

Broads Authority

Planning Committee

Minutes of the meeting held on 3 December 2010

Present:

Mrs C Sheridan - In the Chair

Mrs S Blane	Mr G W Jermany
Mr M C Broom	Mr A S Mallett
Mr N Dixon	Mr J Sharpe
Mr C Gould	

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr C Brown – for the Solicitor
Mr F Bootman – Planning Officer
Ms M Hammond – Planning Assistant
Mr B Hogg – Head of Cultural Heritage and Design
Ms A Long – Director of Planning and Strategy
Ms C Smith – Head of Development and Regeneration
Ms K Wood – Planning Assistant

Members of the public in attendance who spoke:

BA/2010/0282/FUL No5 The Watermill, Staithe Road, Bungay

Mr T Child – Applicant

3/1 Apologies for Absence and Welcome

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

Apologies for absence were received from Mrs J Brociek-Coulton, Mr A Duce, Mr S Dorrington, Dr J M Gray and Dr J S Johnson.

3/2 Declarations of Interest

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

3/3 Minutes

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

3/4 Points of Information arising from the Minutes

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

3/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

3/6 Chairman's Announcements and Introduction to Public Speaking

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

(2) Amendment to Scheduled Date of Planning Committee – Royal Wedding

It was noted that the date of the Royal Wedding, also designated as a Bank Holiday had been confirmed as 29 April 2011. As this was a scheduled Planning Committee day, it would be necessary to find an alternative date. Thursday 28 April 2011 was proposed.

RECOMMENDED to full Authority

that the 29 April 2011 Planning Committee be rescheduled to Thursday 28 April 2011 and appropriate publicity be given.

(3) Hunsett Mill – Grade II Listed Wins Top Design

The Chairman announced that Hunsett Mill and the cottage on the River Ant, for which the Authority had granted planning permission, had won the Royal Institute for British Architects' (RIBA) Manser Medal 2010 for the best new house or major extension in the UK. It had also won the CBRE Norfolk 2010 award from the Campaign to Protect Rural England.

(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.

3/7 Requests to Defer Applications Included in this Agenda

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

3/8 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/2010/0282/FUL No 5 The Watermill, Staithe Road, Bungay**
Erection of Summerhouse in detached garden
Applicant: Mr T Child

The Planning Officer explained that the proposal was within the Bungay Conservation Area and was for a summerhouse within a private detached garden associated with a property that was part of a converted water mill. The site was the northern most of three detached garden plots situated on an island between the River Waveney and the mill stream. The summerhouse would be sited on an existing concrete pad which would be extended in one direction but reduced in another. The small storage shed on the site would be removed if planning permission was granted. In addition, the lower fence would be increased in height to match the existing. Since the report had been written, additional information had been received from the applicant explaining that the existing gate would be replaced with a taller one and there would be additional screening. The neighbour had been informed but had confirmed that he wished to maintain his objection on grounds of size.

In assessing the application, the Planning Officer considered that the principle, design and scale of the proposal were acceptable and proportionate to the plot size. Given that it fell within a conservation area, any development should preserve or enhance the conservation area and it was important to consider the view from the northern boundary. Given that the applicant had sought to address the neighbours concerns by the provision of additional screening, it was considered that the development would fulfil the criteria for a conservation area and would also not have a detrimental effect on the amenity of the neighbouring plots. Therefore the Planning Officer recommended that the application be approved subject to conditions.

Mr Child, the applicant, was given the opportunity to address the Committee explaining that, although there was concern that the proposed summerhouse was too large, the footprint was approximately less than 10% of the whole garden area. He hoped that the additional screening would help to alleviate concerns and hoped the Committee would accept the proposal.

Members endorsed the officer's assessment and were satisfied that the additional screening should help to alleviate concerns. It was suggested that the proposed summerhouse should be treated with a natural colour stain and that this should be the subject of a planning condition.

RESOLVED unanimously

that the application be approved subject to conditions as set out in the schedule at Appendix 2 to these minutes including a condition that the summerhouse be treated with a natural stain, as the development is considered to be appropriate in terms of its design, scale, siting and materials and the proposal would preserve the character of the Conservation Area. The proposal would have no significant detrimental impact on the amenity of neighbouring land and, having regard to these factors, it was considered to be in accordance with Broads adopted Core Strategy Policy CS1 and Broads Local Plan Policies B7 and B11.

(2) **BA/2010/0034/CU Former Shop, Nicholas Everitt Park, Oulton Broad Lowestoft**

Change of use of a former shop from A1 retail to D1 non-residential institution and single storey extension

Applicant: Mr Richard Mann

The Planning Assistant explained that the application was before the Committee since the Local District member had made the request due to the prominent location of the application in a large open space. The application was for the change of use of a former gift shop which had ceased trading to use as a classroom and education/learning space with disabled wc/wc facilities operated by the Oulton Broad Community Enterprise for use by local schools and other organisations. It was proposed that the existing building would also have two small extensions. Since the report had been written the Highways Authority had responded with no objections.

In conclusion the Planning Assistant stated that the conversion of the building to an education facility was acceptable particularly given the strong policy presumption in support of the improvement of existing visitor and local facilities. There were also no flood risk constraints. The proposed extension was considered to be of an appropriate scale and design in keeping with the surrounding built environment and therefore the application was recommended for approval with conditions.

Members concurred with the officer's assessment and

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 Policies CD1 and CS4 of the adopted Core Strategy CS1 and CS4 and saved Policies TR19, TR21, INF12, INF13 and B11 of the Broads Local Plan.

(3) **B A/2010/0269/FUL Mill View, North West River Bank, Potter Heigham**

Retrospective Application for the demolition of boat shed and erection of replacement

Applicant: Mrs Miriam Moore/ Mr J Emanuel

The Planning Assistant explained that the application had been referred to Committee due to the objection from the parish council who considered that the application should be of a better design and that enforcement action should be taken. It was noted that the application sought retrospective consent for a replacement boatshed. The scale of the replacement boatshed was very similar to the original being half the length of the original but similar in other dimensions. The comments of the parish council were noted but given the acceptability of the boatshed, enforcement action was not considered expedient and the fact that it was a retrospective application was not a reason for refusal. The Planning Assistant concluded that the boatshed was appropriate in scale, form and design and would not result in any significant adverse effects on the landscape or amenities in the surrounding area. It was therefore recommended for approval.

Members concurred with the officer's assessment, some considering that the proposal resulted in an improvement.

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 in accordance with saved Policies B11 and B12 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).

3/9 Annual Monitoring Report 2009/10

The Committee received a draft Local Development Framework Annual Monitoring report for the preceding year 2009/10, 1 April to 31 March, to be submitted to the Secretary of State by the end of the year 2010. This gave the Authority the opportunity to review its progress in developing and implementing its Local Development Framework and to share this with the public. The report followed the same format as for 2008/09 and had focussed on information which might inform decisions to be taken in the coming year.

Members noted the conclusions under General Progress, Development Management, Effects of Policy and Local Development Framework progress. It was concluded that the draft Annual Monitoring Report would meet the Authority's statutory obligations for such a report, and provided a succinct review of the progress of the Local Development Framework. It was noted

that despite changes in government legislation, the Authority was still expected to submit an AMR. It was considered that monitoring would become even more important in the future particularly when reviewing policies appropriate to the local area.

Members congratulated the officers on the excellent progress and achievements with the work being done and commended the Annual Monitoring Report for submission to the Secretary of State.

RESOLVED

- (i) that the Annual Monitoring Report 2009/10 be noted; and
- (ii) that the Annual Monitoring Report be approved for submission to the Secretary of State for Communities and Local Government subject to minor editorial amendments.

3/10 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 November 2010 together with the nature of the responses made or proposed. This related to:

- Waveney District Council, Lowestoft and Lake Lothing Outer Harbour Area Action Plan
- Great Yarmouth Waterfront Area Action Plan and Draft Sustainability Appraisal
- Norfolk County Council Minerals and Waste Core Strategy and Development Management Policies DPD Revisions and Pre-Submission Document.

RESOLVED

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

3/11 Heritage Asset Review Group: Note of Meeting on 5 November 2010

The Committee received the note of the Heritage Asset Review Group held on 5 November 2010. It was pleasing to note that three properties could be removed from the Buildings at Risk Register. It was also noted that officers would concentrate on all those buildings first identified for attention in an effort to remove them from the Register before moving to the next phase.

RESOLVED

that the report be noted.

3/12 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. The Head of Development and Regeneration further reported on:

- (1) **South Side of Thorpe Island: New Cut**
Unauthorised mooring of vessels

It was noted that Network Rail had issued trespass notices and that there could be county court proceedings. It was also noted that there was a dispute over land ownership.

- (2) **Thorpe Island Marina, West side of Thorpe Island**
Unauthorised development

It was noted that Enforcement Notices had not yet been issued but that this did not imply that the Authority was condoning the mooring of vessels in this location. The landowner was aware of the Authority's policies and views and the use of the basin was being monitored.

- (3) **Thorpe Island, "East End", Norwich:** Structure subject of appeal. A site visit by the Planning Inspectorate had taken place on 24 November 2010.

- (4) **Land at North End Farm, North End, Thorpe next Haddiscoe, Thurlton**
Unauthorised erection of fencing and stationing of caravans

Compliance with the enforcement notice had not been achieved and therefore consideration was being given to the next stage.

- (5) **Land at Morses Wind Engine Museum, Repps with Bastwick**
Unauthorised retention of mobile home and track

An appeal had been submitted.

- (6) **Sotshole Cottage, School Road, Woodbastwick, Ranworth**
Unauthorised conservatory on a listed building

The Enforcement Notice had been issued following the report to Committee on 8 October 2010. Appeal documents had been received and it was noted that the owners of the property were appealing on the grounds of insufficient time to comply with the notice and remove the unauthorised conservatory. It was noted that prior to the property being bought in 2009, the present owners were aware of the unauthorised structure.

RESOLVED

that the report be noted.

3/13 Appeals to the Secretary of State: Update

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

RESOLVED

that the report be noted.

3/14 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 25 October 2010 to 23 November 2010.

RESOLVED

that the report be noted.

3/15 Date of Next Meeting

It was noted that the next meeting of the Planning Committee would be held on Friday 7 January 2011 at 10.00am at Dragonfly House, 2 Gilders Way, Norwich.

The meeting concluded at 11.12 am

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date: 3 December 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 √
G W Jermany		General as member of Great Yarmouth Borough Council Toll Payer	
A S Mallett	General 3/8(3) 3/10(1)	Toll payer Member of Navigation Committee (did not take part in the debate at the meeting when it was discussed) Vice-Commodore of Norwich Frostbite Sailing Club (NFSC) (will withdraw self from meeting if necessary)	√
M C Broom	3/10(3)	Consultation Item Waveney District Council: Landowner	
N Dixon	All General	Appointed by Norfolk County Council – any item that may affect NCC	

APPENDIX 2

Decisions on Planning Applications considered by the Planning Committee on 3 December 2010

Ref No /Parish	Situation	Applicant	Proposal
BA/2010/0282/FUL Bungay	No 5 The Watermill, Staithe Road	Mr Tim Child	Erection of Summerhouse in detached garden
<p>Decision unanimous Approved subject to conditions:</p> <ul style="list-style-type: none">• standard time limit;• in accordance with approved plans;• the summerhouse hereby permitted shall be used only for purposes incidental to and in connection with the use of the principle dwellinghouse, Number 5, The Watermill, Staithe Road, Bungay;• No external lighting shall be attached to the building hereby approved without the prior written approval of the Local Planning Authority; and• the summerhouse to be treated with a natural stain. <p>Reason for Decision</p> <p>The development is considered an appropriate form of development which, having regard to the design, scale, siting and materials of the proposal would preserve the character of the Conservation Area. The proposal would have no significant detrimental impact on the amenity of neighbouring land and, having regard to these factors, it is considered to be in accordance with Broads adopted Core Strategy Policy CS1 and Broads Local Plan Policies B7 and B11.</p>			

Ref No /Parish	Situation	Applicant	Proposal
BA/2010/ 0334/CU Oulton Broad	Former Shop Nicholas Everitt Park	Mr Richard Mann (Oulton Broad Community Centre)	Change of Use of a former shop from A1 retail to D1 non-residential institution and single storey extension
<p>Decision unanimous</p> <p>Approved subject to the following conditions:</p> <ul style="list-style-type: none"> • time limit; • in accordance with plans; • materials to be submitted; • Species Survey to be submitted; and • mitigation measure of Species Survey to be agreed and undertaken. <p>Reason for Decision</p> <p>The development is therefore considered in accordance with Policies CS1 and CS4 of the adopted Core Strategy; and saved Policies TR19, TR21, INF12, INF13 and B11 of the Broads Local Plan.</p>			

Ref No /Parish	Situation	Applicant	Proposal
B A/2010/0269/FUL Potter Heigham	Mill View, North West River Bank	Mr J Emanuel	Retrospective Application for the demolition of boat shed and erection of replacement
<p>Decision unanimous</p> <p>Approved subject to conditions:</p> <ul style="list-style-type: none"> • standard time limit; • in accordance with submitted plans; • stain to be agreed; and • details of swallow and bat boxes to be installed within three months of permission. <p>Reason for Decision</p> <p>The proposal is considered to be in accordance with saved policies B11 and B12 of the Broads Local Plan (1997) and Policy CS1 of the adopted Core Strategy (2007).</p>			