

## **Broads Authority**

### **Planning Committee**

Minutes of the meeting held on 26 March 2010

#### **Present:**

Dr J M Gray – in the Chair

Mrs S Blane	Mr S Dorrington
Mrs J Brociek-Coulton	Mr C Gould
Mr M C Broom	Dr J S Johnson
Mrs E A Burrows	Mr A S Mallett
Mr A Duce	

#### **In Attendance:**

Mrs S Beckett – Administrative Officer  
Mr J Coles – Planning Officer (Compliance and Implementation)  
Miss M Hammond – Planning Assistant  
Mr K R Hounsome – Solicitor and Monitoring Officer  
Mr B Hogg – Head of Cultural Heritage and Design  
Ms A Long – Director of Planning and Strategy  
Mr A Scales – Planning Officer, NPS Consultants Ltd  
Ms C Smith – Head of Development and Regeneration  
Miss K Wood – Planning Assistant

Members of the public in attendance who spoke:

#### BA/2010/0009/FUL Left Bank of River Waveney between Dunburgh and Hill Farm, Gillingham

Mr J Halls	For the applicant
Mr R Deller	Commodore of Beccles Amateur Sailing Club

#### BA/2010/0015/CU Land to the side of Lathams (QD Stores), Bridge Road, Potter Heigham

Mr J Farrington-Smith	On behalf of Lathams, the applicant
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#### BA/2010/0034/COND – Bewilderwood Adventure Park, Horning Road, Hoveton

Simon Eagan	On behalf of applicant
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#### BA/2010/0033/FUL – South Quays House, Horning Reach, Horning

Mr and Mrs Tomkins	Applicant
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## **7/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting. He introduced members and officers and explained the composition of the Planning Committee.

Apologies for absence were received from Mr M C Broom, Mr N Dixon, Mr G W Jermany, Ms C Sheridan and Mr J Sharpe.

### **(1) Elizabeth Burrows (Secretary of State appointee)**

The Chairman announced that this would be Elizabeth Burrows' last meeting with the Authority after 10 years as a Secretary of State appointee. He thanked her for her incisive contribution and wished her all the best for the future.

The Head of Development and Regeneration paid tribute to Mrs Burrows for her vibrant and distinguished contribution to the Planning Committee as well as her sense, wisdom and straightforwardness in grappling with issues. She would be greatly missed. The Director of Planning and Strategy presented her with a picture on behalf of the Committee and staff which, in particular, recognised her championing of the grazing marshes.

In reply Mrs Burrows expressed her appreciation explaining that in making decisions, she had hoped to have borne in mind those who lived and worked in the area. She had thoroughly enjoyed her time on the Committee, particularly working with the local authority representatives for which her respect had grown. She also expressed appreciation for the support and help she had received from staff.

Mr Mallett proposed, duly seconded, a vote of thanks to Mrs Burrows for her invaluable contribution to the Committee which was endorsed by all.

### **(2) Keir Hounsome (Solicitor and Monitoring Officer)**

The Chairman announced that this would also be Keir Hounsome's last meeting with the Authority after an association of almost 26 years, where one of his first contacts had been with the Planning Committee. He expressed thanks for his contribution and members endorsed this expressing appreciation for his qualities, calmness and constant availability.

In reply Keir thanked the Committee for their kind words saying that he could not have imagined a better role in local government than working with the Authority.

The Committee endorsed a vote of thanks and wished Keir Hounsome well for his future.

## **7/2 Declarations of Interest**

Members expressed declarations of interest as set out in Appendix 1 to these minutes.

## **7/3 Minutes**

The minutes of the meeting held on 5 March 2010 were confirmed as a correct record and signed by the Chairman.

## **7/4 Points of Information arising from the Minutes**

### **(1) Minute 6/8(1): Compensatory Grazing Marsh**

The Director of Planning and Strategy reported that officers had been investigating with BESL and the Environment Agency how best to prepare and present information on loss and compensatory grazing marsh to the Committee. It was hoped to provide information to a future meeting on the amount of land lost from grazing marsh, where it was being replaced and how much was within the Broads area.

## **7/5 To note whether any items have been proposed as matters of urgent business**

There were no items of urgent business.

## **7/6 Chairman's Announcements and Introduction to Public Speaking**

(1) The Chairman gave notice of the Fire Regulations.

### **(2) Reminders and Notices of Events and Dates:**

The Chairman reminded members of the following events and dates:

- **Parish Pop-In Session** – 31 March 2010 at Thorpe St Andrew Dussindale Centre 2.00 – 7.00pm
- **Broads Plan Review Workshop** – Friday 9 April 2010 to consider first draft of Broads Plan 9.15 am for 9.30 am start.
- **Local Development Framework Workshop** - Friday 16 April 2010.
- **Presentation and Training** from the Environment Agency - 23 April 2010 from Mr William Todd following meeting.

- **Planning Parish Forum – 28 April 2010 in Dragonfly House**  
The Planning Parish Forum will be held in Dragonfly House on Wednesday 28 April 2010 from 6.00pm to 8.00pm. It is hoped that as many members as possible will be able to attend.

(3) **Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for Members and Officers. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

**7/7 Requests to Defer Applications Included in this Agenda**

It was noted that no formal requests for deferrals of items had been received.

**7/8 Applications for Planning Permission**

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out in Appendix 2 to these minutes on the blue pages. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

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

- (1) **BA/2010/0009/FUL Compartment 25 Gillingham Marshes: Left bank of the River Waveney Dunburgh to Hill Farm Gillingham**  
Flood defence improvements to embankments including online strengthening and set back of the floodbanks, excavation of soke dykes and a temporary site compound and associated engineering works.  
Applicant: Environment Agency

In presenting the application, the Planning Officer explained that the original proposed flood defence works included an area in the north of the Compartment but as a result of concerns expressed by Norfolk Landscape Archaeology and English Heritage regarding potential significant archaeological finds, this has been amended and no works adjacent to the river were now included. BESL had undertaken to carry out more detailed investigation into this area with a view to formulating improvements to flood defences taking account of protecting any significant archaeological interests. If possible, this section would be the subject of a further planning application.

In particular, the Planning Officer drew attention to the issues of habitat and ecology, recreation and navigation particularly relating to the

concerns expressed by Beccles Amateur Sailing Club, and the impact on local businesses. In terms of habitat and ecology, the application included extensive areas of grassland and would involve a very limited loss of grazing marsh (1.28ha) compared with the benefit of enhanced protection of 213 hectares of grassland. BESL had confirmed that they were committed to providing replacement grazing marsh elsewhere.

In terms of local businesses, the scheme would provide enhanced protection for local businesses including Arrow Boats which was to be welcomed and work would be undertaken in the Autumn to avoid disturbance to the main holiday season. Access to the moorings would be maintained.

In terms of recreation and navigation, the scheme would involve the permanent diversion of the public footpath on to the new roll back flood bank and a temporary closure of the floodbank whilst works were undertaken to improve the floodbanks with enhanced crest width and level surface for walkers. Part of the area contained Broads Authority 24 hour moorings which would be maintained. However, it was important to recognise that piling in some other parts of the area was in a deteriorated state and its retention could not be justified as following the works, they would no longer be required for flood defence purposes. It was emphasised that any removal of piling would be the subject of a separate planning application and no piling would be removed along the stretch opposite the sailing club until discussions had taken place with the club, the Broads Authority and the landowner. The Planning Officer concluded that subject to detailed conditions as outlined, the amended proposal was recommended for approval.

Mr Deller, the Commodore of Beccles Amateur Sailing Club, was given the opportunity to address the Committee emphasising the concerns that had been expressed in his letter and detailed in the report. He emphasised that it was a very active sailing club which was going from strength to strength, particularly encouraging youngsters. Not having a wooden quay would make it very difficult to hoist sails and no defined river edge could lead to running aground and damage to the bank and boats and cause safety problems.

Mr Halls from BESL explained that in response to the concerns from the sailing club, BESL had spoken to the Norfolk and Suffolk Sailing Association and were aware of the issues and acknowledged that there was a need for some quay heading. They undertook not to remove the piling until other options had been pursued with the Club and the landowner. BESL would contribute to the works as and when necessary.

Members noted that BESL was not obliged to maintain the piling as it would no longer be required for flood defences. They recognised that the sailing club offered a very valuable recreational and educational resource for young people and were keen that this should be

supported. They considered that it was important for the Authority to be involved in helping to resolve the concerns of the sailing club and safeguard its activities but they were also of the view that the Environment Agency had a role to play. It was also recognised that the landowner had responsibility. Members noted that BESL had given assurances that piling would not be removed until discussions had taken place with the Club, the Broads Authority and the landowner and that a separate application would be required for consideration by the Navigation Committee prior to determination by the Planning Committee. The Committee was in favour of the scheme as it was recognised that the scheme would provide enhanced flood defences, protection of agricultural and nature conservation management as well as preserving and enhancing recreational and local amenity.

RESOLVED unanimously

that the application be approved subject to conditions and the Informatives as set out at Appendix 2 to these minutes. The proposal is considered to meet the requirements of the saved Broads Local Plan policies and Core Strategy DPD policies, in particular Policy INF5 (Broadland Flood Alleviation Strategy), and would not materially conflict with other policies in the development plan.

(2) **BA/2010/0015/CU Land to the side of Latham Stores (QD Stores) Bridge Road, Potter Heigham**

Change of use of part of external storage to A1 retail use for larger garden centre products (Retrospective)

Applicant: Latham Stores

The Head of Development and Regeneration presented the proposal emphasising that it was a retrospective application which sought to regularise the change of use of an area to the rear of Latham stores which had been used for storage to retail use for larger garden products. Planning permission had been given in 2008 which included the construction of canopies which covered the area now being used for retail, in order to replace temporary structures. However, it was emphasised that this current application related only to the use of the area for sales.

The Head of Development and Regeneration drew attention to the consultations received, many of which related to the canopies. Further representations on behalf of the neighbouring properties had also been received. She further reported that since the report had been written the County Council member had offered to act in a mediatory role with the objecting parties and Lathams concerning reductions in light, noise and hours of operation.

In assessing the application, the Head of Development and Regeneration drew attention to the main issues relating to the principle of the additional retail use, the impact on the amenity of neighbouring

occupiers and adequacy of car parking to cater for additional retail use. In conclusion, the concerns and objections received were acknowledged but largely related to the previous application and were the subject of separate discussions. The modest extension of retail space at Lathams, which had been long established, would support the viability of the facility and did not conflict with the objectives of the Broads Local Plan or recent policy guidance in Government PPS4 which supported economic development. There were no justifications for refusal and therefore approval was recommended subject to conditions.

Mr Farrington-Smith on behalf of Lathams was given the opportunity to address the Committee emphasising that Lathams was an important part of the QD Stores group and was an intrinsic part of Potter Heigham employing over 100 staff both full time and part time. The change in use provided a further three jobs. The aim of the application was to regularise the activity recognising that there was a need to improve the site. The intention was to undertake significant refurbishment and efforts were being made to improve the car park among other matters. Lathams was prepared to work with the Authority to achieve the improvements. He hoped the Committee would accept the officer recommendation.

Members recognised that Lathams was a successful business which was important to the recreation and sustainability of the area. It was considered that the proposal for change of use was acceptable provided the appropriate conditions were imposed relating to lighting and hours of use in order to take account of the neighbours concerns.

RESOLVED unanimously

that the application be approved subject to conditions as set out at Appendix 2 to these minutes as the proposal does not conflict with Broads Local Plan Policies, particularly Policy PHB4 and EMP3 criteria (a) and (b) and is in accordance with the policy direction of the recent government guidance in PPS4 which is to support economic growth.

(3) **BA/2010/0034/COND Bewilderwood Adventure Park, Horning Road, Hoveton**

To remove the timing restrictions relating to opening hours to allow greater flexibility for school and annual holidays.

Applicant: Mr Tom Blofeld

The Planning Assistant explained that the application involved the removal of two conditions relating to timing restrictions to give the applicants more flexibility over opening times when weather permitted particularly in school and annual holidays. However, it was not the applicants' intention to open all year round. The opening hours would remain the same. There would be no intensification of the use. The present operation was not known to cause any significant adverse

impacts on the residential amenities of the adjoining occupiers or on the local highway network. Since the report had been written, comments from Hoveton Parish Council had been received stating they had no objections. The application was recommended for approval.

Members were mindful of the concerns that had been raised when the application for the adventure park had first been considered. Fortunately, many of the fears appeared to have been allayed and the adventure park had proved to be a very successful sustainable venture of benefit both locally and nationally. Members considered that the proposal was acceptable and in general did not consider that a temporary permission was necessary.

It was noted that the organisers of the adventure park had set up meetings with the local parish councils and were keen to engage with local residents to ensure the character and amenity of the area was maintained.

Members concurred with the officer's assessment and considered that the application represented appropriate measures for the operation of the site and its continued viability and success.

RESOLVED unanimously

that the application be approved subject to conditions as set out at Appendix 2 to these minutes as it was considered to be acceptable and in accordance with saved Policies TR19 and TR21 of the Broads Local Plan 1997 and Policy CS9 of the adopted Core Strategy 2007.

- (4) **BA/2010/0033/FUL South Quays House, Horning Reach Horning.**  
Proposed extension to garage to form guest room.  
Applicant: Mr Roger Tomkins

In presenting the report the Head of Development and Regeneration explained that the proposed extension to the garage would provide a bedroom, en suite and guest room. It would not include a kitchen and the applicants had amended the plans to move the doorway in response to the concerns expressed by the neighbour, which was referred to in the report. Members had received copies of the letters of concern from the neighbours and in particular those from Mrs Julie Greer. In assessing the application, the Head of Development and Regeneration drew particular attention to the principle of the development which had been accepted; the design, scale, form and materials of the extension, particularly in relation to the existing garage, dwelling and surrounding area and the impact on the residential amenities of the adjoining occupiers. In conclusion, she emphasised that the proposed design was substantial but not out of scale with properties within the vicinity. The proposal was for guest accommodation; it would not be appropriate to be used as a separate

unit and therefore a condition would be imposed and the recommendation was for approval.

Members had received a copy of Ms Greer's statement to them which she would have presented had she been able to attend the meeting. The Director of Planning and Strategy presented these to members. In summary, Ms Greer considered that if the application were allowed, it would set an unfortunate precedent making it more difficult to resist similar applications for residential development in the future. The proposal would upset the appropriate visual and functional relationship that currently exists between the principal dwelling and its associated garage. This was due to the ridge height of the guesthouse and its volume; the visual appearance of the guesthouse was so substantial it would appear as an independent unit and the scale and mass of the domestic garage unit would compete with the main house for visual domination. She was of the view that there was a significant risk that the house could be used as an independent dwelling, further eroding the special character of the area. She urged the Committee to refuse the application and made suggestions for a revised application as well as conditions should members be minded to approve the application.

Mr Tomkins, the applicant, was given the opportunity to address the Committee explaining that the original main dwelling had been designed as a holiday property consisting of three bedrooms, but was now used as a main residence. The proposed extension to the garage and utility room was solely for the purpose of providing independent space for a guest room. He explained that the floor levels had to fit in with the flood risk assessment and that reducing the ridge height would not be feasible since the extension would not then be fit for purpose.

The Head of Development and Regeneration explained the distinction between a Section 106 Agreement and planning conditions. The Solicitor confirmed that government advice was that planning conditions should be used in preference where at all possible.

The Head of Cultural Heritage and Design acknowledged that the proposed extension was substantial but considered it was in keeping with the main dwelling. The details were acceptable and he considered that on balance it would be difficult to refuse the application on design grounds given the character of the properties in the surrounding area.

Given the concerns expressed about the scale of the proposal, members considered that a site visit would be beneficial.

#### RESOLVED

that the application be deferred for a site visit in view of the concerns expressed in relation to the scale of the proposal. (Date subsequently confirmed as 22 April 2010).

(5) **BA/2009/0339/COND The Waterside, Rollesby Ltd, Main Road, Rollesby**

Variation of condition 17 of PP06/05/0001/BF to vary closing times and variation of Section 106 to clarify a closing time of 11.00pm.

Applicant: Mr Minors

The Planning Assistant explained that the application was for a variation of a condition in order to extend the opening times of the tea room/restaurant by one hour from 22.00hrs to 23.00hrs to allow clients to enjoy a relaxed meal and not to have to rush to vacate the premises and allow flexibility. The capacity of the facility would not be increasing but would mean a more gradual flow of customers from the car park. The original permission was linked to a Section 106 Agreement to ensure that customers were issued with maps of prohibited boating areas to ensure the protection of the sensitive sites of the Broads. It was intended that such an arrangement would continue. No objections had been received and the application was recommended for approval.

Members concurred with the officer's assessment and in general considered that the justification for the additional opening hour was considered reasonable and would not have an adverse impact on neighbouring amenity. One member expressed some concern relating to the opening time to 00hours on occasions. It was noted that the Authority would need to be notified of such an occasion within seven days and it would also be covered by licensing laws.

It was noted that the reason for the variation of the condition associated with a Section 106 Agreement being brought to Committee was that such an issue did not fall within the scope of delegated powers to officers. This would be the subject of discussion at a future meeting

RESOLVED by 7 votes with one abstention

that the application be approved and the Section 106 Agreement varied subject to the condition as set out at Appendix 2 to these minutes and associated with PP 01/05/0001/BF The proposal is considered to be in accordance with saved Broads Local Plan Policy T19 and adopted Core Strategy Policy CS1.

(6) **BA/2003/0773/HISTAPP Hall Farm, Runham Road, Stokesby with Herringby**

Variation of Section 106 Agreement

Applicant: Abbey Mill Estates

The Head of Development and Regeneration explained that the proposal was for the variation of an existing section 106 agreement relating to the conversion, renovation and repairs of four barns and

farmhouse at Hall Farm, Stokesby where two barns together with the farmhouse were Grade 2 Listed Buildings. The purpose of the Section 106 was to secure the repair of the two listed barns. The group of barns had recently changed ownership and the new owners sought to increase the flexibility of the Section 106 to improve the logistics of the sale and repair of the buildings whilst not reducing their commitment to repair. Two of the barns were in very poor condition and had been identified in the recent Historic Building and Conservation Area Review undertaken by the Authority as buildings at risk. The revised S106 agreement included detailed specifications which would not prejudice the repair of the barns and would assist in the restoration of the listed barn as well as the unlisted barns. It would also ensure that all the barns are restored in accordance with the plans approved by the listed building and planning consent and make the conversions of the barns more achievable and viable.

Members considered that the application would allow more flexibility, and facilitate and work to ensure the preservation and enhancement of a number of buildings, which made a positive contribution to the character of the Broads, including one listed building.

RESOLVED unanimously

that the application is approved and the Section 106 be varied. The proposal is considered to be in accordance with Policy CS1 of the adopted Core Strategy.

- (7) **BA/2010/0076/FUL Ellingham Grain Store, Geldeston Road, Ellingham** Installation of three storage silos, resubmission of application BA 2009/0068/FUL.  
Applicant: Ellingham Grain Store

In presenting the report the Planning Officer explained that the application had been resubmitted in order to provide further detailed information on the installation of an additional three silos on the site for the storage of locally produced grain. The application was before the Committee since objections had been received on the grounds of impact on the local scene, traffic particularly near to the primary school, noise and pollution. Since the report had been written a response had been received from the Parish Council recommending approval. The proposal represented an extension to an existing well established facility required to support the local agricultural industry and subject to conditions the recommendation was for approval.

Members recognised the concerns expressed. However, they were satisfied that the proposals included suitable mitigation measures, and given the established use of the site and location, considered that it would not result in any significant impacts on highway safety.

RESOLVED unanimously

that the application be approved subject to conditions as set out in the schedule at Appendix 2 to these minutes as the application is in accordance with saved Broads Local Plan Policies B11, C11, C16, EMP3 and TC8 and Policy CS1 of the adopted Core Strategy.

**7/9 Broads Local Development Framework: Revised Local Development Scheme March 2010**

The Committee received a report setting out the need to revise the Local Development Scheme in light of recent developments. Members noted that it was required to keep the Broads Local Development Scheme (LDS) under review and that it should be updated on an annual basis and submitted to and agreed with the relevant Government Office. The LDS set out the documents it was required to produce as part of the Local Development Framework (including the Statement of Community, the Core Strategy and Development Management Policies.), the relationship between them and the timetable for their production. The LDS contained a revised timetable for the production of the Development Management Development Plan Document (DMDPD), the further work required as a result of changes in national policy and in regulations and a detailed programme of how this might be undertaken.

It was proposed to progress the DMPDPD as quickly as possible with a view to taking this to the May Broads Authority meeting, followed by a six week consultation prior to a pre-submission document being considered for approval at the September Authority meeting. It was then proposed to deal separately with areas specific issues in a later "Location or Site Specific Policies DPD" and prepare the Local Development Framework Proposals Map with this.

Members agreed that the revisions proposed were appropriate and necessary and that it was a good basis for discussion with the Government Office. The division of the documents into generic and site specific was also welcomed. Members also agreed to the process and the timeline.

RESOLVED

- (i) that the draft revised Local Development Scheme forms the basis of discussions with Go-East;
- (ii) that the revised outline programme set out to complete the preparation of the Development Management DPD, including public consultation on a Revised Proposals' draft of the DPD, be agreed;
- (iii) that this would replace only the generic policies of the 'saved' policies of the Local Plan and structure plans, and the document be renamed the 'Generic Development Management Policies DPD'; and

- (iv) that the Local Development Scheme provide for a complementary Location or Site Specific Policies DPD to be prepared in conjunction with the Local Development Framework Proposals Map and replace the final extant Local Plan and Structure Plan policies.

#### **7/10 Consultations Document Update and Proposed Response**

The Committee received a report together with a schedule of consultation documents received by the Authority since the last Planning Committee meeting in February 2010 together with the nature of the response made or proposed. This related to the LDF Development/Management Policies Proposed Submission Draft and Site for Future Development from Waveney District Council.

It was also noted that since writing the report further consultation documents had been received, one of which related to climate change and renewable energy and the other relating to the Natural Environment and Geodiversity. Details of the responses would be submitted to the next meeting.

RESOLVED

that the report and the nature of response proposed or made be endorsed.

#### **7/11 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 26 January 2010 to 22 February 2010.

RESOLVED

that the report be noted.

#### **7/12 Enforcement Update**

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

RESOLVED

that the report be noted.

#### **7/13 Appeals to the Secretary of State: Update**

The Committee received a table showing the position regarding appeals against the Authority since August 2009 as set out in Appendix 1 to the report. In addition, the Committee received a schedule setting out the decisions made by the Secretary of State on appeals for the year 1 April 2009 to 26 March 2010 where of the seven, four had been dismissed, two allowed and one, part allowed and part dismissed.

RESOLVED

that the report be noted.

#### **7/14 Decisions on Appeal to the Secretary of State**

The Committee received reports on decisions made by the Secretary of State relating to the following appeals:

(1) **Mr Peter Waller: Site at 31 Romany Road, Oulton Broad, Lowestoft  
Construction of dwelling garage and workshop**

The Inspector had dismissed the appeal and upheld the Authority's decision particularly as it fell outside the development boundary. The Inspector took into account the boundary of the Conservation Area and notwithstanding that similar development had been allowed within the Waveney boundary, he concurred with the Authority's views.

(2) **Mr John Dorrington: Windward, 10 Crabbetts Marsh, Horning  
Single storey side extension replacing existing shed with  
boatshed**

The Inspector had allowed the appeal. However, he accepted the Authority's concerns relating to the use of the extension and imposed a condition limiting this to being incidental to the use of the premises of Windward as a dwelling house and not to be used at any time for human habitation including overnight accommodation.

RESOLVED

That the report be noted.

#### **7/15 Date of Next Meeting**

It was noted that the next meeting of the Planning Committee would be held on Friday 23 April 2010 at 10.00am at Dragonfly House, 2 Gilders Way, Norwich.

The meeting concluded at 13.24pm

CHAIRMAN

## Code of Conduct for Members

### Declaration of Interests

Committee: Planning Committee

Date: 26 March 2010

Name	Agenda Item/Minute No(s)	Nature of Interest (Please describe the nature of the interest)	Please tick here if the interest is a Prejudicial interest √
C Gould	7/8(1)	Member of Navigation Committee did not take part in discussion or vote when item considered.	
A S Mallett	General 7/8(1)	Member of Navigation Committee did not take part in discussion or vote when item considered.	√
	7/12	Member of Norwich Frostbite Sailing Club (If item discussed will absent self from meeting)	
S Dorrington		Toll payer	

**Decisions on Planning Applications considered by the Planning Committee on 26 March 2010**

District / Ref No / Parish	Situation	Applicant	Proposal
<b>BA/2010/0009/FUL</b>  Compartment 25  Gillingham	Gillingham Marshes Left Bank of River Waveney between Dunburgh and Hill Farm, Gillingham	Environment Agency	Flood defence improvements to embankments including online strengthening and set back of the floodbanks, excavation of soke dykes and a temporary site compound and associated engineering works
<p><b>Decision unanimous</b></p> <p>Approved subject to the following conditions</p> <ul style="list-style-type: none"> <li>• Standard time limit condition</li> <li>• Amended plan – (deleting 502 m of floodbank works – NE section)</li> <li>• Landscape/planting</li> <li>• P D Rights removed – piling</li> <li>• Archaeological investigation</li> <li>• Temporary footpath closure/signage</li> <li>• Site access/delivery route</li> <li>• Navigation hazard markers</li> <li>• Hours of working</li> <li>• Phasing of works to flood banks</li> <li>• Detail of piling maintenance</li> <li>• Erosion protection details to be agreed with Broads Authority.</li> </ul> <p>In addition, an order be prepared under Section 257 of the 1990 Town and Country Planning Act to deliver a length of public footpath to the new line, as shown on plan WNCGIL/400/006/A3 as it is necessary to do so in order to enable development to be carried out.</p> <p>The following Informative be specified on the decision notice of the planning application:</p> <ul style="list-style-type: none"> <li>• The permission shall be granted in the context of the Memorandum of Understanding between the Broads Authority and the Environment Agency on 25 April 2003</li> <li>• Works may need separate consents under the Water Resources Act and Land Drainage by-Laws for flood defence consent</li> </ul>			

**Reasons for Recommendation:**

- The application is considered to meet the requirements of the Broads Local Plan and Core Strategy DPD policies, in particular Policy INF5 (Broadland Flood Alleviation Strategy) and would not materially conflict with other policies in the Plan and Strategy. The proposals are considered to represent an appropriate design of development associated with flood defence work in this location.
- standard time limit condition
- Landscape/planting
- Archaeological investigation
- Site access/delivery route
- Navigation hazard markers (if necessary)
- Restoration of working/mitigation measures
- Hours of working
- Phasing of works to flood banks
- Erosion protection details to be agreed with Broads Authority

The following Informative be specified on the decision notice of the planning application:

- The permission shall be granted in the context of the Memorandum of Understanding between the Broads Authority and the Environment Agency dated 25 April 2003
- Works may need separate consents under the Water Resources Act and Land Drainage By-Laws

**Reasons for Decision**

The application is considered to meet the requirement of the Broads Local Plan and Core Strategy DPD Policies, in particular Policy INF5 (Broadland Flood Alleviation Strategy) and would not materially conflict with other policies in the Plan and Strategy. The proposal is considered to represent an appropriate design of development associated with flood defence work in this location.

<b>District / Ref No / Parish</b>	<b>Situation</b>	<b>Applicant</b>	<b>Proposal</b>
<b>BA/2010/0015/CU</b> <b>Potter Heigham</b> Horning	Land to side of Latham's Stores (QD Stores) Bridge Road	Latham's Stores Ltd	Change of use of part of external storage to A1 retail use for larger garden centre products

**Decision unanimous**

Approved subject to conditions to include:

- Hours of operation
- Lighting
- Storage areas

**Reason for Decision**

The application does not conflict with the objectives of Broads Local Plan Policies, particularly Policy PHB4 and EMP3 criteria (a) and (b) and is in accordance with the policy direction of recent guidance in PPS4 which is to support economic development.

<b>District / Ref No / Parish</b>	<b>Situation</b>	<b>Applicant</b>	<b>Proposal</b>
<b>BA/2010/0034/COND</b>  <b>Hoveton</b>	Bewilderwood Adventure Park, Horning Road	Mr Tom Blofeld	To remove the timing restrictions relating to opening hours to allow greater flexibility for school and annual holidays

**Decision unanimous**

Approve subject to conditions:

- Standard time limit
- In accordance with submitted details
- Opening times as existing

Informative Note: All other existing conditions on permissions BA/2005/1570/HISTAP and BA/2007/0246/COND remain.

**Reason for Recommendation**

The proposal is considered to be in accordance with saved Policies TR19 and TR21 of the Broads Local Plan (1997) and Policy CS9 of the adopted Core Strategy (2007).

The proposal to remove the existing restrictions on opening times is not considered to result in any significant additional adverse impacts and is therefore considered to be acceptable.

District / Ref No / Parish	Situation	Applicant	Proposal
<b>BA/2010/0033/FUL</b> <b>Horning</b>	South Quays House, Horning Reach	Mr Roger Tomkins	Proposed extension to garage to form guest room
<p><b>Decision</b></p> <p>That a decision on the application be deferred for a site visit, in view of the concerns expressed and in order to examine the scale of the proposed development. The date of the site visit to be determined.</p>			

District / Ref No / Parish	Situation	Applicant	Proposal
<b>BA/2009/0339/COND</b> The Waterside, <b>Rollesby</b>	The Waterside, Rollesby Ltd, Main Road,	M Minors	Variation of condition 17 of PP 06/05/0001/BF to vary closing times and variation of section 106. To clarify a closing time of 11.00pm.
<p><b>Decision by 7 votes with one abstention</b></p> <p>Approve subject to the following condition:</p> <p>The premises subject to this permission shall only be open to the public between the hours of 9:00 to 23:00 on any day, except for the maximum of 20 days in any calendar year where the tea rooms may open until 00:00 (which shall be the subject of at least one week's written notice to the Local Planning Authority). Any further extension in hours of operation shall be the subject of a further planning application.</p> <p>Reason: To protect the character and appearance of the Broads landscape and the residential amenity of the locality, in accordance with Policy T19 of the adopted Broads Local Plan.</p> <p><b>Informative note:</b> The applicant/agent is advised that this permission is related to condition 17 of planning permission 01/05/0001/BF. Permission 01/05/0001/BF remains intact and all other conditions attached to that permission still apply.</p> <p><b>Reasons for Decision</b></p> <ul style="list-style-type: none"> <li>The justification for the additional opening hour is considered reasonable. There would be no adverse impacts on neighbouring amenity due to the</li> </ul>			

existing approved opening hours and the setting of the tearooms away from residential neighbours. The proposal is therefore considered acceptable when assessed against Policy T19 of the Broads Local Plan.

- The issuing of the Section 106 linked with the current application will ensure that the applicant is still legally required to issue maps of prohibited boating areas to hire boat users which will ensure the protection of the sensitive sites of the Broad which is considered appropriate given the nature conservation interest in accordance with Policy CS1 of the Core Strategy.

<b>District / Ref No / Parish</b>	<b>Situation</b>	<b>Applicant</b>	<b>Proposal</b>
<b>BA/2003/0773/HISTAP</b> <b>Stokesby with Herringby</b>	<b>Hall Farm,</b> Runham Road	Abbey Mills Estates	Variation of Section 106 Agreement
<p><b>Decision unanimous</b></p> <p>Approve</p> <p><b>Reason for Decision</b></p> <p>The proposed development would facilitate and work to ensure the preservation and enhancement of a number of buildings which make a positive contribution to the character of the Broads, including one listed building. Accordingly it is considered that the proposed revised Section106 agreement is in accordance with Core Strategy Policy CS1.</p>			

<b>District / Ref No / Parish</b>	<b>Situation</b>	<b>Applicant</b>	<b>Proposal</b>
<b>BA/2010/0076/FUL</b>  <b>Ellingham</b>	Ellingham Grain Store, Geldeston Road,	Ellingham Grain Store	Installation of three storage silos, resubmission of application BA/2009/0068/FUL

**Decision unanimous**

Approve subject to the following conditions:

- Standard time limit
- In accordance with submitted plans
- Landscaping scheme to be carried out no later than the next available planting season following commencement of development
- Any tree or plant which is removed, damaged or diseased within five years of planting shall be replaced
- Prior to the commencement of the use of the development hereby permitted, the area of additional concrete shall be completed in accordance with submitted plan
- Hours of working 07:00-16:00 and 07:00-20:00 July to mid-September only (as existing).

**Reason for Decision**

The proposal is considered to be in accordance with saved Policies B11, C11, C16 EMP3 and TC8 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).