

Broads Authority
Planning Committee

Minutes of the meeting held on 18 June 2010

Present:

Mrs C Sheridan– in the Chair

Mrs S Blane	Dr J M Gray
Mr M C Broom	Dr J S Johnson
Mr A Duce	Mr A S Mallett
Mr S Dorrington	Mr J Sharpe

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr S Bell – Solicitor, Norfolk Legal Services
Miss M Hammond – Planning Assistant
Ms A Long – Director of Planning and Strategy
Ms C Smith – Head of Development and Regeneration

Members of the public in attendance who spoke:

BA/2010/ 0162/CU Silver Birches, Grebe Island, Lower Street, Horning
Ms I Lockwood Bidwells, Agent on behalf of applicant

BA/2010/0164/FUL White Lodge, 3 Kingfisher Lane, South Walsham
Mrs Mary Coles-Thwaite On behalf of applicant

10/1 Apologies for Absence and Welcome

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

Apologies for absence were received from Mrs J Brociek-Coulton, Mr N Dixon and Mr C Gould.

A (Norfolk) Company 1st Battallion of the Royal Anglian Regiment Parade

A parade in honour of the Royal Anglian Regiment was taking place within Norwich during the morning while the meeting was taking place. Members stood in silence for a minute in honour of those who were no longer with us and for those continuing the fight.

10/2 Declarations of Interest

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

10/3 Minutes

The minutes of the meeting held on 21 May 2010 were confirmed as a correct record and signed by the Chairman.

10/4 Points of Information arising from the Minutes

There were no points of information arising from the Minutes to report.

10/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

10/6 Chairman's Announcements and Introduction to Public Speaking

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

(2) Annual Site Visit – 21 July 2010

The Members' Annual site visit was due to take place on 21 July 2010.

(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.

10/7 Requests to Defer Applications Included in this Agenda

It was noted that two formal requests for deferrals of items had been received:

- BA/2010/0122/FUL 3 Riverside Estate, Brundall at the request of the applicant and his agent
- BA/2010/ BA/2010/0089/FUL Riverbank Upstream Of Falcon Sluice, River Waveney, Bungay – in order to complete the additional consultations required

10/8 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/2010/0162/CU Silver Birches, Grebe Island, Lower Street, Horning**

Continued use of the site for sale of boats, boathire and private moorings

Applicant: Mr Nigel Foster

The Planning Assistant explained that the application was submitted in order to regularise the current operations and activities in association with the holiday cottage of Silver Birches and its curtilage, a site office and three mooring cuts. This use included a mixture of boat sales, boat hire and private moorings. The changes had evolved as a result of changes to the business operation and the nature of the use of the moorings.

No objections had been received from the Parish Council or Broads Society. The Highways Authority had indicated that it had no objections although this had not yet been received in writing. The objection to the application had been received from a local resident whose concerns related to the significant changes in the appearance of Grebe Island, the nature of the use of the site from individually owned holiday properties to a more commercial leisure complex/business with a marina type character thus having an adverse impact on the character of the area.

The Planning Assistant concluded that the site was in a well-served and accessible location within the development boundary and the proposal was not considered to result in any significant adverse impact on traffic, highway safety or the character of the area or significantly adversely affect the amenities of the adjoining holiday cottages. It was therefore recommended for approval, subject to no new issues arising further to the unexpired Public Notice or from the formal consultation response from Highways.

Members noted that no built development was proposed, only the nature of the activities associated with the moorings. It was recognised that the use of the site made a contribution to tourism and the economy of Horning and to the Broads as a whole, and members did not

consider that the use would result in an adverse impact on the character of the area.

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 policy EMP1 of the Broads Local Plan (1997) and Policies CS1, CS9, CS18, CS22 and CS23 of the adopted Core Strategy (2007).

- (2) **BA/2010/0175/FUL Norfolk Broads Direct, The Bridge, Wroxham**
Recladding of existing boatshed building (to remove asbestos) and associated works
Applicant: Norfolk Broads Direct

In presenting the report the Planning Assistant explained that the application was before members as the applicant was a member of the Broads Authority's Navigation Committee. Since the report had been written comments of no objection had been received from the Parish Council.

In assessing the application, the Planning Assistant concluded that the proposal to re-clad and alter the existing boatshed was acceptable in terms of design, scale, form and materials. It was also considered to be acceptable in flood risk terms and not result in any significant adverse impact on the wildlife or amenities of the adjoining occupiers. The proposal was therefore recommended for approval.

Members welcomed the proposal and concurred with the officer's assessment.

RESOLVED unanimously

that the application be approved subject to conditions and an Informative as set out in the schedule at Appendix 2 to these minutes as the proposal is in accordance with saved Policies B11 and EMP3 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).

- (3) **BA BA/2010/0122/FUL 3 Riverside Estate Brundall**
Erection of riverside chalet for holiday occupation on site of former chalet
Applicant: Mr John Coxhead

The application was deferred at the request of the applicant's agent.

(4) **BA/2010/0164/FUL White Lodge, 3 Kingfisher Lane, South Walsham**

Proposed demolition of flat roofed kitchen extension and replacement with two storey extension

Applicant: Mr Matthew Thwaites

Mr Mallett, having declared an interest in the application, left the room for this item.

The Planning Assistant explained that the application involved the demolition of a flat roofed kitchen extension and its replacement with a thatched two storey extension on the same footprint which would match the adjoining boatshed. Since writing the report, the Broads Society had raised an objection with concerns about the scale of the proposal considering it to be out of keeping with the character of the area and creating a visually over dominant feature on the riverside. The Planning Assistant considered that the addition of a two storey structure to a single storey dwelling could in circumstances result in an adverse impact on the character and appearance of the existing dwelling and surrounding area. However, on balance it was considered that in the context of the area as a whole, and the existing development, it was considered to be acceptable. It was recommended for approval.

Mrs Coles-Thwaites was given the opportunity to address the Committee in place of the agent who had sent apologies. It was noted that the officer's report did not raise any adverse policy issues, the proposal was acceptable and the recommendation was for approval. However, the objections from the Broads Society and a neighbour were also noted. In response, a photograph had been made available for members showing the view of Alder Cottage from the existing flat roof of White Lodge. The height of the proposal would be similar or less than a one and half storey and it was considered that the proposal would not be seen from the objector's property as it would be within a backdrop of trees. The design of the development had been achieved following discussions with the Authority's Head of Cultural Heritage and Design. The development would result in the removal of an unsightly flat roof on the riverside and would be in a vernacular tradition in keeping with the character of the South Walsham Broad area. It was hoped that the Committee would approve the application.

The Planning Assistant reported that the Design Adviser had concluded that, although the relationship as regards the relative heights of the two elements of the development was unusual in that the extension would be higher than the host building, given the context of the site and the minimal footprint of the extension compared to the host building that relationship would be acceptable. He had therefore considered that the proposal would be acceptable in design terms.

Members considered that in the context of the other buildings on the site it represented an improvement and in association with the other development in the area it was in keeping, therefore in the context and character of the area it was considered to be acceptable.

RESOLVED unanimously

that the application be approved subject to conditions as set out in the schedule at Appendix 2 to these minutes as the proposal is considered to be in accordance with saved Policies B11 and H11 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).

- (5) **BA/2010/ BA/2010/0089/FUL Riverbank Upstream Of Falcon Sluice, River Waveney, Bungay**
Installation of replacement angling platforms to include disabled access Platforms
Applicant: Mr Stephen Lane, Environment Agency

The application was deferred in order to complete the necessary consultations.

10/9 Cantley River and Rail Working Group

The Committee received a report and presentation on the findings of the report commissioned by the Cantley River and Rail Working Group to investigate the feasibility of developing river/rail links to the sugar beet factory at Cantley. This followed from the granting of planning permission by the Authority for an extension to the factory to allow for the processing of raw cane sugar subject to conditions and a Section 106 agreement. This had been considered by the Cantley River and Rail Working Group, chaired by Dr Gray and comprising of representatives from the Broads Authority, Great Yarmouth Port Authority, British Sugar, Great Yarmouth Borough Council and Norfolk County Council. The Group commissioned Capita Symonds to carry out the study. The full report was available on the Authority's website as it was important that public had access to it.

http://www.broads-authority.gov.uk/broads/live/planning/cantley-transport-feasibility-final-report/FINAL_REPORT.pdf

It was noted that the feasibility of using rail links at this stage to transport cane sugar from Great Yarmouth to Cantley was unlikely to be viable. The conclusion of the report was that transportation of material by water was likely to be viable when compared with the cost of road transportation and this was welcomed. The report had taken into account the key constraints including night time navigation and the opening of bridges and tidal conditions as well as environmental factors, the carbon costs and costs to the community. The feasibility would also depend on the types of vessels to be used. The report was mindful of the fact that there would be environmental impacts, but if river transport was to be used this would be fully taken into account.

It was particularly noted that the decision as to whether to pursue the waterways option was a matter for British Sugar – there being no requirement for them to transport the sugar cane by river under the terms of the current planning consent. It was noted that the report recommended further study including the finalisation of costs, the extension of hours of navigation and the preparation of a grant application. There would be costs associated with each of these recommendations. However, members considered that it would not be practical to commit to carrying out any further studies until British Sugar was clearer as to whether it would be implementing in full the planning permission to refine the raw cane sugar.

It was noted that the study took into account costs and possible grants available before the election and at a specific point in time; these would naturally be revised should British Sugar proceed further. Should British Sugar decide to refine raw cane sugar at Cantley, the Authority might wish to encourage them to transport this by river, but a full report could be taken to the Authority on this and with regard to further study at a suitable time.

In general, members considered the study to have been worthwhile and of excellent value as well as having provided a greater understanding of all the other organisations concerned and the technical and financial details involved. Members thanked the Head of Development and Regeneration and Dr Gray for their work on this project.

The Navigation Committee Chairman requested that the full report be submitted to the Navigation Committee in September 2010.

RESOLVED

that the report be noted.

10/10 Enforcement Update

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

With regard to the enforcement issues at Thorpe Island, the Chairman reported that the Thorpe Island group was fully engaged with the Authority and a meeting had been held within the last week with some of their representatives.

It was noted that enforcement was a dialogue and the aim was to seek compliance by negotiation. The Authority had a duty to respond and investigate complaints received, but this did not always result in actually taking enforcement action. Officers were aware that costs would be incurred but were very mindful to take these into consideration when deciding whether it would be expedient to take enforcement action.

RESOLVED

that the report be noted.

10/11 Appeals to the Secretary of State: Update

The Committee received a table showing the position regarding appeals against the Authority since January 2010 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

10/12 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 10 May 2010 to 8 June 2010.

RESOLVED

that the report be noted.

10/13 Date of Next Meeting

It was noted that the next meeting of the Planning Committee would be held on Friday 16 July 2010 at 10.00am at Dragonfly House, 2 Gilders Way, Norwich.

The meeting concluded at 11.50 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date: 18 June 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 √
A S Mallett	General 10/3 minutes	Regurgitation of previous interests declared	√
	10/8	Applicant known personally to me	√
	10/9	Member of Navigation Committee	
	10/10	Member of Norwich Frostbite Sailing Club (If item discussed will absent self from meeting)	√
M C Broom	Application 10/8 (3) 10/9	Member of Navigation Committee	
S Dorrington	General	Toll Payer	

APPENDIX 2

Decisions on Planning Applications considered by the Planning Committee on 18 June 2010

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0162/CU, Horning	Silver Birches, Glebe Island, Lower Street	Mr Nigel Foster	Continued use of the site for sale of boats, boat hire and private moorings
<p>Decision unanimous</p> <p>Approve subject to conditions:</p> <ul style="list-style-type: none"> • Standard time limit • In accordance with plans and planning statement • Opening times <p>Reason for decision</p> <p>The proposal is considered to be in accordance with saved Policy EMP1 of the Broads Local Plan (1997) and Policies CS1, CS9, CS18, CS22 and CS23 of the adopted Core Strategy (2007).</p>			

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0175 Norfolk Broads Direct, Wroxham	The Bridge,	Norfolk Broads Direct	Recladding of existing boatshed building (to remove asbestos) and associated works
<p>Decision unanimous</p> <p>Approved subject to conditions:</p> <ul style="list-style-type: none"> • Standard time limit • In accordance with submitted plans • Bat boxes to be installed within three months of completion <p>Informative Notes:</p> <p>Separate consent is required for signs or advertisements.</p> <p>It is possible that the buildings to which the application relates are occupied by bats,</p>			

which are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended).

The removal of asbestos materials must be carried out in accordance with appropriate guidance.

Reason for decision

The proposal is considered to be in accordance with saved policies B11 and EMP3 of the Broads Local Plan (1997) and policy CS1 of the adopted Core Strategy (1997) and policy CS1 of the adopted Core Strategy (2007).

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0164/FUL South Walsham	White Lodge, 3 Kingfisher Lane	Mr Matthew Thwaites	Proposed demolition of flat roofed kitchen extension and replacement with two storey extension

Decision unanimous

Approved subject to conditions:

- Standard time limit
- In accordance with plans

Reason for decision

The proposal is considered to be in accordance with saved Policies B11 and H11 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0122/FUL Brundall	3 Riverside Estate	Mr John Coxhead	Erection of riverside chalet for holiday occupation on site of former chalet

Deferred at applicant's request

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0089/FUL Bungay	Riverbank Upstream Of Falcon Sluice, River Waveney	Mr Stephen Lane, Environment Agency	Installation of replacement angling platforms to include disabled access Fishing Platforms
Deferred for consultations to be completed.			