated this application is being determined at the time of year when the impact is likely to be at its lowest level, but the effect in August has been seen and is demonstrated in the objector's submitted photos. The glare does not affect all of the internal accommodation of Broadshaven, only the ground floor kitchen and lounge/dining room which also have windows on the southeast (river) elevation. Silver Dawn is also set forward of Broadshaven, closer to the river, so the roof of Silver Dawn does not extend parallel with the whole length of Broadshaven.
- 6.12 It is appreciated that in the mornings of bright, summer days the impact will be at its worst and that glare from the roof will be apparent within Broadshaven. It is also appreciated that this impact will also occur throughout the year to varying degrees. However, it will always be a transient, temporary impact and will not affect all of the internal accommodation. A pre-weathered zinc roof covering was approved and although a different product has been used, it has similar qualities and is considered otherwise acceptable. As with the approved material, the appearance may change over time and this cannot be quantified or assessed with any certainty, therefore this consideration must be weighted accordingly and the outcome of any weathering process or no more or less certain than with the approved material. On balance, it is not considered that the impact on the amenity of the occupiers of Broadshaven is so severe as to justify a refusal of planning permission.

7 Conclusion

- 7.1 This application seeks to regularise the use of a pre-weathered zinc roof covering which is not in compliance with the approved sample of pre-

weathered zinc. The retrospective nature of the application is regrettable but this is not a material consideration in its determination.

- 7.2 It is accepted that this is lighter in colour and has more of a sheen to the surface than the approved product, however it is considered appropriate for the site and its setting. It is also accepted that when the sun shines directly on the roof it does create a reflection and glare and this is visible from some of the internal accommodation of the neighbouring dwelling Broadshaven. Whilst this is considered to adversely affect the amenity of the occupiers, Development Management Policy DP28 requires an assessment of whether any impacts on amenity are unacceptable and, on balance, this is not considered to be the case here. The proposal is therefore considered to be in accordance with Policies DP4, DP28 and HOR4.

8 Recommendation

- 8.1 Approve subject to conditions:

(i) Retain in accordance with submitted sample and details

9 Reason for recommendation

- 9.1 The proposal is considered to be in accordance with Policies DP4 and DP28 of the adopted Development Management Policies (2011) and Policy HOR4 of the adopted Site Specific Policies Local Plan (2014).

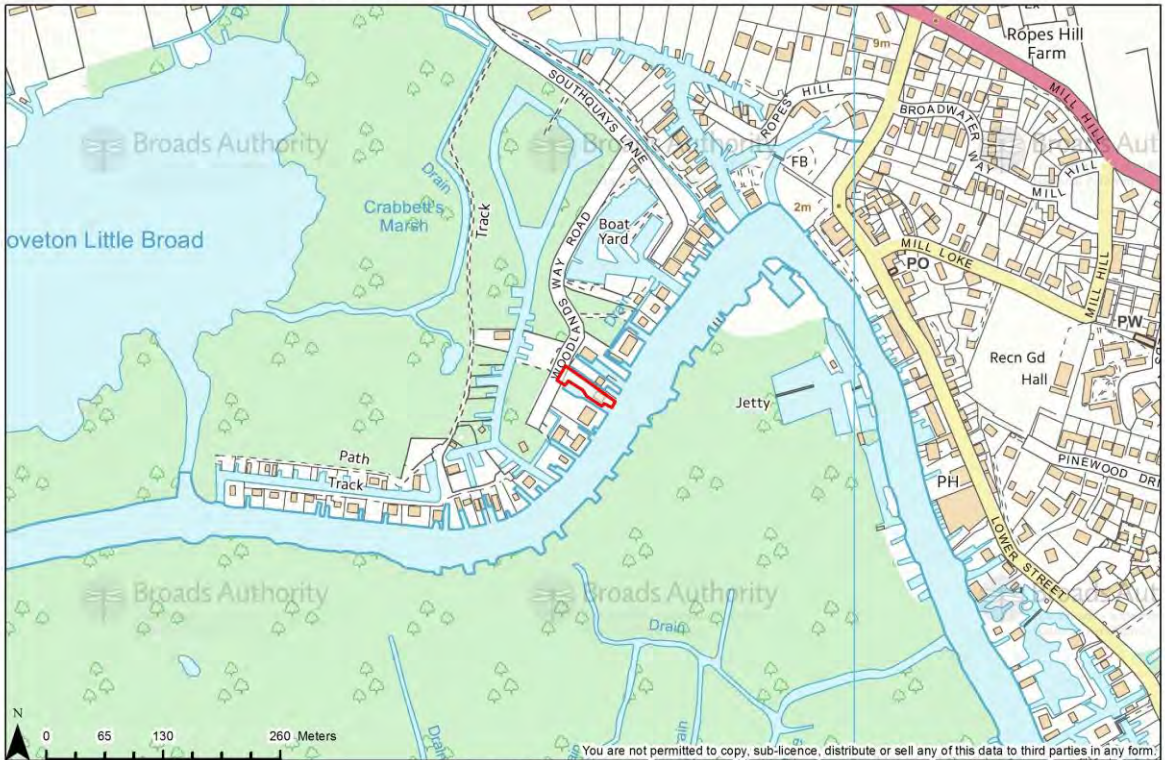
Background papers: Planning File BA/2014/0369/COND

Author: Maria Hammond
Date of Report: 21 November 2014

List of Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2014/0369/COND Silverdawn, Woodlands Way, Horning, Norfolk, NR12 JR
Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material



Reference

Location

Pound End and Hoveton Marshes, Horning Road,
Hoveton

E14880 Hoveton Wetland Project - Canoe Access



Application for Determination

Parish	Hoveton
Reference	Target date January/February 2014
Location	Pound End Broad and Hoveton Marshes, Horning Road, Hoveton
Proposal	New vehicular access from the A1062 Horning Road, car park, timber equipment store, temporary toilet facilities, boardwalk and canoe slipway at Pound End; landing stage, boardwalk, and viewing platform at Hoveton Great Broad; and temporary de-watering lagoon
Applicant	Natural England
Recommendation	Members site visit
Reason for referral to Committee	Director Referral

1 Description of Site and Proposals

- 1.1 The application site forms part of the Hoveton estate and includes areas of agricultural land and sites around Pound End Broad and Hoveton Marshes. This area lies to the south of Horning Road between the main settlements of Hoveton and Horning and to the west of the River Bure, north of Hoveton Great Broad. Other than the far south of the application site where it adjoins Hoveton Great Broad, the majority of the application area is not under any habitat designation.
- 1.2 Members will recall that in September 2014, following a site visit in August, the Planning Committee resolved to grant planning permission for development to facilitate a lake restoration project, proposed by Natural England (BA/2014/0248/FUL). That planning application, and the project in general, generated a significant amount of local interest and desires to improve public access to the site were expressed and the applicant indicated a subsequent planning application would be submitted to include further ecological improvements and access proposals. When considering the project (and associated funding bids) at the full Authority meeting of 26 September, the Broads Authority concluded that they supported the project subject to the inclusion of better public access to the project site.

- 1.3 This application proposes development to facilitate the improved access and comprises a new vehicular access from Horning Road, a car park, temporary buildings, boardwalk, slipway, landing stage, viewing platform and de-watering lagoon to facilitate the restoration of the dykes and waterways across Horning Marshes. The proposed infrastructure would facilitate a canoe access route. The route, which does not in itself require planning permission, would navigate across Pound End Broad and through a series of dykes across the marshes to the edge of Hoveton Great Broad where a platform would give views across the Broad. Sediment would be removed from the dykes and dewatered, before being spread on agricultural land elsewhere in the Hoveton Estate.

2 Site History

- 2.1 In September 2014 planning permission was granted for development to support a lake restoration project in the area immediately south of this site (BA/2014/0248/FUL).

3 Consultation and Representations

All consultation responses and representations to be reported in due course.

4 Policies

- 4.1 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.

Adopted Core Strategy (2007)

[Core Strategy Adopted September 2007 pdf](#)

CS1 – Landscape Protection and Enhancement

CS9 – Sustainable Tourism

CS11 – Sustainable Tourism

CS17 - Access and Transportation

Adopted Development Management Policies (2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP1 – Natural Environment

DP2 – Landscape and Trees

DP4 – Design

DP11 – Access on Land

DP29 – Development on site with a High Probability of Flooding

- 4.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

[NPPF](#)

Adopted Core Strategy (2007)
CS20 – Rural Sustainability

Adopted Development Management Policies (2011)
DP12 – Access to Water
DP14 – General Location of Sustainable Tourism and Recreation
Development
DP28 – Amenity

5 Recommendation

5.1 Members undertake a site visit.

6 Reason for recommendation

6.1 The key considerations in the determination of this application are the principle of the development and, if this is considered to be acceptable, the location and impacts on landscape, ecology, highways and amenity.

6.2 Due to the level of public interest in the lake restoration project and desire to improve public access from the local community and the Broads Authority, it is considered that undertaking a site visit would be of substantial benefit to Members in understanding the location and features of the application site and the details of the proposal when they are considering determination of the application in due course.

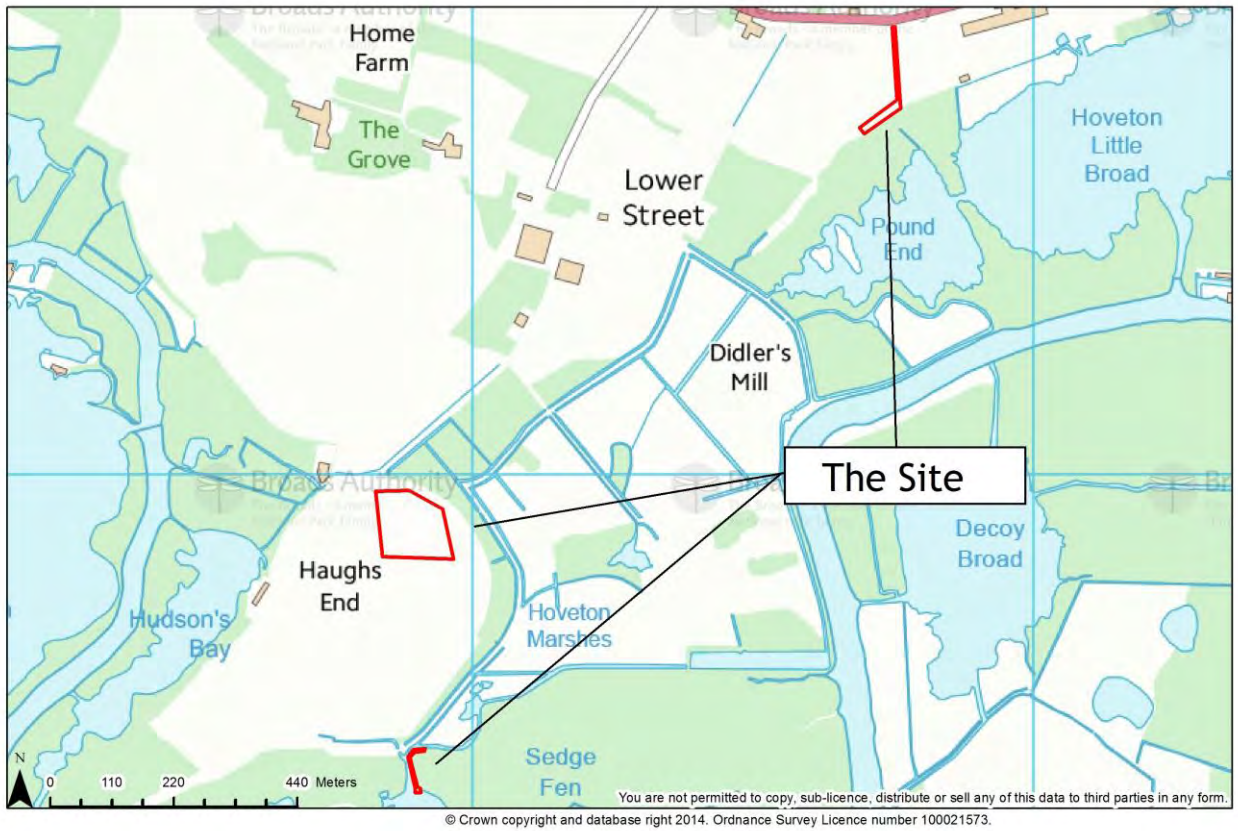
6.3 It is anticipated that, subsequent to Members undertaking a site visit, the application will be brought to the Planning Committee meeting on in early 2015 for determination.

Background papers: Planning File

Author: Maria Hammond
Date of Report: 21 November 2014

List of Appendices: APPENDIX 1 – Location Plan

E14880 Hoveton Wetland Project - Canoe Access



Enforcement of Planning Control
Enforcement item for consideration: Staithe 'N' Willow, Horning
Report by Planning Officer (Compliance and Implementation)

Summary: This report concerns the erection of fencing without the benefit of the required planning approval and the felling of trees in a conservation area.

Recommendation: That authorisation is granted for any necessary enforcement action to secure the removal of the fencing and implementation of an agreed replanting scheme.

Location: Staithe 'N' Willow, 16 Lower Street, Horning, NR12 8AA.

1 Background

- 1.1 In early November 2013 the Authority was made aware of a new fence that had been erected at the Staithe 'N' Willow Tea Shop, Lower Street, Horning. A site visit showed the fence to exceed the maximum height allowed under the General Permitted Development Order 1995 (GPDO) of 1m where a fence is adjacent to a vehicular highway. The erection of the fencing necessitated the removal of a number of trees and shrubs. As the property is located within the Horning Conservation Area consent is required before undertaking any work to trees.
- 1.2 On 8 November 2013 a letter was sent to the operator of the business requiring either the removal of the fencing or a reduction in its height to comply with the requirements of the GPDO. A timescale of 30 days was given for undertaking this work. Following a request from the proprietor this timescale was extended until the New Year.
- 1.3 A site visit made on 23 January 2014 showed the fence to still be in place. A Planning Contravention Notice (PCN) was served on 28 January 2014 seeking information on the property ownership. The PCN required a response from the proprietor within 21 days of the date on which it was served. To date there has been no response to the PCN. Failure to respond to a PCN is a criminal offence.
- 1.4 Following a telephone call from the proprietor a letter was sent on 18 February 2014 detailing why the fencing was unacceptable within the Horning

- Conservation Area. The letter offered a number of areas where the Authority might be prepared to negotiate over the design of the fence.
- 1.5 On the 12 March 2014 a letter was received from the proprietor detailing her concerns about the removal of the fence and the effect it would have on the security and privacy of her property.
 - 1.6 On 15 April 2014 a further letter was sent to the proprietor explaining why the fence was not acceptable in the Horning Conservation Area.
 - 1.7 On the 29 April 2014 the proprietor advised that she had verbally accepted the Authority's compromise.
 - 1.8 A further letter was sent to the proprietor on 13 May 2014 clarifying the need to reduce the height of the unauthorised fencing where it abutted the Highway.
 - 1.9 On 5 June 2014 the Authority's arboricultural consultant met with the proprietor to discuss and recommend a suitable planting scheme which would help mitigate her concerns about security and privacy. The proprietor was asked to confirm that the scheme being proposed was acceptable but no response was received.
 - 1.10 A letter was therefore sent on 1 July 2014 detailing the proposed planting scheme and requesting the proprietor reply by 31 July 2014 with her intentions as to these proposals. No response was received.
 - 1.11 On 3 September 2014 a further letter was sent setting out a timescale for the removal / reduction in height of the fencing and the implementation of a planting scheme. The scheme required the reduction in height of 2 fencing panels which front Lower Street to 1 metre by 1 October 2014 and the completion of the planting scheme by 30 November 2014 and was, in effect, the compromise solution previously agreed.
 - 1.12 A site visit on 29 October 2014 showed that no action had been taken to comply with any of the Authority's requests. The proprietor has been informed in writing that authority is to be sought for the serving of an Enforcement Notice.

2 Description of Site and Development

- 2.1 Horning is one of the larger Broadland villages being located on the middle part of the River Bure. The village is an important focus for boating activities and visitors to the Broads. The centre part of the village falls within a Conservation Area. Much of the village does, however, fall outside the Broads Authority area and is not covered by the Broads Local Plan.
- 2.2 Staithe 'N' Willow is located in a prominent position on Lower Street, Horning and falls within the village Conservation Area. It is considered that the height, design and the materials employed in the construction of the fencing are out of character with the surroundings.

2.3 A number of small trees and shrubs were removed in order to erect the fencing. As the property is located within the Horning Conservation Area consent should have been granted before this work was undertaken. None of the trees removed were of a significant value and their loss can be mitigated with the proposed planting scheme. A separate prosecution for the illegal removal of the trees is therefore not considered to be warranted.

3 The Planning Breach

3.1 The fence which has been erected is approximately 2 metres in height. It is constructed of close boarded timber with concrete fence posts and gravel boards. The General Permitted Development Order 1995 (GPDO) permits the erection of fencing to a maximum height of 1 metre where it abuts a highway.

3.2 The development is contrary to Policy DP28 of the Development Plan.

4 Action Proposed

4.1 It is considered that the fencing is inappropriate and contrary to Local Planning Policy and is unlikely to gain retrospective planning permission.

4.2 It is proposed to serve an Enforcement Notice in consultation with the solicitor requiring the removal of the fencing. It is proposed that a compliance period of 3 months is given. Authority is also sought to prosecute the owner in the event that the Enforcement Notice is not complied with.

5 Financial Implications

5.1 There may be legal costs associated with this course of action.

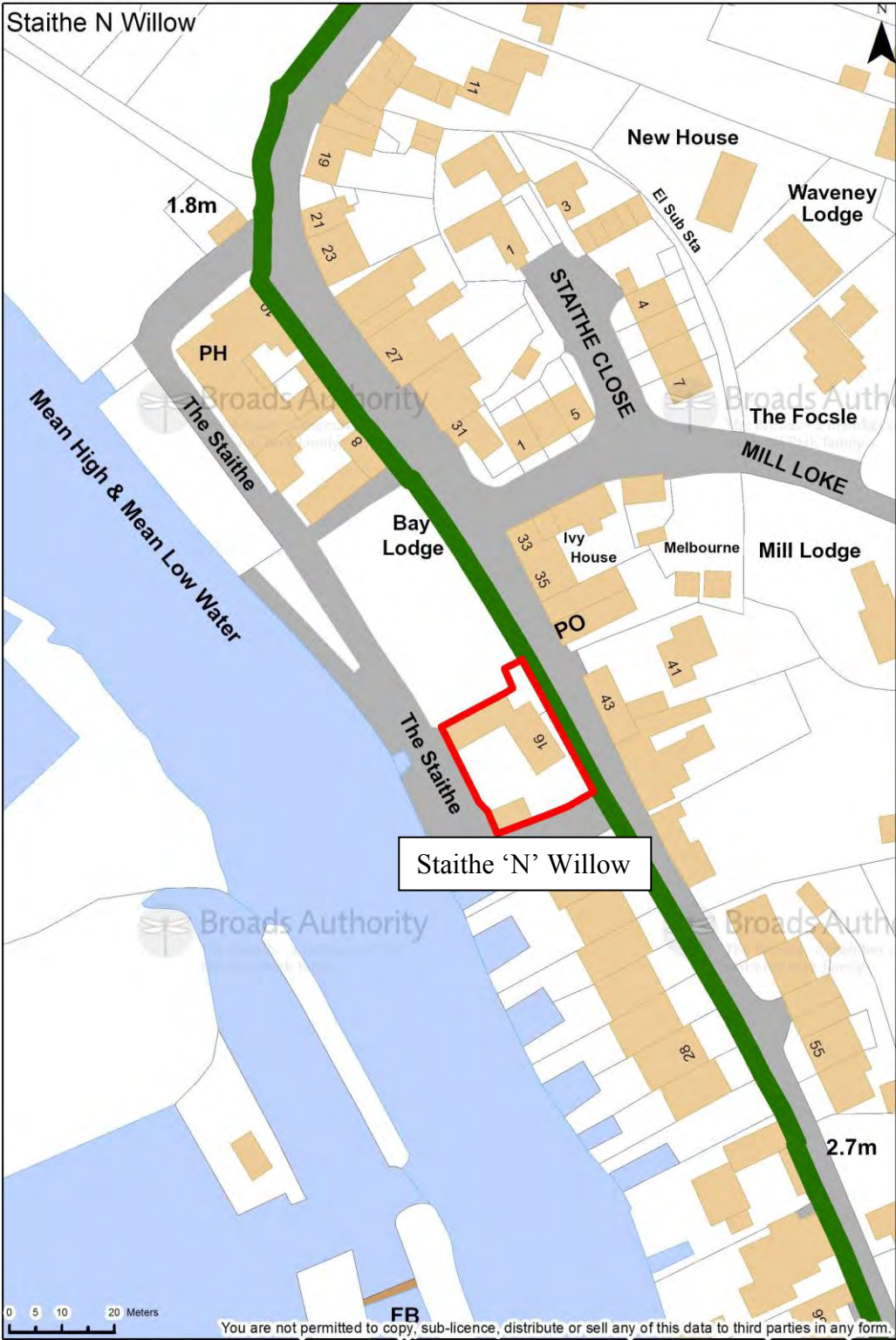
6 Conclusion

6.1 That authority is given for officers to take appropriate enforcement steps in respect of this breach of planning control.

Background Papers: Broads Authority DC Enforcement Files: BA/2013/0046/UNAUP1

Author: Steve Sewell
Date of Report: 18 November 2014

Appendices: APPENDIX 1 – Location Plan



Heritage Asset Review Group

Notes of Meeting held on Friday 7 November 2014 starting at 13.00pm.

Present:

Colin Gould – in the Chair
Mike Barnard
Julie Brociek-Coulton
Stephen Johnson

Also Present: Jacquie Burgess

In attendance:

Ben Hogg – Historic Environment Manager
Simon Hooton – Head of Strategy and Projects
Prue Smith – Consultant on Cultural Heritage
Andrea Long – Director of Planning and Resources
Will Burchnall – Project Manager
Kayleigh Wood – Planning Officer
Lesley Marsden – Landscape Architect
Sandra Beckett – Administrative Officer

15/1 Apologies for absence and welcome

Apologies for absence were received from Murray Gray.

15/2 To receive the note of the fourteenth meeting held on 18 July 2014

The Note of the fourteenth meeting of HARG held on 18 July 2014 was received as a correct record.

15/3 Points of Information arising from the last meeting

There were no further points of information arising from the last meeting other than those to be discussed within the agenda.

The Group agreed to vary the order of the agenda and deal with those items involving presentations first.

15/4 Water, Mills and Marshes: The Broads Landscape Partnership Bid

Will Burchnall, the Project Manager provided the group with a presentation as part of the report on the Authority's Heritage Lottery Funding bid (HLF) for The Broads Landscape Partnership to be titled Water, Mills and Marshes. This included a series of projects relating to the cultural landscape of Halvergate and its surrounding area. It would be area based with multiple partners and multiple projects. The Key aspirations for the project were: to undertake conservation work to mills; biodiversity enhancements for the area, to reconnect communities with their local landscape, provide skills training, and to improve and make available more information about the history of the

area for use in educational projects and interpretation. The Bid was due to be submitted by 1 June 2015 with a decision in October 2015. The development phase would then take up to 25 months in order to submit a second round application. Once HLF approval had been given it was intended that the 5 year delivery phase would be from 2017/18 to 2022/23.

The Project Manager explained that officers were still in the process of defining the Landscape Partnership area with the intention of extending this into Suffolk by including Beccles as well as Lowestoft based on the Landscape Character Assessment. The Project Manager ran through the main themes and aims of the project in detail and invited Members comments.

The Group welcomed the proposed legacy of the project and noted the partners involved in the Project Board meeting to be held on 13 November 2014. The Group gave consideration to the representation and commented that there were few Local Authorities included within the list of the Project Board. The Project Manager explained that they would be critical to the development process and likely to be included at later stages. With reference to the question of branding the Broads as a National Park, the Project Manager commented that the HLF considered it would be very useful and beneficial to the bid particularly as it was landscape based. The Landscape Partnership project could also be beneficial in establishing the brand.

The Group considered the inclusion of Beccles as another gateway with the River Waveney to be beneficial. They advocated reference and inclusion of the River Waveney Trust as an example of achievement and another important partner providing links with the educational elements of the project. They recognised the Education elements as being very important.

The group commented that the LPS could be a key delivery mechanism for the Mill action plans for those Mills within the project area.

The Group welcomed the report and presentation and considered that the project provided exciting possibilities and were fully supportive. They congratulated the Project Manager and team on the progress .

15/5 The Local List – Candidates for 2014

Further to Note 13/5 and 14/5 Kayleigh Wood (Planning Officer) provided a presentation giving an update on the progress being made on Waterside Chalets for inclusion on the Local List, the work on which she was undertaking as part of her Masters degree.

Questionnaires had been sent out in August to 500 people with 100 responses being received. In September nomination forms had been distributed with five formal nominations being received back. In October and November the owners/occupiers of the waterside chalets had been notified and formal surveys of chalets on the Long list were being undertaken. This included:

- 71 chalets in total
- 54 chalets surveyed
- 17 chalets were yet to be surveyed
- About 6 were identified for National Listing
- Around 45-50 had been identified for Local Listing
- Around 25 were questionable

The Planning Officer provided the Group with photographs of chalets to be put forward for national listing. This included Whitesea Lodge at Hickling, a Bolton and Paul property at Potter Heigham, Leisure Hour and the converted helter skelter previously in Yarmouth. In addition she provided photographs of examples of properties identified for the Local List and some that had been discounted after the survey stage.

The Group noted the work still to be undertaken which included:

- *Completing the formal surveys of the chalets on the long list*
- *Checking through the formal surveys to ensure all put forward meet the criteria*
- *December- formally consult with owners of chalets on the list giving them 1 month to submit comments*
- *January/February - bring list and owner comments to Planning Committee for adoption.*

The Planning Officer commented that there had been a very positive response. However, she sought advice from the Group on how to deal with negative responses, explaining that there had only been two received. The Group suggested that further engagement with these owners, further explaining that the aim was to collect data for a public record and gain a comprehensive picture of the whole of the Broads and not leave gaps, would be a positive step. It was appreciated that there could be a misconception of what the Authority was attempting to do and a fear of the future imposition of more regulations and invasion of privacy and therefore attempts should be made to reassure them.

Members were in favour of some form of plaque being used to recognise those properties on the Local List. They considered that as part of the additional consultation and survey process those properties identified be asked for their views on the plaque as well as providing any more information they felt worthy of inclusion.

The Group considered that only two negative responses being received was excellent. They considered that the work being undertaken was an exceedingly valuable and significant contribution to understanding the Broads landscape. The Group were very encouraged by the progress being made and congratulated the Planning Officer on the achievements so far.

15/6 English Heritage Exceptional Waterlogged Archaeological Sites Designation -

Further to note 13/7 and 14/9 Lesley Marsden, the Landscape Officer

referred to the paper by Peter Murphy BSc, Mphil, MIFA on the potential importance of Archaeology in the Broads which had been edited and revised since the last HARG meeting. This provided an insight into the evolution of Broads Landscape and would contribute to the Placemaking project. In addition, to complement the paper, she provided the Group with a Summary Story Board for the Historic Environment/Timeline which included comments from Tim Holt Wilson. (Peter Murphy would be providing a presentation to the Broads Authority on 21 November 2014.)

The Landscape Officer provided the group with an explanation of how it was intended to use all the information acquired so far and provide the background information for the HLF Bid, using the principles of the European Landscape convention. The Placemaking Project was to be web based and aimed to encourage those using it to delve deeper into the information available if they so wished. The aim was to make it accessible to as many audiences as possible for different requirements. In addition to the review of archaeology, there would also be geological and human time lines. It was intended to provide this as a story board.

Members suggested the possibility of using 3D images and a fly-through video. However, it was recognised that this would incur a cost. At present the Web Page Project was funded from the Authority's Project Pot but there could be contributions from external funding, and other partners and or contributions of information from organisations such as the BBC and College of Art.

The Group noted and welcomed the report, recognising that there was a great deal more work to be done on the project particularly in coordinating the information and provide consistency in the messages.

The Group thanked the Landscape Officer for the interesting presentation.

15/7 Conservation Area Re-Appraisals

Progress was reported on the following Conservation Areas.

(1) Oulton Broad

The Group noted that the draft Oulton Broad Conservation Area re-appraisal had been updated and amended prior to by the Planning Committee on 15 August 2014 when it had been formally adopted for public consultation. It had been available for the Waveney Parish Forum in September. The main comments had focussed on the impacts for the Bridge Road area and in particular the impacts on the businesses and parking. One resident had very strong views and the Historic Environment Manager had arranged meeting with him to address the concerns. A report following the consultation would be submitted to the Planning Committee in February 2015

(2) **Halvergate Marshes Conservation Area –Consultation.**

Further to HARG Note 14/4, the Group noted that the Halvergate Marshes Conservation Area Re-Appraisal had been published for public consultation at the end of July with an extended period to allow for the holiday period. Understandably there had been few responses due to the limited number of residents in the area. However, all of those received had provided positive feedback. Welcome responses had been received from the statutory authorities, English Heritage and Historic Environment Services at Norfolk County Council. A report would be submitted to the Planning Committee in February 2015.

(3) **Beccles Conservation Area Re-Appraisal**

The Group noted that the Re-Appraisal for the Beccles Conservation Area within the Authority's boundary had been formally adopted by the Broads Authority in September 2014.

(4) **Future Re-Appraisal Work**

It was noted that there were 5 Re-Appraisals still to do, which included Loddon and Chedgrave, Ludham, Horning, Stalham Staithe and West Somerton. Ben Hogg, Historic Environment Manager reported that the aim would be to attempt to fast track at least two of these prior to the Landscape Partnership Bid proceeding. However, it would be necessary to discuss the programme with the associated Local Authorities. As not all of these fell wholly within the Broads Authority's area, the Group considered that those areas which had a greater part of the Conservation Area within the Broads should be dealt with in the first instance. ie: Stalham Staithe, West Somerton and then perhaps Ludham.

- (5) A member referred to the concerns relating to **Beccles Quay** which had been raised by the Town Council. It was noted that it did fall within the Beccles Conservation Area. Mike Barnard commented that as far as Waveney District Council and Beccles town council were concerned there was not a business case at present for a viable project at the quay but further options are being explored.

The Historic Environment Manager confirmed that the Authority was aware of the concerns, a scheme was being drawn up and Tom Hunter, the Rivers Engineer was providing advice.

15/8 Heritage at Risk

Buildings at Risk Schedule 2014

The Group received the updated Schedules relating to the Buildings At Risk Survey as well as the Schedule relating to current and potential Enforcement issues.

The Group noted the report and that several of the buildings had been on the

list for some time with no further progress being made despite polite letters and several meetings. It was now necessary to consider how to progress these further. The Historic Environment Manager explained that there were two mechanisms for consideration: An Urgent Works Notice or Repairs Notice. (Details of these are attached at Appendix 1).

The Urgent Works notice could be served on the owner of the building to ensure that the building was water tight and reduce further deterioration. Various guidance could be given together with a time frame within which the works should be carried out.

The issuing of a Repairs Notice was more stringent requiring a thorough survey of the building with a schedule of works required to bring the building back into a "good" state of repair. Should the owner not carry this out, the onus would be on the LPA to purchase the property and to put steps in place to do so.

The Group considered that the owners should be informed that the Authority intends to consider such action unless positive works were carried out within a specified time period. Any action to be taken would require authorisation from the Planning Committee. It was considered that the threat of a Repairs notice would have more of an effect than an Urgent Works Notice.

It was agreed that the Mills within the Halvergate Area should not be included for consideration of this action in that they would be included as part of the Landscape Partnership Project.

It was noted that in the case of Bridge Farmhouse, Low Road, Mettingham that as part of a Section 106 Agreement the planning permission for another dwelling was dependent on works being carried out to the farmhouse and this permission would expire in 2015. Attempts had been made to make the owner aware of this but with no success as yet.

It was also noted that Kerrisons Level Mill at Halvergate and the Five Mile House Drainage Mill at Mautby could be removed from the BAR as work was now being carried out or was complete.

15/9 Norfolk Windmills Trust

Jacque Burgess and Colin Gould had attended a meeting of the Norfolk Windmills Trust on 15 October 2014. The work on the Stracey Arms Project with the HLF bid being successful was progressing. The Historic Environment Manager had attended a meeting with the NWT in order to examine ways of working together particularly linking in with the Landscape Partnership bid.

15/10 Any Other Business

No further business.

15/11 Date of Next Meeting – 6 March 2015

It was noted that the next meeting of the Heritage Asset Review Group would take place on Friday **6 March 2015** following the Planning Committee meeting.

The meeting concluded at 14.57pm

DRAFT

Securing Repairs to Listed Buildings

Although there is no statutory obligation upon the owner of a listed building to keep their property in a good state of repair, it is usually in their interest to do so. However, action can be taken by a local authority when it is concerned about the continued conservation of a building.

Urgent works notice - Used to secure repairs urgently necessary for the preservation of a listed building:

- Works restricted to making the building wind and watertight, safe from structural collapse and to prevent unauthorised entry, vandalism or theft
- Can only be served on a vacant building or on vacant parts of a listed building
- The cost of carrying out the work may be recovered by the local authority from the owner and can include the continued expense of providing temporary support or shelter of the building
- In some circumstances can be served on an unlisted building in a conservation area where the preservation of the building is important for maintaining the character or appearance of the area.

It is good practice to notify the owner that the local authority is considering serving an urgent works notice – in many cases this is enough to prompt the owner to carry out the necessary works.

If this is not the case, the local authority can carry out the work, but must serve the owner with written notice of its intention, a minimum of 7 days before it intends to implement the work, giving details of what work is required.

When the works are complete, the local authority can serve notice on the owner requiring repayment of the costs incurred. The owner has 28 days to appeal to the Secretary of State against this notice on the following grounds;

- Some or all of the works were unnecessary.
- Temporary works have continued for an unreasonable length of time.
- The amounts were unreasonable.
- Recovery would cause hardship.

Urgent works notices cannot be served on:

- Land owned by the Crown
- Buildings subject to the ecclesiastical exemption (churches in use)
- Scheduled monuments, which are subject to separate legislation

Repairs notice – used to enable the long-term conservation of a building

- wider financial implications as it could lead to compulsory purchase by the local authority
- often used in a 'back-to-back' arrangement with a Preservation Trust or third party doing the work as part of a larger project, which considerably reduce the financial liability to the local authority.

Enforcement Update
Report by Head of Development Management

Summary: This table shows the monthly updates on enforcement matters.

Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
5 December 2008	“Thorpe Island Marina” West Side of Thorpe Island Norwich (Former Jenners Basin)	Unauthorised development	<ul style="list-style-type: none"> • Enforcement Notices served 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 • Appeal lodged 6 December 2011 • Public Inquiry took place on 1 and 2 May 2012 • Decision received 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings • Challenge to decision filed in High Court 12 July 2012 • High Court date 26 June 2013

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed • “Consent Order “has been lodged with the Courts by Inspectorate • Appeal to be reconsidered (see appeals update for latest) • Planning Inspector’s site visit 28 January 2014 • Hearing held on 8 July 2014 • Awaiting decision from Inspector • Appeal allowed in part and dismissed in part. Inspector determined that the original planning permission had been abandoned, but granted planning permission for 25 vessels, subject to conditions (similar to previous decision above except in terms of vessel numbers) • Planning Contravention Notices issued to investigate outstanding breaches on site. Members will be updated orally.
23 April 2010	Land at OS4229 at North End, Thurlton	Unauthorised storage of non-agricultural items	<ul style="list-style-type: none"> • Enforcement Notices re-served on 25 February 2013, on advice of Solicitor • Appeal against Enforcement Notice received. Hearing requested • Written representations appeal in process • Planning Inspector’s site visit 8 January 2014 • Appeal dismissed • Compliance required by 18 January and 15 April 2014 • Site visit 11 March showed limited clearance undertaken • Extension of time for compliance to 30 April 2014 agreed by Committee on 28-03-14 • Full Compliance not achieved

Committee Date	Location	Infringement	Action taken and current situation
10 October 2014			<ul style="list-style-type: none"> • Authority given at 23 May meeting to commence prosecution proceedings in consultation with the Solicitor • Solicitor instructed and prosecution papers in preparation • Appellant interviewed 11 July and committed to full clearance by 8 August. Site to be monitored. • Site not cleared, but good progress being made • Fence not removed. Authorisation to take direct action • Contractor instructed • Direct action taken 6 November 2014 and fence removed.
17 August 2012	The Ferry Inn, Horning	Unauthorised fencing, importation of material and land-raising and the standing of a storage container	<ul style="list-style-type: none"> • Enforcement Notice served in respect of trailer on 25 September 2013. • Compliance required by 6 January 2015
1 March 2013	Former Piggery Building adj to Heathacre, Chedgrave Common	Unauthorised conversion and change of use to residential	<ul style="list-style-type: none"> • Authority to serve an Enforcement Notice requiring the removal of the conversion of the building as a dwelling and the restoration of the site to its previous use as an agricultural building, with a compliance period of six months and authority to take prosecution, if necessary; • that in the event that the proposed enforcement action is outside the time limits set out in section 171B of the Town and Country Planning Act 1990, authority, in consultation with the Solicitor, given to proceed with a planning enforcement order in the Magistrates Court • Investigations underway

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Enforcement Notice issued 1 October 2013 • Appeal documents received 8 November 2013. Public Inquiry scheduled for 10 and 11 June 2014. • Appeal dismissed and Enforcement Notice corrected, upheld 24-7-14 • Compliance required by 24 January 2015
8 November 2013	J B Boat Sales, 106 Lower Street, Horning	Unauthorised building of new office not in accordance with approved plans	<ul style="list-style-type: none"> • Authority for serving an Enforcement Notice in consultation with the solicitor requiring the removal of a prefabricated building and restoration of site, with a compliance period of three months. Authority to prosecute in the event of non-compliance • Enforcement Notice served 19 November 2013 • Compliance required by 6 April 2014 • Negotiations underway regarding planning application. • Compliance not achieved and no application submitted • Solicitor instructed to commence Prosecution proceedings
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and • authority given for prosecution to proceed should the enforcement notice not be complied with. • Planning Contravention Notice served • Negotiations underway
10 October 2014	Land at Newlands Caravan Park,	Unauthorised Erection of	<ul style="list-style-type: none"> • landowner to be invited to submit a planning application for the unauthorised structures

Committee Date	Location	Infringement	Action taken and current situation
	Geldeston	structures comprising toilet/shower unit, open fronted storage building and small shed	<ul style="list-style-type: none"> • if no planning application is submitted within three months, authority granted to serve an Enforcement Notice in consultation with the Solicitor requiring the removal of the unauthorised structures with a compliance period of three months; and • authority given to proceed with prosecution of the owner should the enforcement notice not be complied • Deadline of 15 January 2015 for receipt of valid application

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files

Author: Cally Smith
Date of report: 17 November 2014

Appendices: Nil

Decisions made by Officers under Delegated Powers

Report by Director of Planning and Resources

**Broads Authority
Planning Committee**

05 December 2014

Agenda Item No. 12

Summary: This report sets out the delegated decisions made by officers on planning applications from 27 October 2014 to 24 November 2014
 Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
Aldeby Parish Council				
BA/2014/0305/HOUSEH	Marsh Cottage East End Lane Aldeby Beccles Norfolk NR34 0BF	Mr Phillip Bodie	Convert existing detached double garage and workshop into a family annex providing additional accomodation.	Approved Subject to Conditions
Broome Parish Council				
BA/2014/0299/FUL	Crisp Malting Group Ltd Pirnhow Street Ditchingham Bungay Norfolk NR35 2RU	Mr S J Surridge	Erection of 2 no. Bulk Loading Hoppers on existing malting site.	Approved Subject to Conditions
Brundall Parish Council				
BA/2014/0319/COND	34 Riverside Estate Brundall Norwich Norfolk NR13 5PU	Dr Denise Hevey	To allow usage throughout the year except between 5 Jan and 5 Feb with a maximum of 4 weeks by any person at a time	Approved Subject to Conditions
Bungay Town Council				
BA/2014/0212/FUL	Bungay And Waveney Valley Golf Club Access Road From A143 Roundabout To Golf Club Outney Common Bungay Suffolk NR35 1DS	Mr R Mares	Extension to car park and provision of enclosed washdown area.	Approved Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2014/0133/FUL	Homestead Farm Beccles Road Bungay Suffolk NR35 1HX	Mr David Utting	Bridge for cattle to cross the River Waveney	Approved Subject to Conditions
Carlton Colville Parish Council				
BA/2014/0326/FUL	Carlton Marshes Nature Reserve Carlton Colville Lowestoft Suffolk NR33 8HU	Suffolk Wildlife Trust	To create a scrape on existing grazing marsh	Approved Subject to Conditions
BA/2014/0325/FUL			To install an additional dyke dipping platform to complement existing platform.	Approved Subject to Conditions
Geldeston Parish Council				
BA/2014/0306/HOUSEH	The Flint House Dunburgh Road Geldeston Beccles NR34 0LL	Mr M Ashford	Demolish existing later rear two storey extension and single storey pantry to allow for construction of new single storey lean-to roof extension and balcony-roofed utility extension along with associated works.	Approved Subject to Conditions
Horning Parish Council				
BA/2014/0349/HOUSEH	5 Racing Reach South Quays Lane Horning Norwich Norfolk NR12 8JR	Ms F Cadman	Extension of existing balcony with glazed balustrade	Approved Subject to Conditions
Hoveton Parish Council				
BA/2014/0311/FUL	Brightside Brimbelow Road Hoveton Norwich Norfolk NR12 8UJ	Mr Paul Davis	Demolition of existing bungalow and garage and re construction of brick chalet bungalow	Approved Subject to Conditions
BA/2014/0312/FUL	Decksides Cafe Norwich Road Hoveton Norwich NR12 8DA	Mr Dennis Bacon	Retrospective Consent for changes to roof design and installation of decking	Approved Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2014/0350/CU	Land Adj To The Wilderness Meadow Drive Hoveton Norwich Norfolk NR12 8UN	Mr Michael Cooper	Change of use from mooring plot to residential to form part of garden to The Wilderness adjacent	Approved Subject to Conditions
BA/2014/0348/HOUSEH	Dingle Dell Horning Road Hoveton Norwich Norfolk NR12 8JW	Mr Gerrard Mancini- Boyle	Extension to form enlarged bedroom with enlarged balcony over	Approved Subject to Conditions
Potter Heigham Parish Council				
BA/2014/0288/HOUSEH	69 North East Riverbank Potter Heigham Great Yarmouth NR29 5NE	Mr John Jones	Small extension approx. five feet wide by fourteen feet long to side of bungalow, to enable the transfer of existing outside toilet to main bungalow building construction to be in wood (as existing bungalow) and stained to match existing bungalow colour.	Approved Subject to Conditions
Strumpshaw Parish Council				
BA/2014/0298/FUL	Staithe Cottage Low Road Strumpshaw Norwich NR13 4HS	Mr Tim Strudwick	Development of reedbed and fen vegetation in part of an existing 3 ha pool, by reprofiling the bed of to create 800m of linear ditches, excavating 600 sq.m of turf pond in adjacent fen, spreading the arisings from both operations in the shallow water, use of brushwood faggots/mattresses to anchor rhizome material and temporary fencing to protect vegetation from geese grazing.	Approved Subject to Conditions
Wroxham Parish Council				
BA/2014/0313/FUL	Ennerdale II Beech Road Wroxham Norwich Norfolk NR12 8TP	Mr Chopra	Proposed extensions to rear and side of property. The provision of new boat dock to front of property.	Approved Subject to Conditions

**Circular 28/83: Publication by Local Authorities of
Information about the Handling of Planning Applications**
Report by Head of Planning

Summary: This report sets out the development control statistics for the quarter ending 30 September 2014.

Recommendation: That the reported be noted.

1 Development Control Statistics

1.1 The development control statistics for the quarter ending 30 September 2014 are summarised in the table below.

Table 1:

Total number of applications determined	24 (100%)					
Number of delegated decisions	20 (83%)					
Type of decision	Numbers granted				Numbers refused	
	44 (96%)				2 (4%)	
Speed of decision	Under 8 wks	8-13 wks	13-16 wks	16-26 wks	26-52 wks	Over 52 wks
	31 (68%)	11 (24%)	0 (0%)	2 (4%)	0 (0%)	2 (4%)
Numbers of Enforcement Notices	1 (PCN)					
Consultations received from Neighbouring Authorities	28					

Table 2: National Performance Indicators

	BV 109 The percentage of planning applications determined in line with the government's new development control targets to determine planning applications.			
National Target	60% of Large Scale Major* applications in 13 weeks	60% of Small Scale Major* applications in 13 weeks	65% of Minor* applications in 8 weeks	80% of other applications in 8 weeks
	<i>*Large Scale Majors refers to any application for development where the site area is over 10000m²</i>	<i>*Small Scale Majors refers to any application for development where the site area is over 1000m² but under 9999m²</i>	<i>*Minor refers to any application for development where the site area is under 1000m² (not including Household/ Listed Buildings/Changes of Use etc)</i>	<i>Other refer to all other applications types</i>
Actual	1 application received. 0 determined in 13 weeks (0%)	1 application received. 1 determined in 13 weeks (100%)	17 applications received. 10 determined in 8 weeks (58%)	26 applications received. 20 determined in 8 weeks (77%)

Background Papers: Development Control Statistics provided by Broads Authority using CAPS/Uniform Electronic Planning System.

Author: Simon Moore
Date of Report: 21 November 2014

Appendices: APPENDIX 1 – PS1 returns
APPENDIX 2 – PS2 returns

APPENDIX 1

PS1 returns:

1.1	On hand at beginning of quarter	21
1.2	Received during quarter	29
1.4	Withdrawn, called in or turned away during quarter	3
1.4	On hand at end of quarter	23
2.	Number of planning applications determined during quarter	24
3.	Number of delegated decisions	20
4.	Number of statutory Environmental Statements received with planning applications	0
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	1
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	2
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	0
7.4	Number of planning contravention notices served	1
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

PS2 returns:

Type of Development	Total Decisions			Total Decisions Time from application to decision					
	Total	Granted	Refused	Not more than 8 wks	More than 8 wks but not more than 13 wks	More than 13 wks and up to 16 wks	More than 16 wks and up to 26 wks	More than 26 wks and up to 52 wks	More than 52 wks
Large-scale Major									
Dwellings	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other large-scale major developments	1	1	0	0	1	0	0	0	0
Small-scale Major									
Dwellings	0	0	0	0	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	0	0	0	0	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other small-scale major developments	0	0	0	0	0	0	0	0	0
Minor									
Dwellings	3	2	1	3	0	0	0	0	0
Offices/ light industry	0	0	0	0	0	0	0	0	0
Heavy industry/storage/warehousing	1	1	0	1	0	0	0	0	0
Retail distribution and servicing	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0
All other minor developments	13	13	0	9	3	0	0	0	1
Others									
Minerals	0	0	0	0	0	0	0	0	0
Change of use	1	1	0	1	0	0	0	0	0
Householder developments	0	0	0	0	0	0	0	0	0
Advertisements	2	2	0	2	0	0	0	0	0
Listed building consent to alter/extend	3	3	0	3	0	0	0	0	0
Listed building consent to demolish	0	0	0	0	0	0	0	0	0
Conservation Area Consents	0	0	0	0	0	0	0	0	0
Certificates of lawful development	0	0	0	0	0	0	0	0	0
Notifications	0	0	0	0	0	0	0	0	0
TOTAL	24	23	1	19	4	0	0	0	1
Percentage (%)	100%	96%	4%	79%	17%	0%	4%	0%	0%

Development Control Statistics provided by Broads Authority using CAPS/Uniform Electronic Planning System.