

13/3 Minutes

The minutes of the meeting held on 13 August 2010 were confirmed as a correct record and signed by the Chairman subject to the spelling of Morses Wind Engine Museum.

13/4 Points of Information arising from the Minutes

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

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

There were no items of urgent business.

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

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

(2) Open Day: Dragonfly House, 11 September 2010

The Chairman reminded members that Dragonfly House would be open to the public from 11.00 to 4.00 on 11 September 2010 as part of the Heritage Open Day events in Norwich and Norfolk. All were welcome.

(3) Parish Forum 29 September 2010

The Chairman announced that she would be chairing the next Parish Forum that would be taking place on the evening of Wednesday 29 September 2010 at Dragonfly House. Other members were welcome to attend.

(4) Public Speaking

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the 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.

13/7 Requests to Defer Applications Included in this Agenda

No formal requests for deferrals of items had been received.

13/8 Applications for Planning Permission

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having

regard to Human Rights), and reached decisions as set out 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/2010/0251/FUL Reedlings, 74 Lower Street, Horning**
Proposed extensions and alteration including demolition of existing porch
Applicant: Mr Len Funnell

The Planning Assistant explained that the application was before members in view of an objection from the Broads Society on grounds of scale particularly as they considered the size of the extension to be larger than the original building. She emphasised that the proposal site was within the Horning Conservation Area and that a structural survey had shown that the side part of the present property was structurally unsafe. The main issues to consider were that of design, scale, form and material of the proposed extension and alterations, the impact on the character and appearance of the existing dwelling and the surrounding Conservation Area, the impact on the residential amenities of adjoining occupiers and flood risk.

In conclusion the Planning Assistant considered that the proposal represented a substantial extension and minor alterations to an existing dwelling, was a substantial addition of floor space and would have a higher ridge line than the existing. However, this was not considered to have an adverse impact on the character and appearance of the area or the surrounding Conservation Area. In fact, it was considered to enhance the appearance of the dwelling and be a benefit to the Conservation Area. There were not considered to be any significant adverse impacts on the residential amenities of neighbours, no increase in flood risk and therefore the application was recommended for approval although with an additional condition of removal of permitted development rights.

A member commented that the Broads Society's objection appeared to be based on a North Norfolk policy rather than that of the Broads Authority. Members concurred with the officers' assessment and considered that the proposal was acceptable. It was noted that the upvc of the existing building was to be replaced with timber and painted cream in association with the whole proposal. As a whole, it was considered that the proposal would not only preserve the Conservation Area but would also enhance it and this was to be welcomed. It was considered that the ridge height, although higher, provided a visual step in the building and in terms of architectural merit contributed to the improvement of the existing building. It was considered that the application was in accordance with Broads Authority policies.

RESOLVED unanimously

that the application be approved subject to conditions including that of removing permitted development rights, as set out in the schedule at Appendix 2 to these minutes, as the application is in accordance with saved Policies C8, B9, B11 and H11 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).

- (2) **BA/2010/0248/FUL RSPB Cantley Marshes Cantley**
Reinstate an agricultural access route and installation of two wind pumps
Applicant: RSPB

John Sharpe, having declared a prejudicial interest, left the room for this item.

The application was before the Committee due to an objection from the Broads Society on the grounds that the description of the proposal was misleading particularly in relation to the installation of the two wind pumps. Additional information had been received and sent to the Broads Society and their objection had now been withdrawn. There was therefore no objection to this application. Members, however, agreed to consider the matter as the report was before them.

The Planning Assistant explained that the application was in two parts, the first relating to the reinstatement of the access track, and the second being the installation of two wind pumps. It was emphasised that the material to raise the access track would be taken from the enhancement of the existing foot drains and formation of shallow scrape areas. The two windpumps would be installed to increase the water levels in the winter months for wading birds and their design was similar to that at Calthorpe. Since writing the report, in addition to the withdrawal of the Broads Society's objection, consultations had been received from the Environment Agency and the Internal Drainage Board (Water Management Alliance) raising no objections.

Members considered that the detail supplied by the RSPB was very thorough, illustrated a well thought out application and was to be welcomed. In light of the additional information having been submitted, the proposed condition relating to the location and details of the scrape was not necessary.

Dr Gray proposed, seconded by Dr Johnson and it was

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 considered to be in accordance with Broads Local Plan saved Policies

B11, C14, and INF11 (1997) and Policies CS1, CS4 and CS20 of the adopted Core Strategy (2007).

(3) **BA/2010/0244/CU Maltings Meadow, Sports Ground, Pirnhow Street, Ditchingham**

Change of use of agricultural land next to Sports Club to be turned into sports pitches

Applicant: Mr Jon Fuller

The Planning Assistant explained that the proposal was for the change of use of land to incorporate it into the present sports facility and use it for one large or two small football pitches and /or archery and a running track. Although Ditchingham Parish Council had supported the application they requested that the concerns of the neighbours, to which she drew attention, be taken into account. Since writing the report, consultation responses had been received from the Highways Authority stating they had no objections since there was sufficient parking provision already available; and also from the local district member, in support of the application subject to mitigation measures being taken to provide the neighbouring properties with sufficient protection of their privacy. Copies of the comments from the local district member were circulated. The Planning Assistant drew attention to the location map showing the application boundary with a minor correction to include an additional section in the south-eastern corner, copies of which had also been circulated.

In conclusion the Planning Assistant considered that there would not be an adverse impact on the character of the area, there would be limited impact on highways and there was adequate parking provision. The restriction on the times of use of the field should ensure that there would not be a significant adverse impact on neighbouring amenity and therefore the recommendation was for approval.

Mr Fuller, the applicant, was given the opportunity to address the Committee in support of the application. He explained that the aim was to remove the separate area of football pitch on the other side of Pirnhow Street and bring this within the vicinity of the Club House. He therefore considered that the problems over overflow car parking on the road would then not occur. It was therefore considered that the proposed new facility would not impact further on local residents than the existing. He explained that there was no intention of putting in floodlights. His concern was that the proposed condition restricting the hours of use between 9.00am and 4.00pm would mean that the facility could only be used at weekends and it would not be possible to use it during the school week, given that schools did not usually finish until between 3.00pm and 4.00pm, giving very limited time. The aim was to build a community facility and to encourage more youngsters to take up sport.

Members congratulated the applicant on the management of the site and the existing facilities provided and considered the application to be worthwhile. They had some sympathy in relation to the hours of operation but were also mindful of the amenities of the neighbouring cottages. It was suggested that suitable boundary treatment be required, that consideration be given to the provision of a high net fence or a removable structure that could be erected as needed to prevent balls entering private gardens and as suggested by the local district member. It was therefore considered that officers should negotiate further with the applicant on the hours and reconsider an appropriate boundary treatment.

RESOLVED unanimously

that the application be delegated to officers to approve subject to satisfactory further negotiations on the hours of operation and boundary treatment to take account of neighbour concerns, and conditions as set out in the schedule at Appendix 2 to these minutes, as the proposal is considered to be in accordance with the saved Broads Local Plan Policies TR19 and TR21 and the adopted Core Strategy Policies CS1, CS0 and CS25.

13/9 Consultation on Planning Application in Waveney District: Erection of nine Wind Turbines on site at Ringsfield, Shipmeadow and Barsham

The Committee received a report relating to three planning applications upon which the Authority was being consulted by Waveney District Council. These related to nine wind turbines in total, three on each of the three sites in the parishes of Ringsfield, Shipmeadow and Barsham. Members concentrated on the impact the proposals would have on the Broads area namely in relation to the impact on landscape and protected species, bearing in mind the reasons and qualities for which the area was designated. It was noted that the proposals came within approximately 900metres, 600metres and 200metres of the Broads boundary. It was also noted that further information in relation to the impact of the scheme from the River Waveney, well within the Authority's boundary, had not been submitted.

Members had sympathy with the principle of the applications in providing alternative energy sources in line with the objectives of the UK Renewable Energy Strategy (2009). However, the visual impact on the Broads landscape was of considerable concern, and it was considered that this had not been given sufficient weight by the applicant. As custodians of that sensitive protected landscape area members considered that the Authority's objection should be maintained, particularly given the cumulative impact that each of the proposals would have on the Broads. The application closest to the Broads area boundary, Application BA2010/0272WNDFRM, was of particular concern. The views of the Landscape Architect were endorsed.

In conclusion it was considered that, on balance, the proposed scheme was unacceptable and the Authority's previous response should be reinforced.

RESOLVED by 6 votes with one abstention

that Waveney District Council be informed that the Authority raises a strong objection to the applications on grounds of adverse impact on the landscape and ecology of the Broads, particularly that which is closest to the Authority's boundary at Laurel Farm.

13/10 Consultation Documents: Update and Proposed Responses

The Committee received a report together with a schedule of consultation documents received by the Authority since the previous Planning Committee meeting in August 2010 together with the nature of the response made or proposed. This related to:

Suffolk County Council's Sustainability Appraisal Scoping Report for Site Allocations DPD and the Wymondham, Long Stratton, Norwich Research Park and Park Road, Diss Area Action Plans.

RESOLVED

that the report be noted and the nature of the proposed response be endorsed.

13/11 Broads Local Development Framework – Development Management Policies Development Plan Document: Summary of Results of Further Consultation on the Preferred Options (7 June 2010 – 16 July 2010)

The Committee received a report which provided an update on the preparation of the Development Management Policies Development Plan Document (DPD) and in particular the results of the most recent stage of consultation – Further Preferred Options.

The Committee noted the appended spreadsheet which contained information on respondents and their comments only. A detailed commentary on responses received together with appropriate recommendations and revised policies would be reported to the Planning Committee on 5 November 2010 before submission to the Broads Authority on 19 November 2010. The Navigation Committee on 21 October 2010 would also receive details of those related navigation issues.

It was noted that there would be further consultation on the revised set of policies before these were to be submitted to the Secretary of State at the end of 2010/early 2011. The policies would then be subject to public examination in Summer 2011. Additionally there would need to be a revised Appropriate Assessment and Strategic Environmental Assessment/Sustainability Appraisal and a separate set of area specific issues contained within a "Location or Site Specific Policies DPD" that would be prepared with the LDF Proposals Map.

It was clarified that comments which expressed concerns and/or additional comments were noted as an objection in accordance with the guidance from government. Any policies where there were comments of “unsoundness” were being carefully examined in light of the strict criteria used to define “soundness”. Officers confirmed that the comments from English Heritage had been received after the deadline. However, these comments would still be read and made available to the Inspector while policies were reviewed.

Members noted and welcomed that there was considerably more support for the Development Management Policies as a whole than would first appear as even small minor comments had to be logged as an objection. They welcomed the comments from the Broads Society.

RESOLVED

that the report and consultations responses be noted.

13/12 Enforcement Update

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

RESOLVED

that the report be noted.

13/13 Enforcement of Planning Control: Withdrawal of Enforcement Notice in respect of Vessel, Free Spirit at Thorpe Island, Thorpe St Andrew, Norwich

The Committee received a report relating to the withdrawal of an Enforcement Notice concerning unauthorised use for residential purposes of vessel Free Spirit. The Planning Inspectorate had advised that their view was that the breach of planning control was a material change of use of the land, covered by water, over which the vessel was moored and also of land to which it was moored and that the requisite period after which the use would become immune from enforcement action was ten years and not four as originally considered.

Although it was noted that it was appropriate for the notice to be withdrawn, it was also noted that the breach of planning control still existed. It was also noted that there were a number of vessels moored and being used for residential purposes in the planning unit (as revised) and no planning permission existed for this use on any of those vessels. Therefore, each of the vessels was still in breach of planning control. The Authority was not relaxing its resolve, but taking account of the existing circumstances, the Local Development Framework policy development and cooperation and engagement with local communities.

RESOLVED

that the report be noted.

13/14 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.

13/15 Decision on Appeal to the Secretary of State: Mr Brian Webster, The Old Rectory, Church Road, Burgh Castle

The Committee received a report on the decision by the Secretary of State to dismiss the appeal by Mr Webster in relation to the Old Rectory, Church Road, Burgh Castle. The decision to up hold the Authority's view was welcomed.

RESOLVED

that the report be noted.

13/16 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers up to August 2010.

RESOLVED

that the report be noted.

13/17 Date of Next Meeting

It was noted that the next meeting of the Planning Committee would be held on Friday 8 October 2010 at 10.00am at Dragonfly House, 2 Gilders Way, Norwich.

The meeting concluded at 12.10 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date: 10 September 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 √
N Dixon	All	General – as they affect Norfolk County Council	
A S Mallett	General 13/3 minutes	Regurgitation of previous interests declared	√
	13/8 (1)	Applicant known to me (Personal interest)	
	13/12 (1)	Member of Norwich Frostbite Sailing Club (NFSC) (If item discussed will withdraw self from meeting if necessary)	√
	General 13/11	Appointed by Broadland District Council Norfolk and Suffolk Boating Association and NFSC - organisations made comments on LDF, DMP DPD.	
M C Broom	13/8 (i) and 13/11 LDF	Applicant known to me Member of NSBOA which made comments.	
	13/12.1.1	NFSC	
G W Jermany		General as member of Great Yarmouth Borough Council Lobbied	
J Sharpe	13/8 (2) 13/11	Employee of RSPB RSPB Made comments on LDF	√

J M Gray	13/8 (3) 13/10	Visited site with Local District Member Member of South Norfolk Council	
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Decisions on Planning Applications considered by the Planning Committee on 10 September 2010

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0251/FUL Horning	Reedlings, 74 Lower Street	Mr Len Funnell	Proposed extensions and alterations including demolition of existing porch
<p>Decision unanimous</p> <p>Approve subject to conditions:</p> <ul style="list-style-type: none"> (i) standard time limit; (ii) in accordance with submitted plans; and (iii) removal of permitted development rights. <p>Reasons for Decision</p> <p>The proposal is considered to be in accordance with saved Policies C8, B9, B11 and H11 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).</p>			

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0248/FUL Cantley	RSPB Marshes Cantley	RSPB	Reinstate an agricultural access route and installation of two wind pumps
<p>Decision</p> <p>Approved subject to conditions:</p> <ul style="list-style-type: none"> (i) standard Time limit; (ii) in accordance with submitted plans including additional details re scrape(s); (iii) details of monitoring scheme for bat strike; (iv) timing of works. <p>Reason for decision</p> <p>The proposal is considered acceptable, in accordance with saved Policies B11, C14 an INF11 of the Broads Local Plan (1997) and Policies CS1, CS4 an CS20 of the adopted Core Strategy (2007).</p>			

District / Ref No / Parish	Situation	Applicant	Proposal
BA/2010/0244/CU Ditchingham	Maltings Meadow Sports Ground, Pirnhow Street	Mr Jon Fuller	Change in use of agricultural land to sports pitches

Decision unanimous

That authority be delegated to officers to approve the application subject to satisfactory negotiations and conditions:

- (i) standard time limit;
- (ii) in accordance with submitted plans;
- (iii) landscaping scheme including Boundary treatment to be negotiated;
- (iv) hours of use (9.00am – 4.00pm) to be negotiated to take account of amenities of local residents

Reason for decision

The proposal is considered to be in accordance with saved Policies TR19 and TR21 of the Broads Local Plan (1997) and Policies CS1, CS9 and CS25 of the adopted Core Strategy (2007).